

Planning Committee – 26 September 2007

Present:- Councillor Mrs Hill (Chairman)
Councillor Mrs Allgrove (Vice-Chairman)
Councillors Bishop, Bowrah, Critchard, Denington, Floyd,
Ms Herbert, C Hill, House, Miss James, Mrs Smith, Watson,
Mrs Waymouth, A Wedderkopp, D Wedderkopp and Woolley

Officers:- Mr T Burton (Development Manager), Mr J Hamer
(Development Control Area Manager – West),
Mrs J Moore (Development Control Principal Officer – East),
Mrs J M Jackson (Senior Solicitor) and Mr R Bryant
(Democratic Support Manager)

Also present:- Councillor Coles and Councillors Brockwell and Guerrier in
relation to application No 38/2007/336.

(The meeting commenced at 5.00 pm).

113. Apologies/Substitutions

Apologies: Councillors Henley, McMahon and Ms Webber.

Substitutions: Councillor Ms Herbert for Councillor McMahon.
Councillor Mrs Waymouth for Councillor Ms Webber.

114. Minutes

The minutes of the meeting held on 5 September 2007 were taken as read
and were signed.

115. Applications for Planning Permission

The Committee received the report of the Development Manager on
applications for planning permission and it was RESOLVED that they be dealt
with as follows:-

- (1) That outline **planning permission be granted** for the under-
mentioned development, subject to the standard conditions adopted by
Minute No 86/1987 of the former Planning and Development
Committee and such further conditions as stated:-

27/2007/017

**Erection of 2 No semi-detached dwellings with associated
parking, land adjoining Baron House, Hillcommon**

Conditions

- (a) C005 – outline – reserved matters;
- (b) C009 – outline – time limit;

- (c) C014A – time limit;
- (d) C101 – materials;
- (e) C201 – landscaping;
- (f) C215 – walls and fences;
- (g) C321B – parking;
- (h) Before the dwellings hereby permitted are occupied, a properly constructed and surfaced turning space for vehicles shall be constructed within the curtilage and blue line land in accordance with the details shown on the submitted plan and thereafter kept unobstructed;
- (i) C416 – details of size, position and materials of meter boxes;
- (j) C926B – remediation investigation/certificate;
- (k) P001A – no extensions;
- (l) P005 – no garages;
- (m) Before the development hereby permitted is occupied, unobstructed visibility shall be provided above a height of 900mm above ground level across the full site frontage for a depth of 2m measured from the eastern boundary of the site. Such visibility shall thereafter be maintained to the satisfaction of the Local Planning Authority.

(Notes to applicant:- (1) N118 – disabled access; (2) N112 – energy conservation; (3) N114 – design; (4) N115 – water conservation; (5) N024 – development in accordance with the approved plans; (6) N045 – encroachment; (7) N051B – health and safety; (8) Applicant was advised that the Council seeks to achieve a high quality of individual design in new housing development. Your attention is therefore drawn to the Council’s Design Guide, the principles of which must be taken into account when submitting an application for reserved matters; (9) N048A – ground contamination; (10) Applicant was advised to contact Wessex Water with regard to connection to their systems for water supply and disposal of foul flows. You are also advised that there is a foul sewer crossing the site. Wessex Water normally requires a minimum 3m easement width on either side of its apparatus for the purpose of maintenance and repair. Diversion or protection works may need to be agreed. You are requested to contact Wessex Water in this regard; (11) Applicant was advised that there are no existing public separate surface water sewers in the vicinity of the site. You are therefore recommended to investigate alternative methods for the satisfactory disposal of surface water from the site, for example, soakaways. Surface water should not be discharged to the foul sewer; (12) Applicant was advised that any soakaways should be constructed in accordance with Building Research Digest 365 (September 1991).)

Reason for granting outline planning permission:-

The proposal was considered to be in compliance with Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 and STR6 and Taunton Deane Local Plan Policies S1 and S7. Although the proposal was not strictly in accordance with Taunton Deane Local Plan Policy S7, the site was surrounded by other development,

including the mobile home park to the south, and otherwise the proposal was considered to be in line with the requirements of Policy H2.

