

Planning Committee – 28 March 2007

Present:- Councillor Mrs Marie Hill (Chairman)
Councillor Mrs Marcia Hill (Vice-Chairman)
Councillors Mrs Allgrove, Bowrah, Miss Cavill, Floyd, Henley, House,
Lisgo, Phillips, Mrs Smith, Stuart-Thorn and Wedderkopp

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

Also present:- Councillor Bishop, Councillor Slattery in relation to application Nos
38/2006/600 and 38/2000/020 and Councillor Mrs Wilson in respect
of application No 43/2006/163.

(The meeting commenced at 5.00 pm)

39. Apologies

Councillors Croad, Denington, C Hill and Hindley.

40. Minutes

The minutes of the meeting held on 28 February 2007 were taken as read and were signed.

41. Declaration of Interest

Councillor Bowrah informed the Committee that he had previously made public comments in relation to application No 43/2006/163 (so “fettering his discretion”). He therefore left the meeting during the discussion of this application.

42. Applications for Planning Permission

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

- (1) 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:-

38/2006/600

Erection of 2 No (2½ storey) blocks to provide 12 flats (4 No one bedroom and 8 No two bedroom), parking and turning on waste land to the rear of 30 Ilminster Road, Taunton.

Conditions

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) The development hereby permitted shall not be commenced until details of the arrangements for surface water drainage from the proposed development have been submitted to, and approved in writing by, the Local Planning Authority. The agreed surface water drainage shall be fully provided on site prior to the occupation of any of the units hereby permitted;

- (d) The ground floor levels and finished heights of the proposed flats shall not exceed those shown on the submitted drawing No 1274/1010B;
- (e) The window(s) shown on the plans hereby permitted as obscure glazed 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;
- (f) C324 – parking;
- (g) The areas shown on the submitted plan No IMA-06-100-001 for the turning of vehicles shall be provided prior to the occupation of the premises and shall thereafter not be used for any purpose other than for the loading/unloading, turning and parking of vehicles;
- (h) Noise emissions from the site during the construction phase shall not take place outside the following days and times:- Monday-Friday 0800-1800 hours; Saturdays 0800-1300 hours. At all other times, including public holidays, there shall be no noisy working;
- (i) (i) Before any part of the permitted development is commenced, a phased landscape scheme of planting of trees and shrubs which shall include details of species, siting and numbers to be planted, and shall include reinforcement planting for the hedge on the eastern boundary, shall be submitted to, and approved in writing by, the Local Planning Authority; (ii) Each phase shall be completed to the satisfaction of the Local Planning Authority before the development of the following phase commences; (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 as may be approved in writing by the Local Planning Authority;
- (j) C209 – protection of hedges to be retained;
 - (k) The existing hedge(s) on the eastern boundary of the site shall be retained (except at the point of access) to the satisfaction of the Local Planning Authority;
 - (l) P006 – no fencing;
 - (m) No site clearance works or development (or specified operations) shall take place between the 1 March and 14 August without the prior written approval of the Local Planning Authority;
 - (n) No development shall be commenced until the means of providing adequate play and recreation contributions for the area has been entered into and secured in writing in agreement with the Local Planning Authority;
 - (o) Cycle parking for a minimum of 12 bicycles shall be provided on site prior to the occupation of the flats hereby permitted and shall thereafter be maintained to the satisfaction of the Local Planning Authority;
 - (p) The development hereby permitted shall be erected in strict accordance with the permitted plans, especially the one bed units Nos 11 and 12 (Block B), plan No 1274/104B and unit Nos 5 and 6 (Block A), plan No 1274/102B;
 - (q) The windows in the first and second floor eastern gable walls of Blocks A and B shall be obscure glazed and shall thereafter be maintained as such. There shall be no alteration to the windows or additional windows inserted into those elevations without the prior written consent of the Local Planning Authority;
 - (r) Prior to the commencement of works on site, details of a new/replacement fence along the north and western boundaries of the site shall be submitted to, and approved in writing by, the Local Planning Authority and erected on site to the satisfaction of the Local Planning Authority.

