

Planning Committee – 1 March 2006

Present: Councillor Mrs Marie Hill (Chairman)
Councillor Mrs Marcia Hill (Vice-Chairman)
Councillors Mrs Allgrove, Clark, Croad, Denington, Floyd, Guerrier,
Henley, C Hill, House, Lisgo, Phillips, Mrs Smith, Stuart-Thorn and
Wedderkopp

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

(The meeting commenced at 5.00 pm)

25. Apology

Councillor Hindley.

26. Minutes

The minutes of the meeting held on 15 February 2006 were taken as read and
were signed.

27. 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:-

10/2006/001

Change of use of land and erection of garaging, implement shed and parking at Westercombe Farm, Churchstanton

Conditions

- (a) C001A - time limit;
- (b) C102 - materials;
- (c) C201 - Landscaping
- (d) A sample panel of the new stone walls and mortar detail shall be
constructed on site and agreed in writing by the Local Planning
Authority and thereafter the walls shall be constructed as per the
agreed sample;
- (e) The garages hereby permitted shall be constructed only in
accordance with the approved plans and shall remain available

- in perpetuity for the parking of a motor vehicle(s) for domestic purposes only ancillary to the existing house;
- (f) The storage space hereby approved shall be used for agricultural and domestic storage and workshop use only ancillary to the farmhouse and shall not be converted to habitable accommodation;
 - (g) The proposed access over the first 5m of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority;
 - (h) Any entrance gates erected shall be hung to open inwards only. (Note to applicant:- N061A – Highways Act – Section 184 Permit)

Reason for granting planning permission:-

The proposed building was considered to comply with Taunton Deane Local Plan Policies S1, S2 and EN10 and material considerations did not indicate otherwise.

12/2006/001

Repairs and alterations to barns and outbuildings at Brook Farmhouse, Corfe

Conditions

- (a) C001A – time limit;
- (b) The external surfaces of the buildings shall be retained as existing and where necessary, repaired and/or renewed with salvaged materials from the existing building/matching materials, or those that are similar in age, colour and texture to the original unless the written consent of the Local Planning Authority is obtained to any variation;
- (c) All new fenestration shall be timber and full details including sections, mouldings, profiles and method of opening shall be submitted to, and approved in writing by, the Local Planning Authority before development commences;
- (d) Samples of the cobbles and stone paviers to be used for the courtyard and pathways shall be submitted to, and approved in writing by, the Local Planning Authority before development commences and no other materials shall be used without the written consent of the Local Planning Authority;
- (e) All the accommodation hereby permitted shall be used solely in connection with the use of the existing house as a single family dwelling and shall not at any time be used as separate units of accommodation;
- (f) Prior to commencement of works on site, a full wildlife survey shall be undertaken by a qualified Environmental Consultant and a report submitted to, and approved in writing by, the Local Planning Authority. The survey and report shall include an

identification of species present, an impact assessment and mitigation/avoidance measures in order to safeguard protected species in accordance with the law;

(Note to applicant:- Applicant was advised that as access to the site is across an old bridge you should ensure any construction traffic is of a suitable weight to prevent damage.)

Reason for granting planning permission:-

The proposed development would not adversely affect the character of the buildings, visual amenity or the setting of the listed farmhouse. Accordingly, the proposal did not conflict with the Taunton Deane Local Plan Policies S1, S2, EN16 or H18.

14/2006/003

Erection of single storey extension (east elevation), Gubbins, Hyde Lane, Creech St Michael

Conditions

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

Reason for granting planning permission:-

The proposal would not have any adverse visual or neighbour impact and therefore met the requirements of Taunton Deane Local Plan Policies S1, S2 and H17.

(Councillor C Hill declared a prejudicial interest in the following application and left the meeting during its consideration.)