- (2) That **planning permission be granted** for the under-mentioned developments, subject to the standard conditions adopted by Minute No 86/1987 of the former Planning and Development Committee and such further conditions as stated:-

03/2007/010

Formation of access track, erection of implement store and two polytunnels at land at Higher Cobhay, Bathealton

Conditions

- (a) C001A – time limit;
- (b) C201 – landscaping;
- (c) C101 – materials;
- (d) Prior to the commencement of works, details of the proposed materials for the access track shall be submitted to, and approved in writing by, the Local Planning Authority;
- (e) No site clearance works or development (or specified operations) shall take place between 1 March and 31 July without the prior written approval of the Local Planning Authority;
- (f) The recommendations of the hedgerow survey dated July 2007 shall be carried out and complied with unless any variation is agreed in writing by the Local Planning Authority;
- (g) The proposed access over the first 10m of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel), in accordance with details which shall be submitted to, and approved in writing by, the Local Planning Authority;
- (h) There shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2m back from the carriageway edge on the centre line of the access and extending to a point on the nearside carriageway edge 50m to the north-west and 90m to the south-east. Such visibility shall be fully provided before the access hereby permitted is brought into use and shall thereafter be maintained at all times;
- (i) The existing vehicular access shall be stopped up, its use permanently abandoned and the verge re-instated in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details. Such works shall be completed within one month of the new vehicular access hereby permitted being brought into use;
- (j) C306 – access – gradient;
- (k) Prior to the commencement of the development hereby approved, details of any entrance gates to be erected shall be

submitted to, and approved in writing by, the Local Planning Authority and retained as such thereafter. Any such gates shall be hung to open inwards and shall be set back a minimum of 10m from the carriageway edge;

- (l) 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 be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details;
- (m) There shall be no retail sales from the site;
- (n) The polytunnels shall be removed from the site when there agricultural use ceases;
- (o) Detailed proposals for the disposal of surface water run off to prevent discharge onto neighbouring land shall be submitted to, and approved in writing by, the Local Planning Authority before the commencement of development. The agreed details shall be fully implemented before the development hereby approved is commenced.

(Notes to applicant:- (1) N061A – Highways Act – Section 184 Permit; (2) Applicant was advised that the Highway Services Manager must be consulted with regard to the required re-instatement of the verge/footway crossing at the access which is to be closed; (3) Applicant was advised that, whilst the netting is for a temporary period only, a darker colour would be more appropriate. The applicant is advised to contact the Planning Officer to discuss possible alternatives.)

Reason for grant planning permission:-

The development was considered acceptable and would have no adverse impact upon the rural character or appearance of the landscape or highway safety. As such, the development would accord with Taunton Deane Local Plan Policies S1, S2, S7 and EN12 and Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

08/2007/003

Retention of change of use of agricultural land for “Fun Farm”, a farm based tourist attraction including farm animals, quad bikes, trampoline, bouncy castle and café at Nerrols Farm, Priorswood

Conditions

- (a) Notwithstanding the details shown on the submitted plan, within one month of the date of this permission a detailed parking plan showing a consolidated surface, drainage and marking out scheme for the spaces shall be submitted to, and approved in writing by, the Local Planning Authority and provided on site in accordance with the approved details and shall not be used

- other than for the parking of vehicles in connection with the development hereby permitted;
- (b) Within one month of the date of this permission, the passing places shown on the submitted plan shall be fully constructed along the access to the site and shall thereafter be maintained;
 - (c) The use of the land and the location of each of the uses within the “Fun Farm” hereby permitted shall be in strict accordance with the uses shown on the submitted plans. There shall be no additional uses without the prior written consent of the Local Planning Authority and no additional areas of land without the prior submission and approval of an additional planning application;
 - (d) Times of operation for the quad biking to which this permission refers shall be Monday to Sunday 10.00 – 17.00 hours. There shall be no quad bikes operating on the “Fun Farm” Monday to Saturday 17.00 – 10.00 hours;
 - (e) (i) Within one month of the date of this permission a landscaping scheme which will include details of the species, siting and numbers to be planted shall be submitted to, and approved in writing by, the Local Planning Authority; (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority; (iii) For a period of five years after the completion of the planting scheme, the trees and shrubs shall be protected and maintained in a healthy, weed free condition to the satisfaction of the Local Planning Authority and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