(Notes to applicant:- (1) Applicant was advised that badgers have been recorded in the vicinity and all site operatives must be made aware of their possible presence. If badgers are seen on site then expert help must be sought. Badgers are protected by law under the Protection of Badgers Act 1992. All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and, if discovered, must not be disturbed; (2) N111 – disabled access; (3) N112 – energy conservation; (4) N117 – crime prevention.)

Reason for granting planning permission:-

The proposed development would provide residential development within the settlement limits of Taunton in accordance with the requirements of Somerset and Exmoor National Park Structure Plan Review Policies STR4 and 49 and Taunton Deane Local Plan Policies S1, S2, M4 and H2.

38/2007/020

Erection of 65 bedroom nursing home and ten close care apartments at former Egg Packing Factory, Roman Road, Taunton.

Conditions

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) C201 – landscaping;
- (d) C927 – contaminated land – small sites;
- (e) Prior to the commencement of any development works the applicant shall, at his own expense, appoint a suitably qualified acoustics consultant with a remit to examine the premises/land and identify what measures, if any, might be necessary to ensure that noise from existing sources will not cause nuisance to the occupants of premises on the completed development. The consultant shall submit a written report to the Local Planning Authority which shall detail all measurements taken and results obtained, together with any sound reduction scheme recommended and the calculations and reasoning upon which any such scheme is based. Such report shall be agreed, in writing, by the Local Planning Authority prior to the commencement of development works;
- (f) The use of the building shall be restricted to purposes of a nursing home and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes Order) 1987 as amended, or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modifications, unless any variance is agreed in writing by the Local Planning Authority;
- (g) 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;
- (h) No buildings shall be occupied or otherwise used for any purpose until provision has been made within the site for the loading and unloading of goods vehicles for which details shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (i) Before the development hereby permitted is first brought into use, the turning space shown on the submitted plan shall be properly consolidated and surfaced to the satisfaction of the Local Planning Authority. Such turning space shall be kept free of obstruction at all times;
- (j) There shall be no obstruction to visibility greater than 300mm above adjoining road level forward of a line drawn 2.4m back and parallel to the nearside carriageway edge over the entire site frontage between Roman Road and Six Acres Close. Such

visibility shall be fully provided before works commence on the erection of the development hereby permitted and shall thereafter be maintained at all times;

- (k) The buildings shall not be occupied until a secure sheltered space has been laid out within the site in accordance with details previously submitted to, and approved in writing by, the Local Planning Authority for 12 bicycles to be parked. This space shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority;
- (l) The development hereby permitted shall not be occupied until a Staff Travel Plan (STP) has been submitted to, and approved in writing by, the Local Planning Authority. The said STP shall seek to encourage staff to use modes of transport other than the private car to get to and from the premises. It shall also include measures to control the use of the permitted car parking areas; arrangements for monitoring the use of the provisions available through operation of the STP; and the name, position and contact telephone number of the person responsible for its implementation. From the date of the commencement of the occupation, the occupier shall operate the approved STP.
(Notes to applicant:- (1) N126 – potential ground contamination; (2) N049A – food safety; (3) N049B – food safety).

Reason for granting planning permission:-

The overall benefit of the proposal in terms of jobs outweighed the disadvantages of the loss of employment land in terms of Policy EC9 and the scheme was considered to comply with Taunton Deane Local Plan Policies S1, S2 and H16.

Reason for granting planning permission contrary to the recommendation of the Development Control Manager:-

The Committee felt that the overall benefits of the proposal outweighed the disadvantages of the loss of employment or potential employment on the site.

38/2007/065

Erection of timber fence across footpath at 36 Craig Lea, Taunton.

Conditions

- (a) Prior to its use on site full details of the proposed fencing shall be submitted to, and approved in writing by, the Local Planning Authority;
- (b) C201 – landscaping;

Reason for granting planning permission:-

The erection of a fence would be in keeping with the visual amenity of the area in accordance with Taunton Deane Local Plan Policies S1, S2 and H2.

42/2007/002

Change of use of land to domestic curtilage and erection of first floor and two storey and single storey extensions and double garage at The White House, Amberd Lane, Trull.