21/2005/015

Erection of log cabin to be used as holiday accommodation, land at Wellisford Farm, Lower Wellisford, Langford Budville

Conditions

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) C010A – drainage – not commenced until percolation test approved;
- (d) C201 – landscaping;
- (e) The existing hedges on all boundaries of the site shall be retained (except at the point of access), to the satisfaction of the Local Planning Authority;
- (f) Details of the earth mound to be constructed within the site shall be submitted to, and approved in writing by, the Local Planning Authority and shall be provided within three months of the commencement of any part of the development;
- (g) C412 – restriction of occupation for holiday lets in permanent buildings;

- (h) Any holiday let cabin that is unoccupied for more than a 24 month period shall be demolished and/or removed including the removal of any foundations and/or floor slabs;
(Notes to applicant:- (1) N024 – development in accordance with the approved plans; (2) Applicant was advised that the soakaway should be constructed in accordance with Building Research Digest 365 (September 1991); (3) Applicant was advised that the Environment Agency’s Consent to Discharge to an underground strata is required.)

Reason for granting planning permission:-

The site was adequately screened and the proposal was not considered to be harmful to the landscape and therefore was compliant with Taunton Deane Local Plan Policy EC24.

27/2005/023

Conversion of barns to three dwellings, erection of detached garage, conversion of modern farm buildings to garages, stables and indoor riding school and formation of outdoor manege at Allerford Farm, Norton Fitzwarren

Conditions

- (a) C001A – time limit;
- (b) C010A – drainage – not commenced until percolation test approved;
- (c) C102 – materials;
- (d) C201A – landscaping;
- (e) C215 – walls and fences;
- (f) C304 – access point;
- (g) C306 – access – gradient;
- (h) C321B – parking;
- (i) C416 – details of size, position and materials of meter boxes;
- (j) C601 – schedule of works to ensure safety and stability of structure;
- (k) The new windows and doors indicated on the approved plans shall be made of timber only and no other materials, unless the written consent of the Local Planning Authority is obtained to any variation thereto and thereafter shall be retained in timber without the express written consent of the Local Planning Authority to the use of a different material;
- (l) The use of the stables, indoor riding school and outdoor manege shall be strictly ancillary to the existing or proposed dwellings and shall not be used for commercial purposes;
- (m) Before any of the dwellings hereby permitted are occupied, the agricultural buildings as shown on the approved plan shall be demolished and all materials resulting from the demolition shall be removed from the site;
- (n) C917 – services – underground;
- (o) P001A – no extensions;

- (p) P003 – no ancillary buildings;
- (q) P006 – no fencing;
- (r) P010 – no further windows;
- (s) Finished floor levels shall be set a minimum of 25.17m above Ordnance Datum;
- (t) No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to, and approved in writing by, the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed;
- (u) Prior to the commencement of works on Unit 1 (Barn 4 in Greena Ecology's report dated the 20 October 2005) an emergence survey of bats undertaken by a qualified Environmental Consultant between the 14 April and 30 September in any one year shall be submitted to, and approved in writing by, the Local Planning Authority. The survey and report shall include an identification of species present, an impact assessment and mitigation/avoidance measures in order to safeguard protected species in accordance with the law. Once these measures are approved, the works shall take place in accordance with an agreed scheme to protect bats and their roosts and thereafter the scheme shall be permanently maintained. The development shall not be occupied until the scheme for the provision of the bats roost and related accesses has been fully developed;
- (v) Development shall not commence until details of a scheme for the retention of swallows nest site(s) and accesses in the development hereby permitted (or the provisions of alternative new sites or accesses) has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a programme for the implementation of the development that avoids any building or other operations likely to affect the swallow nest sites being undertaken between the 1 April and the 31 October in any one year, without the prior written approval of the Local Planning Authority. The development shall be carried out in accordance with the approved scheme or any amendment to the scheme as approved in writing by the Local Planning Authority and thereafter the nest site(s) and agreed opening(s) shall be permanently maintained;
- (w) 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 incorporating the land edged red and blue. Such visibility shall be fully provided before the dwellings hereby permitted are occupied and shall thereafter be maintained at all times;
- (x) The proposed access over the first 6m 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 have been submitted to, and approved in writing by, the Local Planning Authority;
- (y) Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 5m from the carriageway edge;
 - (z) 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) N025 – conversions; (2) With regard to condition (a), applicant was advised that permission has been granted solely to retain a former agricultural building as part of the rural scene. It is therefore unlikely that future extensions would be allowed to this dwelling; (3) N118A – disabled access; (4) N114 – meter boxes; (5) N112 – energy conservation; (6) N115 – water conservation; (7) N037 – drainage/water; (8) Applicant was advised that all waste should be disposed of in accordance with the DEFRA Code of Good Agricultural Practice to ensure the protection of nearby watercourses; (9) N051B – health and safety; (10) N070 – manure heaps; (11) Applicant was advised that bats and nesting birds may be present on site and all operatives on site must be appropriately briefed on their potential presence. If bats are found on site then work must stop and English Nature must be informed. All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered, must not be disturbed; (12) Applicant was advised that the single garage to the south of the site appears to be located at a low spot with the ground level adjacent shown as 24.4m above Ordnance Datum. However, there is higher land between that location and the road junction that floods. Accordingly, you are informed that there is a possibility of the garage flooding in extreme circumstances; (13) Applicant was advised that the Environment Agency has no objection in principle to the use of a septic tank and soakaway drainage system, provided the applicant applies for, and is granted, a Consent to Discharge from the Environment Agency under the Water Resources Act 1991, prior to installation. Applicant was further advised of a number of requirements in connection with the Consent to Discharge application process; (14) Applicant was advised that with regard to the proposed stable and riding facility, the site must be drained on a separate system with all clean roof and surface water being kept separate from foul drainage; (15) Applicant was advised that there must be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes or via soakaways/ditches; (16) Applicant was advised to ensure that no pollution occurs from any surface water drainage from the proposed riding areas. There is a potential for contamination of this surface water by manure and dirty water deposits on the surface of the facility.