(Notes to applicant:- (1) With regard to condition (a), applicant was advised to contact the Conversation Officer, the Landscape Officer and the Planning Officer in order to discuss the most appropriate details for the parking area; (2) In regard to condition (e), applicant was advised to contact the Landscape Officer to discuss the content and timing of the landscaping for this site; (3) The “Fun Farm” is located in proximity with residential properties. Applicant was advised to notify the Local Planning Authority of any proposed changes in the business, additional land, additional equipment and additional uses before they take place so that the impact on the wider area can be assessed and the Local Planning Authority can consider if a separate planning application is required.)

Reason for granting planning permission:-

The “Fun Farm” provided a tourist attraction outside the settlement limits of Taunton in accordance with the requirements of Taunton Deane Local Plan Policy EC21.

23/2007/027

Construction of replacement paved area to include veranda with screen wall and formation of new rear doorway at the Globe Inn, Fore Street, Milverton

Conditions

- (a) C001A – time limit;
- (b) C102 – materials;
- (c) C201 – landscaping.

Reason for granting planning permission:-

The proposal was considered not to have a detrimental impact upon visual or residential amenity and was therefore considered acceptable and, accordingly, did not conflict with Taunton Deane Local Plan Policies S1, S2, EN14, EN16 and EN17.

23/2007/028LB

Construction of replacement paved area to include veranda with screen wall and formation of new rear doorway at the Globe Inn, Fore Street, Milverton

Conditions

- (a) C002B – time limit – listed building;
- (b) C103 – materials – listed building.

Reason for granting listed building consent:-

The proposal was considered not have a detrimental impact upon visual or residential amenity and was therefore considered acceptable and, accordingly, did not conflict with Taunton Deane Local Plan Policies S1, S2, EN14, EN16 and EN17.

26/2007/013

Erection of dwelling on land adjacent to 7 Blackdown View, Nynehead (revised scheme)

Conditions

- (a) C001A – time limit;
- (b) C102A – materials;
- (c) C201 – landscaping;
- (d) C416 – details of size, position and materials of meter boxes;
- (e) P001A – no extensions;
- (f) P003 – no ancillary buildings;
- (g) P010 – no further windows;
- (h) The development hereby permitted shall not be occupied until the sewage disposal/drainage works have been completed in accordance with details submitted to, and approved in writing by, the Local Planning Authority;

- (i) The proposed accesses/parking/turning areas shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (j) The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (k) There shall be no obstruction to visibility greater than 900mm above adjoining road level forward of a line drawn 2m back and parallel to the nearside carriageway edge over the entire site frontage. Such visibility shall be fully provided before works commence on the erection of the dwelling hereby permitted and shall thereafter be maintained at all times;
- (l) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the garage hereby permitted shall not be used other than for the parking of domestic vehicles and not for further ancillary residential accommodation or other purpose whatsoever;
- (m) The access hereby permitted shall not be brought into use until drop kerbs have been installed at the carriageway edge and a vehicle cross-over constructed across the footway fronting the site for the width of the access;
- (n) 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 in writing by, the Local Planning Authority.

Notes to applicant:- (1) N037 – drainage/water; (2) Applicant was advised to agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure; (3) N040A – drainage/water; (4) N061A – Highways Act – Section 184 Permit.)

Reason for granting planning permission:-

The proposed development was considered to comply with Taunton Deane Local Plan Policies S1, S2, S5, H2, M4 and EC15.