Conditions

- (a) C001A – time limit;
- (b) C102A – materials;
- (c) P011 – no windows on the west elevation;
- (d) P003 – no ancillary buildings;
- (e) C208E – protection of Silver Birch trees to be retained;
- (f) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the use of the garage hereby permitted shall not be used other than for the parking of domestic vehicles and not further residential accommodation or other purpose whatsoever.

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.

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

20/2006/037

Amendment to wording of condition 05 of permission 20/2005/005 at Mill Meadow, Parsonage Lane, Kingston St Mary.

Reason:-

The proposed amended wording would make it difficult to enforce against the accommodation being occupied on a long term/permanent basis rather than as short term holiday accommodation, which would be contrary to open countryside policies and sustainable development objectives and would reduce the economic benefits of the accommodation, which justifies its presence in this open countryside location in accordance with Taunton Deane Local Plan Policies S7 and EC24.

20/2006/038

Amendment to wording of condition 06 of permission 20/2005/022 at Mill Meadow, Parsonage Lane, Kingston St Mary.

Reason for refusal:-

The proposed amended wording would make it difficult to enforce against the accommodation being occupied on a long term/permanent basis rather than as short term holiday accommodation, which would be contrary to open countryside policies and sustainable development objectives and would reduce the economic benefits of the accommodation, which justifies its presence in this open countryside location in accordance with Taunton Deane Local Plan Policies S7 and EC24.

20/2006/039

Amendment to wording of condition 03 of permission 20/2006/026 at Mill Meadow, Parsonage Lane, Kingston St Mary.

Reason for refusal:-

The proposed amended wording would make it difficult to enforce against the accommodation being occupied on a long term/permanent basis rather than as short term holiday accommodation, which would be contrary to open countryside policies and sustainable development objectives and would reduce the economic benefits of the accommodation, which justifies its presence in this open countryside location in accordance with Taunton Deane Local Plan Policies S7 and EC24.

43. Demolition of farm house and farm buildings and the erection of nine dwellings on land at Courtlands Farm, Langford Budville (21/2007/002).

Reported this application.

RESOLVED that subject to:-

- (1) The receipt of satisfactory amended plans; and
- (2) The submission of further information which addressed the issues raised by the Council's Nature Conservation Officer and the comments of the County Highway Authority, the Development Control 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) C101 – materials;
 - (c) No development shall take place until details of the foul water drainage system and surface water drainage works have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be carried out in accordance with the approved details before any dwelling on the site is occupied;
 - (d) C416 – details of size, position and materials of meter boxes;
 - (e) C215 – walls and fences;
 - (f) P001A – no extensions;
 - (g) C927 – contaminated land – small site;

- (h) C201 – landscaping;
- (i) No development shall be commenced until the means of providing an agreed level of affordable housing and adequate contributions towards play and recreation for the area has been entered into and secured in writing in agreement with the Local Planning Authority.
(Notes to applicant:- (1) Applicant was advised to discuss the requirements of the landscaping scheme with the Council's Landscape Officer; (2) N126 – potential ground contamination; (3) Additional notes relating to soakaways and surface water discharge onto the highway.)

Reason for planning permission, if granted:-

The proposed development was considered to comply with Taunton Deane Local Plan Policies S1, S2, H2, M4, EN5 and C4 and material considerations did not indicate otherwise.

44. Residential development to provide 69 No dwellings (comprising 45 houses and 24 flats), formation of access and associated works, former ADL and Westford Plastics Premises, Payton Road, Westford, Wellington (43/2006/163).

Reported this application.