38/2007/264

Erection of dwelling on land adjacent to Glesni, Fons George Road, Taunton

Conditions

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) No windows, other than those shown on the plans hereby approved, shall be constructed in the wall of the building which

- abuts on the boundaries with Glesni and The Garden House without the prior written consent of the Local Planning Authority;
- (d) The bathroom window in the first floor elevation shall be glazed with obscure glass which shall thereafter be retained. There shall be no alteration or additional windows in this elevation without the prior written consent of the Local Planning Authority;
 - (e) C324 – parking;
 - (f) All aspects of the scheme shown on the submitted plan, drawing No 2A, shall be completed before the development is brought into use or at such other times as may be agreed in writing with the Local Planning Authority;
 - (g) Before the dwelling hereby approved is first occupied, a properly consolidated and surfaced access (for both the existing dwelling and dwelling hereby permitted) shall be constructed (not loose stone or gravel) details of which shall have been submitted to, and approved in writing by, the Local Planning Authority;
 - (h) The accesses hereby permitted shall not be brought into use until vehicle cross-overs have been constructed across the verge fronting the site or the width of the access;
 - (i) 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 in writing by, the Local Planning Authority. Such drainage shall be provided prior to the new accesses first being brought into use;
 - (j) There shall be no obstruction to visibility greater than 600 mm above adjoining road level forward of a line drawn 2.4m back and parallel to the nearside carriageway edge over the entire site frontage. Such visibility shall be fully provided before works commence on the erection of the dwelling hereby permitted and shall thereafter be maintained at all times.

(Notes to applicant:- (1) N061 – Highways Act – Section 171 License. (2) Applicant was requested to ensure that all construction phase vehicles are parked so as not to block Fons George Road and to ensure that the driver is available to move the vehicles in the case of emergencies; (3) N111 – disabled access; (4) N112 – energy conservation; (5) N117 – crime prevention; (6) N115 – water conservation.)

Reason for granting planning permission:-

The proposed dwelling was within the built up area of Taunton where new dwellings were acceptable and was considered to be in accordance with Somerset and Exmoor National Park Joint Structure Plan Policy 49 and Taunton Deane Local Plan Policies S1 and S2.

38/2007/336

Erection of dwelling at land to the rear of 191/193 Staplegrove Road, Taunton

Conditions

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) The area allocated for parking on the submitted plan shall be properly constructed, marked out and available for use before the dwelling hereby permitted is occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (d) The parking area (car port) hereby permitted shall be constructed strictly in accordance with the plans hereby permitted and used solely for the parking of private domestic vehicles in association with the dwelling hereby permitted and shall thereafter be retained;
- (e) Provision shall be made for the parking of two cycles in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority. Such provision shall be made before the development hereby permitted is occupied;
- (f) The window(s) in the north elevation shall be glazed with obscure glass which shall thereafter be retained and shall be restricted to opening a maximum of 300mm to allow for ventilation. There shall be no alteration or additional windows in this elevation without the prior written consent of the Local Planning Authority;
- (g) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no windows/dormer windows (other than those expressly authorised by this planning permission) shall be constructed at first floor level or above on the north, south or east elevations;
- (h) The car port shall remain open and shall not be enclosed on the western elevation at any time;
- (i) The area allocated for parking on the submitted plan shall be kept clear from obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

(Notes to applicant:- (1) Applicant was requested to avoid blocking the garage courtyard at any time especially during the construction period as the garage courtyard provides the only vehicular access for emergency vehicles and neighbouring garages; (2) N111 – disabled access; (3) N112 – energy conservation; (4) N115 – water conservation; (5) N117 – crime prevention.)

Reason for granting planning permission:-

The proposed dwelling was within a residential area where its design and location were considered to be acceptable in accordance with Taunton Deane Local Plan Policies S1, S2 and H2.

52/2007/032

Erection of porch, change of use of land to domestic curtilage and erection of boundary wall at 5 Longmead Way, Comeytrove

Conditions

- (a) C001A – time limit;
- (b) C102A – materials;
- (c) The proposed access (or drive) shall incorporate a splay on the right hand side to the rear of the existing footway based on co-ordinates of 2m x 2m, whilst also making sure there shall be no obstruction to visibility great than 300mm above adjoining road level.

Reason for granting planning permission:-

The scale and design of the extensions was considered to be acceptable and it was not thought that they would harm the appearance of the street scene or neighbouring amenity. Therefore, the scheme accorded with Taunton Deane Local Plan Policies S1, S2 and H17.

116. Erection of 3 No one bedroom and 2 No two bedroom flats in a three storey building with associated parking and cycle spaces at land at rear of 6 High Street, Wiveliscombe (accessed from the car park) (49/2007/034)

Reported this application.

RESOLVED that subject to the agreement of the applicant to the provision of a financial contribution towards affordable housing, the Development Manager be authorised to determine the application in consultation with the Chairman and, if planning permission was granted, the following conditions be imposed:-

- (a) C001A – time limit;
- (b) Prior to commencement of the development hereby permitted, details of the bricks, slate and stone to be used for the external surfaces of the building shall be supplied to, and agreed in writing by, the Local Planning Authority. No other materials shall be used;
- (c) C110 – materials – for hard surfacing;
- (d) C201 – landscaping;
- (e) C208E – protection of trees to be retained;
- (f) C028B – service trenches beneath trees;
- (g) Prior to the commencement of any works on site, details of the arrangements to be made for the disposal of foul and surface water drainage from the proposed development shall be submitted to, and approved in writing by, the Local Planning Authority and the approved scheme shall be implemented prior to occupation of the units hereby approved;
- (h) C324 – parking;

- (i) Full details of the cycle storage facilities shall be submitted to, and approved in writing by, the Local Planning Authority and erected prior to occupation of the development hereby approved;
- (j) The window(s) in the eastern elevation shall be glazed with obscure glass which shall thereafter be retained. There shall be no alteration or additional windows in this elevation without the prior written consent of the Local Planning Authority;
- (k) C910B – archaeological programme;
- (l) C917 – services – underground;
- (m) P010 – no further windows;
- (n) The applicant or successors in title shall enter into a Section 106 Agreement to secure the provision of one unit of affordable housing in accordance with the written agreement dated 27 June 2007 and in accordance with Taunton Deane Local Plan Policy H9;
- (o) Render to be used in the development hereby permitted shall be textured wet dash, the finished colour of which shall be agreed in writing with the Local Planning Authority;
- (p) Detailed drawings of the glazing units for which permission is hereby granted shall be sent to, and agreed in writing by, the Local Planning Authority prior to commencement of the development;
- (q) A sample panel of the stonework cladding to be used in the development hereby permitted shall be provided on site for inspection prior to commencement of this aspect of the scheme. Subsequent work shall be carried out according to details to be agreed in writing by the Local Planning Authority.

(Notes to Applicant:- (1) Applicant was advised that there is no public surface water sewer in this area. Surface water flow should therefore be located by some form of Sustainable Urban Drainage System (SUDs) and details should be forwarded under condition (g); (2) Applicant was advised that the development must allow for the storage within the boundary of the properties a food container, a recycling box and a 180 litre wheeled waste bin; (3) With regard to condition (k) the applicant was advised to contact Mr S Membury of Somerset County Council if details of a suitable archaeologist are required; (4) Applicant was advised that the access road should not be blocked by vehicles or deliveries and that the developer will be responsible for correcting any damage to the access road; (5) Applicant was advised that the development is located within a foul sewer area. It will be necessary for the developer to agree with Wessex Water a point of connection onto the system for the satisfactory disposal of foul flows generated by the proposal. This can be agreed at the detailed design stage; (6) Applicant was advised that the proposed disposal of surface water to soakaways has been noted. You are further advised that arrangements for the satisfactory disposal of surface water from the proposal should be to the satisfaction of the Local Planning Authority; (7) Applicant was advised that the proposed development is within a Sourced Protection Zone and any surface water discharge will need to be in line with Environment Agency guidelines; (8) With respect to water supply, applicant was advised that there are water mains within the vicinity of the proposal. Again, connection can be agreed at the design stage; (9) Applicant was recommended to agree with Wessex Water, prior to the commencement