RESOLVED that subject to:-

- (1) The views of the Economic Development Officer and the Drainage Officer and the further views of the Environment Agency, the County Highway Authority and the Nature Conservation Officer;
 - (2) The imposition of any additional conditions requested by the outstanding consultees;
 - (3) The applicants entering into a Section 106 Agreement to secure:-
 - (i) 15 units of affordable housing – a detailed mechanism to be provided to ensure that the dwellings remained affordable and available for local people in perpetuity;
 - (ii) An education contribution of £93,186 towards local secondary school facilities, index linked to allow for delay in the start of development;
 - (iii) Off site highway improvements (estimated cost £25,000) to be provided by the applicant;
 - (iv) Open space/playing field contribution of £75,000 (with the potential for a further approximately £25,000 dependant upon further discussions with the County Highway Authority regarding any additional off site highway requirements); and
 - (v) Improvements to the surfacing of Rackfield and the provision of a cycleway/pedestrian link into the site;
- the Development Control 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) C101 – materials;
- (c) No development, other than demolition and ground remediation works, shall be commenced until a scheme for the disposal of foul and surface water has been approved by, and implemented to the reasonable satisfaction of the Local Planning Authority;
- (d) C201 – landscaping;
- (e) C205 – hard landscaping;
- (f) C219 – screening during demolition;
- (g) The public open space shown on the submitted plan shall be laid out to the satisfaction of the Local Planning Authority within nine months of the date of commencement of the development, unless otherwise agreed in writing and shall thereafter be used solely for the purpose of amenity open space;
- (h) The children’s play area shown on the submitted plan shall be laid out and equipped to the satisfaction of the Local Planning Authority within nine months of the date of commencement of the development and shall thereafter be used solely for the purpose of children’s recreation;
- (i) C246 – landscaping completion check;
- (j) C247 – temporary site building and storage compound;
- (k) C1103 – bats – where survey work showed significant numbers and where possibly more survey work and a DEFRA licence would be needed;
- (l) The proposed estate roads, footways, footpaths, tactile paving, cycleways, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections indicating as appropriate the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority;
- (m) C302 – highways – roads, footpaths and turning spaces to be surfaced;
- (n) C304 – access point;
- (o) There shall be no obstruction to visibility greater than 900mm above adjoining road level forward of a line drawn 2.4m back from the edge of the carriageway on the centre line of the access and extending to points 60m either side of the access at the nearside carriageway edge;
- (p) C324 – parking;
- (q) C326A – garage use only;
- (r) The provision to be made for the parking of cycles shall be made in accordance with a phasing schedule to be submitted to, and approved in writing by, the Local Planning Authority;
- (s) C408 – flats – completion of development;
- (t) C416 – details of size, position and materials of meter boxes;

- (u) No demolition shall take place until a programme and scheme for the recording of the buildings and structures on the site has been secured and implemented in accordance with a written specification to be submitted to, and approved in writing by, the Local Planning Authority;
- (v) C910B – archaeological programme;
- (w) C926B – remediation investigation/certificate;
- (x) P005 – no garages;
- (y) P007 – no fencing in front of dwellings;
- (z) The finished floor levels of the proposed dwellings shall be a minimum of 62.2m AOD;
- (aa) There shall be no discharge of foul or contaminated drainage from the site into either ground water or any surface waters, whether direct or via soakaways;
- (bb) Notwithstanding the provisions of the Town and Country Planning General Development Order 1995 (or any Order revoking or re-enacting that Order) no tank for the storage of oils, fuels or chemicals shall be erected within the curtilage of a dwelling house unless it is sited on an impervious base and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be sealed with no discharge to any water course, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage.

(Notes to applicant:- (1) With regard to condition (c), applicant was advised that the following will need to be incorporated into the submitted scheme:- (i) confirmation of the existing condition of the culverts within the development site and off-site to ensure free drainage of surface water flows; (ii) details of ownership of the culverts and confirmation of agreements to discharge them; (iii) details of proposed maintenance agreements for these culverts; (iv) details and calculations for the proposed on-site attenuation system; and (v) confirmation that any attenuation system chosen will be adopted by Wessex Water as part of a Section 104 Agreement; (2) N048A – potential ground contamination; (3) Applicant was advised of a number of requirements requested by the Environment Agency; (4) Applicant was advised that means of escape in case of fire should comply with Approved Document B1 of the Building Regulations 2000. Detailed recommendations concerning other fire safety matters will be made at the Building Regulations stage. Access for fire appliances should comply with Approved Document B5 of the Building Regulations 2000. All new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards).