of any works on site, a connection onto Wessex Water infrastructure; (10) Applicant was advised to contact the Environment Agency in respect of the site being in a Water Sourced Protection Zone; (11) Applicant was advised that bins should not be more than 25m from the collecting vehicle; (12) Applicant was advised by the Environment Agency to include within the development water efficient appliances, fittings and systems in order to contribute to reduced water demand in the area. These should include as a minimum dual flush toilets, water butts, spray taps, low flow showers (no power showers) and white goods (where installed) with the maximum water efficiency rating. Grey water recycling and rainwater harvesting should also be considered. The submitted scheme should consist of a detailed list and description (including capacities and water consumption rates where applicable) of water saving measures to be employed within the development; (13) With regard to condition (o), applicant was advised that the render should be self coloured brown to blend in with the surrounding stone buildings; (14) Applicant was advised that with regard to surface water drains on this site, no connections will be allowed into an existing highway maintained drain. If it is the applicant's aim to connect onto a system not maintained by the County Highway Authority, then the written permission of the owner of the drain would be required. No surface water from the application site should be discharged out into any part of the publicly maintained highway; (15) Applicant was advised that there are light industrial uses in the area and some noise and disturbance may occur; (16) Applicant was advised that footpath gradients in excess of 1:12 will cause difficulties for manual wheelchair users; (17) Applicant was advised that to prevent any possible vehicle overhang of the footpath link, bollards should be located at the back of parking bays 4 and 5.)

Reasons for planning permission, if granted:-

The proposal, as amended, was considered to be an appropriate form of development for a site within the Conservation Area and accorded with Taunton Deane Local Plan Policies S1, S2, S4, H2, H9, EN14, EN16, EN17, EN23, M4 and WV2 without detriment to the amenities of the locality or the character of the area.

117. Unauthorised change of use of land at Mill Field, Minehead Road, Bishops Lydeard

Reported that it had come to the Council's attention that an area of land at Mill Field, Minehead Road, Bishops Lydeard was being used without planning permission for a pheasant rearing operation and for the siting of an agricultural workers mobile home.

A planning application had been submitted by the owners of the land to regularise the situation but this had recently been refused under delegated powers.

RESOLVED that:-

- (1) Enforcement action be taken to stop the unauthorised use of the land at Mill Field, Minehead Road, Bishops Lydeard as a pheasant rearing operation and for the siting of an agricultural workers mobile home; and
- (2) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the enforcement notice not be complied with.

118. **Unauthorised erection of trellis on top of existing wall at 23 Glasses Mead, Comeytrove, Taunton**

Reported that it had recently been brought to the Council's attention that a 1.2m high trellis had been erected on a wall to the rear of 23 Glasses Mead, Comeytrove, Taunton.

The wall which was not in the ownership of 23 Glasses Mead, already stood at 2.3m high but the owner of the trellis had stated that the additional height was necessary to prevent overlooking from properties in the new development known as Beechfield Gardens.

During the discussion of this item Members sympathised with the owner of 23 Glasses Mead and felt that a modified form of trellis could be acceptable.

RESOLVED that:-

- (1) Enforcement action be taken seeking the removal of the unauthorised trellis which had been attached to the rear wall of 23 Glasses Mead, Comeytrove, Taunton;
- (2) Such action be deferred for a period of two months from the date of the meeting to allow the owner of 23 Glasses Mead, Comeytrove, Taunton to submit a planning application to retain part of the trellis already in place; and
- (3) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should any enforcement notice subsequently served not be complied with.