Reason for planning permission, if granted:-

The proposed development was on a site located within the settlement limits and it was considered that the proposal would provide much needed housing in the area, including affordable housing, which was

considered to outweigh the disadvantages of the loss of employment use of the site. The proposal was therefore considered to be in compliance with Taunton Deane Local Plan Policies H2 and EC9.

(Prior to the consideration of the application covered by Minute No 45 below, Councillor Henley informed the Committee that although he had previously made public comments in relation to application No 43/2007/003 (so “fettering his discretion”) he had been advised by the Monitoring Officer that as one of the Ward Councillors he could still speak at the meeting.)

45. Erection of 8 No two bedroom houses and 3 No three bedroom houses at land off Gay Close, Wellington (43/2007/003).

Reported this application.

RESOLVED that subject to:-

- (1) The receipt of further information which addressed the concerns raised by the County Highway Authority; and
- (2) The views of Sport England, the Development Control 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) C101 – materials;
 - (c) No development shall take place until details of the foul water drainage system and surface water drainage works have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be carried out in accordance with the approved details before any dwelling on the site is occupied;
 - (d) C416 – details of size, position and materials of meter boxes;
 - (e) C215 – walls and fences;
 - (f) P001A – no extensions;
 - (g) C201 – landscaping;
 - (h) No development shall be commenced until the means of ensuring that the development was solely for the provision of affordable housing and providing adequate contributions towards local leisure facilities has been entered into and secured in writing in agreement with the Local Planning Authority;
 - (i) No work to the development shall commence until details of the surfacing of the access road has been submitted to, and approved in writing by, the Local Planning Authority;
 - (j) No work to the development shall commence until details of the proposed relocation of existing lighting columns has been submitted to, and approved in writing by, the Local Planning Authority;

(Notes to applicant:- (1) Applicant was advised to discuss the requirements of the landscaping scheme with the Council’s Landscape

Officer; (2) Additional notes relating to drainage, no obstruction of footways/carriageways, no discharge of surface water onto highways and encroachment/need to ensure applicant has control over the land involved).

Reason for planning permission, if granted:-

The proposed development was considered to comply with Taunton Deane Local Plan Policies S1, S2, H2, M4, H9, H10 and C4 and material considerations did not indicate otherwise.

46. Use of land for B1 (light industry), B2 (general industry) and B8 (warehouse and distribution) development including the formation of vehicular access from the B3227, OS Plot 8457, land south of B3227, east of Wiveliscombe (49/2006/071).

Reported this application.

RESOLVED that subject to:-

- (1) The receipt of further wildlife surveys to be carried out during April 2007;
- (2) The receipt of a satisfactory flood risk assessment as requested by the Environment Agency and the further views from the latter;
- (3) The views of the County Highway Authority, Wessex Water and the Nature Conservation Officer and any additional conditions they might request; and
- (4) The views of the Secretary of State under the Departure Procedures, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if outline planning permission was granted, the following conditions be imposed:-
 - (a) C007 – outline – reserved matters;
 - (b) C009 – outline – time limit;
 - (c) C010 – drainage;
 - (d) Within a period of three years from the date of this permission, a programme of the phasing of the development shall be submitted to, and approved in writing by, the Local Planning Authority and the development of the estate shall not proceed other than in accordance with the approved programme. The programme shall provide for a maximum of three hectares of land to be developed prior to 2011 except as otherwise agreed in writing by the Local Planning Authority;
 - (e) C101 – materials;
 - (f) C201 – landscaping;
 - (g) C207A – existing trees to be retained;
 - (h) C208E – protection of trees to be retained;
 - (i) C208B – service trenches beneath trees;
 - (j) C208C – trenching works within the canopy spread of trees;
 - (k) C209 – protection of hedges to be retained;
 - (l) C210 – no felling or lopping;

- (m) C215 – walls and fences;
- (n) C246 – landscape completion check;
- (o) The development hereby permitted shall not be commenced, including any site clearance until there has been submitted to, and approved in writing by, the Local Planning Authority a detailed wildlife mitigation and biodiversity enhancement plan to include all requirements as set out in the report;
- (p) The proposed estate roads, footways, footpaths, cycleways, bus stops/bus laybys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking, street furniture and tactile paving shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections indicating as appropriate the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority;
- (q) C304 – access point;
- (r) C309 – existing access to be closed;
- (s) There shall be no vehicular or pedestrian access to the site other than from the access points hereby approved;
- (t) C314 – visibility splays;
- (u) Plans showing parking areas shall be submitted to, and approved in writing by, the Local Planning Authority before the development is commenced. This area shall be properly consolidated, surfaced and drained before the use commences or the building(s) are occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (v) C328 – loading/unloading area;
- (w) C331 – provision of cycle parking;
- (x) None of the units hereby permitted shall be occupied until the footway and cycling link has been constructed in accordance with details shown on approved drawing No 5090/08;
- (y) Noise emissions from any part of the premises or land to which this permission refers shall not exceed background levels by more than three decibels expressed in terms of an A-Weighted, 5 minute Leq at any time during the day and times indicated when measured at any point at the façade of any residential or other noise sensitive boundary:- Monday to Friday 0800 to 1800 hours and Saturdays 0800 to 1300 hours. At all other times, including Sundays and bank holidays, noise emissions shall not be audible when so measured. Noise emissions having tonal characteristics for example hum, drone or whine, shall not exceed background levels at any time when measured as above. For the purposes of this permission, background levels shall be those levels of noise which occur in the absence of noise from the development to which this permission relates, expressed in terms of an A-Weighted, 90th percentile level

- measured at an appropriate time of day and for a suitable period of not less than 10 minutes;
- (z) Prior to, or in conjunction with, any detailed planning application for reserved matters, a design brief shall be submitted for the site;
 - (aa) The uses within Class B1 shall preclude the provision of free-standing office accommodation, unless otherwise agreed in writing by the Local Planning Authority;
 - (bb) Details for the provision and implemented of a surface water runoff limitation scheme shall be submitted to the Local Planning Authority prior to, or in conjunction with, any reserved matters application. The scheme shall be implemented in accordance with the approved programme and details which will use sustainable drainage systems (SUDs);
 - (cc) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the Local Planning Authority for approval. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10% or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground where possible and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.
 - (dd) Prior to being discharged into any watercourse, surface water sewer or soakaway system all surface water drainage from impermeable parking areas and hardstandings for vehicles, including commercial lorry parks, shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor;
 - (ee) Washing facilities provided for the cleaning of vehicles, machinery and contaminated impermeable surfaces shall be drained to the foul sewer;
 - (ff) Notwithstanding the submitted plans, no development shall commence on site until detailed plans showing an access together with full right turning lane and pedestrian/cycle facilities between the site and Wiveliscombe have been submitted to, and approved in writing by, the Local Planning Authority and to the County Highway Authority's satisfaction.
(Notes to Applicant:- (1) N111 – disabled access; (2) N112 – energy conservation; (3) N115 – water conservation; (4) N051B – health and safety; (5) N061A – Highways Act – Section 184 Permit; (6) With regard to condition (aa), applicant was advised

that in line with the policies of the Taunton Deane Local Plan the provision of large scale buildings will not be acceptable; (7) Applicant was advised that during construction, discharge of silty or discoloured water from excavations must be irrigated over grassland or a settlement lagoon be provided to remove gross solids; (8) Applicant was reminded of the need to minimise detrimental effects to natural/water environmental features of the site and the risks of pollution. This should cover the use of plant and machinery, oils/chemicals and materials, the use and routing of heavy plant and vehicles, the location and form of work and storage areas and compounds and the control and removal of spoil and wastes; (9) Applicant was advised that development which involves a culvert or an obstruction to flow on an ordinary watercourse will require Environment Agency Consent under the Land Drainage Act 1991; (10) Applicant was advised that the Environment Agency must be notified immediately of any incident likely to cause pollution; (11) Applicant was advised that the Environment Agency must be advised if a discharge to a watercourse is proposed; (12) Applicant was advised that all Western Power Distribution (WPD) equipment on site should be assumed to be live until WPD prove otherwise and provide confirmation to this effect in writing. A number of further WPD requirements were also detailed.)