119. **Appeals**

- (1) Reported that the following appeals had been lodged:-
 - (a) Erection of a dwelling at Rumwell Farm, Bishops Hull **(05/2006/019)**;
 - (b) Erection of a dwelling on land to rear of 31 Blackmoor Road, Wellington (43/2006/053);
 - (c) Erection of dwelling at 45 School Road, Monkton Heathfield **(48/2006/068)**;
 - (d) Erection of poultry buildings at Glebe Farm, Tolland (Phases 1 and 2) **(41/2006/008)**;
 - (e) Erection of lean to conservatory at Lower Fyfett Barn, Otterford **(29/2006/027LB)**;

- (f) Appeal against enforcement notice – Unauthorised erection of fencing on land west of Maidenbrook Farmhouse, Cheddon Fitzpaine;
- (g) Installation of telecommunications base station incorporating 15m high slimline mono pole with 3 No antennas on land at Kings Centre, Blackdown Trading Estate, Scotts Lane, Wellington **(43/2007/017TEN)**;
- (h) Erection of two storey extension at Pennystone, Yallands Hill, Monkton Heathfield **(48/2007/001)**;
- (i) Appeal against enforcement notice – land to the rear of 39 Whitmore Road, Taunton;
- (j) Removal of seven existing UPVC double glazed windows and replacement with double glazed hardwood windows at 108 South Street, Taunton **(38/2006/517LB)**;
- (k) Retention of agricultural workshop and machinery repair/store shed, Sherford Bridge Farm, Taunton **(38/2006/478 and 479)**;
- (l) Appeal against enforcement notice – site at Sherford Bridge Farm, Sherford Road, Taunton;
- (m) Change of use of land for the siting of one touring caravan and one mobile home for gypsy occupation and the erection of day rooms at plots numbers 1, 8, 16 and 7 Greenacres, Oxen Lane, North Curry **(24/2006/046, 047, 048 and 049)**;
- (n) Erection of a two storey extension at 39 Shakespeare Avenue, Taunton **(38/2007/157)**;
- (o) Erection of first floor extension at The Barton, Woodhill, Stoke St Gregory **(36/2007/003)**;
- (p) Erection of a 1.8m fence at 70 Meadway, Monkton Heathfield, Taunton **(48/2007/025)**;
- (q) Erection of four new dwellings on land to the south of Foxdown Lodge, Foxdown Hill, Wellington **(43/2007/004)**;
- (r) Change of use of land for the siting of one touring caravan and one mobile home for gypsy occupation and the erection of a toilet block at Plot 15, Oxen Lane, North Curry **(24/2006/043)**;
- (s) Change of use of kennel block to residential accommodation at Higher Whitefield, Wiveliscombe **(49/2006/061)**;
- (t) Installation of metal rooflights in place of glass tiles at Rock House, Asborough **(14/2007/020LB)**;
- (u) Conversion of outbuildings and garage to form three holiday units and domestic office at Toad Hall, Lower Henlade **(31/2007/011)**;
- (v) Amendment to wording of condition 05 of permission 20/2005/005, amendment to wording of condition 06 of permission 20/2005/022 and amendment to wording of condition 03 of permission 20/2006/026, Millfield Nurseries, Kingston St Mary **(20/2006/037, 038 and 039)**;
- (w) Erection of 13 holiday chalets and provision for 50 No camping pitches and amenity block at land south of Harris's Farm, Hillcommon **(27/2006/023)**;
- (x) Appeal against enforcement notice – land adjacent to the Greyhound Inn Car Park, Staple Fitzpaine;

- (y) Conversion and erection of two storey extension to provide four flats at 38 Priory Avenue, Taunton **(38/2000/223)**; and
- (z) Erection of two storey dwelling with garage following demolition of double garage at 10B Newlands Crescent, Ruishton **(31/2006/028)**.

(2) Reported that the following appeal decisions had been received:-

- (a) **Demolition of dwelling and erection of one bedroomed flats together with delivery access at 5 and 7 Compass Hill, Taunton (38/2005/356);**

Decision

The Inspector did not consider that the proposed development would add to any problems that might arise from the narrowness of Compass Hill and there was no evidence to suggest that vehicle movements from the delivery bay would be higher than if the existing access served one dwelling. The appeal was allowed, subject to a condition that the delivery bay should be in place prior to occupation of the flats and that the front boundary of the flats should be moved back to allow the possible future widening of Compass Hill.