Reason for outline planning permission, if granted:-

The proposed development was consistent with the Local Plan Strategy and the proposal was considered to be in general compliance with the criteria set out in Taunton Deane Local Plan Policy WV3.

47. Formation of access into land to the rear of the car park, land adjacent to the Greyhound Inn, Staple Fitzpaine

Reported that it had been brought to the Council's attention that works had been carried out to a gateway leading to a field at the rear of the car park at the Greyhound Inn, Staple Fitzpaine without the necessary planning permission.

Although the original gateway appeared to be intact, a large earth bund had been formed a little way back from the entrance. Investigations had shown that the works had been undertaken in connection with a proposal for the erection of six holiday lets and stabling on land beyond the access.

RESOLVED that:-

- (1) Enforcement action be taken to return the access to its former size and to remove the earth bund which had been created on land adjacent to the Greyhound Inn, Staple Fitzpaine; 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.

48. Display of signs advertising the Hair Studio, Black Horse Lane, Taunton

Reported that it had been brought to the Council's attention that a number of signs advertising the Hair Studio, in Black Horse Lane, Taunton were currently being displayed without the appropriate advertisement consent.

The owner of the property had been contacted concerning the unauthorised signs and had promised on a number of occasions to submit an application to regularise the situation. To date no such application had been received and the signs remained in position.

RESOLVED that subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings in respect of the unauthorised signs advertising the Hair Studio, Black Horse Lane, Taunton unless they were removed within one month.

49. Unauthorised works to a listed building – Drakes Lodge, Taunton Road, Wellington

Reported that it had come to the Council's attention that works involving the replacement of all windows and external doors with UPVC equivalents had been undertaken at Drakes Lodge, Taunton Road, Wellington without listed building consent.

The owner of the property had submitted a detailed letter setting out his reasons as to why the works had been undertaken. The owner had requested that the new windows should remain in situ until such time as they needed replacing.

The Development Control Manager's responses to the points raised were reported to Members.

RESOLVED that:-

- (1) Listed building enforcement action be taken seeking the removal of the unauthorised UPVC windows and external doors that had been fitted to Drakes Lodge, Taunton Road, Taunton; and
- (2) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the listed building enforcement notice not be complied with.

50. Appeals

- (1) Reported that the following appeals had been lodged:-
 - (a) Extension to dwelling at The Pound House, Trents Farm, Churchinford (10/2006/023);

- (b) Demolition of premises and erection of two flats with access at the rear of 65 Cheddon Road, Taunton (38/2006/225);
- (c) Appeal against enforcement notice – Unauthorised erection of a 15m high telecommunication mast, not in accordance with details submitted, at Shoreditch Road, Taunton;
- (d) Erection of a single dwelling at land to the west of Allwinds, Fons George, Taunton (38/2006/324);
- (e) Appeals against non-determination – (1) Erection of mixed use development comprising two units of holiday accommodation, craft village, 19 open market houses and 22 affordable housing units at Station Farm, Station Road, Bishops Lydeard and (2) New Inn with restaurant and associated highway infrastructure as part of proposed mixed use development comprising holiday accommodation, craft village and housing at Station Farm, Station Road, Bishops Lydeard (06/2006/021 and 022) (appeals since withdrawn);
- (f) Appeal against enforcement notice – Change of use of land for horticultural and dependant B1 to a mixed use of various independent industrial enterprises unrelated to any on site horticultural use, predominantly B8 at Foxmoor Nurseries, Haywards Lane, Chelston;
- (g) Erection of two storey extension to side of dwelling at 12 Tamar Avenue, Taunton (38/2006/425);
- (h) Formation of new access to cattery at Abbeywood House, Churchinford, Taunton (29/2006/022); and
- (i) Appeal against onerous condition – Demolition of dwelling and commercial garage buildings and erection of 24 flats with associated parking at Eastwick Farm House and cottage, Taunton (38/2006/198).

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

- (a) Retention of raised decking area at 1 Trevett Road, Taunton **(38/2006/016)**;

Decision

The Inspector felt that the design of the structure and the materials used bore little resemblance to the character and appeal of the existing buildings. The raised deck also gave direct views into the garden of 127 Galmington Road which resulted in a significant loss of privacy for users of that garden. The appeal was dismissed.

- (b) Erection of an oak framed cart shed for caravan and boat storage, new vehicular access and erection of garden room at Oakwood Cottage, Pitminster **(30/2006/026)**;

Decision

The Inspector considered that it would be possible to turn a vehicle in the proposed turning area but it was not clear whether

it would still be possible if the vehicle was towing a caravan or a boat. Any reversing movements to or from the road would be dangerous. Although some benefits had been accrued from the removal of over 18m of roadside hedge which significantly increased visibility in both directions, the Inspector felt that these benefits were outweighed by the harm to highway safety which would follow if the new access was formed. The appeal was dismissed.

- (c) Proposed advertisements – illuminated entrance pillars (signs 3 and 4) and a non-illuminated entrance sign (sign 6) – 142 Priorswood Road, Taunton **(38/2006/250A)**;

Decision

Although the premises were in a commercial area with a large amount of prominent signage, the Inspector did not consider this justified the display of signs 3 and 4 which would create a cluttered appearance to the detriment of the appeal premises. As far as sign 6 was concerned, the Inspector noted that consent had already been granted for a monument style sign and felt the site was insufficient in size to accommodate two large signs particularly when sited so close together in such a confined area. He concluded that the display of the advertisements would be detrimental to the interests of amenity. The appeal was dismissed.

- (d) Installation of two French doors in the east elevation and installation of timber decking and railings to existing flat roof at Heathfield Court, Heathfield, Taunton **(27/2006/004LB)**;

Decision

The Inspector noted that Heathfield Court had in the past been extended. One of these additions was a single storey extension on the east side which, despite its inappropriate flat roofed design, was relatively unobtrusive. However in the Inspector's view the addition of railings to its roof to form a balcony would draw attention to it making it much more obvious and intrusive. The installation of French doors would require the enlargement of the existing window openings and, on the first floor, a traditional sliding sash window would be removed which would detract from the character of the building. The appeal was dismissed.

- (e) Erection of fence and change of use of adjoining land to residential use at 9 Holly Close, Taunton **(38/2006/245)**;

Decision

The Inspector noted that the area the fence was proposed to enclose was not large but it did involve erecting the fence hard up against the edge of the adjoining footpath. He was

concerned that if a similar fence was to be erected on the other side of the footpath the safety of users would be jeopardised. He also felt that if the appeal was allowed it would encourage similar proposals which would cause harm to the character and appearance of the area. The appeal was dismissed.

- (f) (i) Erection of a dwelling on land to the west of Maidenbrook Farm House, Cheddon Fitzpaine, Taunton **(08/2005/014)**;
- (ii) Formation of access road for residential development to the north of Maidenbrook Farm House, Cheddon Fitzpaine **(08/2005/015)**; and
- (iii) Erection of a dwelling and garage to the north of Maidenbrook Farm House, Cheddon Fitzpaine **(08/2005/034)**;

Decision

Due to the complexity of the Inspector's decision letter, a full copy was submitted for the information of Members of the Committee. The appeals were dismissed.

- (g) (i) Conversion of barn into five bedroom two storey dwelling with detached double garage at Chestnut Farm, Helland **(24/2005/037)**;
- (ii) Retention of private double garage to the north of Chestnut Farm Barn conversion, Helland **(24/2005/065)**;
- (iii) Conversion of barn into dwelling incorporating the formation of first floor extension to Chestnut Farm, Helland **(24/2006/017)**; and
- (iv) Retention of an access drive to barn presently being converted to a dwelling at Chestnut Farm, Helland **(24/2006/002)**;

Decision

Due to the complexity of the Inspector's decision letter, a full copy was submitted for the information of Members of the Committee. The appeals were all dismissed.

- (h) Installation of two replacement sash windows on first floor of front elevation and retention of eight windows to front and rear at the Old Bear Restaurant, 13 and 14 Upper High Street, Taunton **(38/2006/239LB)**;

Decision

Due to the complexity of the Inspector's decision letter, a full copy was submitted for the information of Members of the Committee. The appeal was dismissed.

(The meeting ended at 9.58 pm)