- (b) **Demolition of the existing garage and the erection of a two storey extension at 12 Tamar Avenue, Taunton (38/2006/425);**

Decision

The Inspector noted that the facing elevation of the proposed two storey extension would be only some 200 to 300mm from the boundary line and would have an overbearing effect on the rear access path to the adjoining property. He also noted that daylight to the ground floor windows of the adjoining property would be severely restricted by the proposed extension. He concluded that the proposed development would harm both the living conditions of the occupiers of the adjoining dwelling and the character and appearance of the street scene. The appeal was dismissed.

- (c) **Change of use of a BT Repeater Hut, Taunton Road, Milverton (49/2006/017);**

Decision

In the view of the Inspector, the proposed storage and office use would be likely to generate significantly more traffic than its current use as a BT Repeater Hut.

He considered that any increase in traffic to the building should be provided with safe access and turning facilities. As this could not be achieved without relying on land outside the appeal site, he considered that the alternative of parking on the road would be seriously detrimental to highway safety. The appeal was dismissed.

- (d) **Erection of an oak and stone conservatory at Lower Fyfett Barn, Otterford, Chard (29/2006/027LB);**

Decision

Although the proposed conservatory would match the materials in the external finish of the existing dwelling, it would be a prominent addition on one of the main elevations and would disrupt the simple form and architectural qualities and would detract from the setting of the listed farmhouse. The appeal was dismissed.

- (e) **Erection of a dwelling and demolition of prefabricated garage and resiting of front door to existing house at 45 School Road, Monkton Heathfield, Taunton (48/2006/068);**

Decision

The Inspector noted that although the proposed dwelling would occupy a corner plot and would be readily visible, it would be designed and finished to match neighbouring dwellings. It would also be set back from the road with space retained between the building and the back of the footways. The Inspector concluded that the proposal would not result in any harmful overlooking of adjacent properties. The appeal was allowed subject to conditions.

- (f) **Display of poster panel on garage at rear of Lowdens House Hotel, 26 Wellington Road, Taunton (38/2007/033A);**

Decision

Although the sign was modest, it occupied much of the wall of the garage. The nearest houses were some way away and, as a result, the garage stood out as the only building along this side of the road. The Inspector concluded that the sign stood out as incongruous and harmful. The appeal was dismissed.

- (g) **Erection of three dwellings and car parking spaces – land to the rear of 39 and 47 Trull Road, Taunton (38/2006/339);**

Decision

The Inspector noted that the area supported fairly grand properties in spacious surroundings. He felt that a terrace of three relatively low terraced houses on an attractive garden abutting the area would neither enhance the character or appearance of the immediate surroundings. In his view, the proposed development would result in a permanent loss of openness. As far as road safety was concerned the Inspector also felt that no additional site should be encouraged. The appeal was dismissed.

- (h) **Formation of a new access to a cattery at Abbeywood House, Churchinford, Taunton (29/2006/022);**

Decision

The Inspector considered the proposal would harm the landscape character of the area and result in the unnecessary loss of existing trees. He felt the new cattery could use the existing access further to the south of Abbeywood House. The existing cattery also used that access and this had caused no particular difficulty. He could see no need for the proposed access sufficient to outweigh the harm to the landscape identified. The appeal was dismissed.

- (i) (i) **Change of use, conversion and extension to form dwelling at The Pound House, Trents Farm, Churchinford (10/2005/023);**
- (ii) **Removal of onerous condition 05 of planning permission 10/2003/018, (10/2006/006); and**
- (iii) **Extension of dwelling at The Pound House, Trents Farm, Churchinford (10/2006/023);**

Decision

Due to the complexity of the Inspector's decision letter, a full copy was submitted for the information of Members of the Committee. Appeal (i) was dismissed and appeals (ii) and (iii) were allowed. Costs were also awarded against the Council in relation to the appeal (ii) proceedings.

(The meeting ended at 8.44 pm)