All possible steps must be taken to ensure that this does not result in the pollution of any receiving watercourse or water source. Such pollution may result in formal action by the Environment Agency. One such preventative measure is the regular removal of all manure deposits from the arena to ensure a short residency time; (17) N061A – Highways Act – Section 184 permit.)

Reason for granting planning permission:-

The Local Planning Authority considers that the proposal complied with Taunton Deane Local Plan Policy S1 and the criteria contained in Policy H7.

(2) That the following application be **withdrawn**:-

22/2005/017

Erection of dwellinghouse at land at The Causeway, Lydeard St Lawrence.

28. Erection of conservatory at Swifts Barn, Manor Farm, Fitzhead (17/2006/001)

Reported this application.

RESOLVED that subject to the receipt of a satisfactory amended plan showing a roof with a pitch of at least 30°, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if planning permission was granted, the following condition be imposed:-

C001A – time limit.

Reason for planning permission, if granted:-

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 and H17.

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

The Committee felt that the proposed materials would not be out of keeping with the existing barn conversion and that the amended design would also not be out of character.

29. Erection of four B1 office units with car parking (The Quad), Blackbrook Business Park, Taunton (38/2005/552)

Reported this application.

RESOLVED that subject to the receipt of a satisfactory landscape plan and a further plan revising the parking layout, both plans to be received before

15 March 2006, 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) C201 – landscaping;
- (d) C324 – parking;
- (e) Details of the external lighting on the building or within the car park including the number, size and position of any lighting columns shall be submitted to, and agreed in writing by, the Local Planning Authority prior to occupation of the building;
- (f) No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to, and approved in writing by, the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed;
- (g) The ground floor levels of the buildings shall be constructed at 13.5m above Ordnance Datum and there shall be no variation thereto unless otherwise agreed in writing by the Local Planning Authority;
- (h) 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;
- (i) 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 shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roofwater shall not pass through the interceptor;
- (j) There shall be no discharge of foul or contaminated drainage or trade effluent from the site into either groundwater or any surface waters, whether direct or via soakaways;
- (k) The cycle parking shown on drawing No. 3858-8A shall be provided prior to occupation of the offices, and any variation thereto shall be agreed in writing by the Local Planning Authority.

(Notes to applicant:- (1) Applicant was advised that any oil storage facility of 200 litres or more must include a bund and comply with the Oil Storage Regulations, a copy of which has already been forwarded;

(2) Applicant was advised that the proposed development site is situated within 250m of a known landfill site. Before commencement of the development, the applicant must ensure that all reasonable steps have been taken to investigate and, where appropriate, remediate against the possibility of gas migration affecting the development site;

(3) Applicant was advised that in view of the potential flood risks in the locality, the Environment Agency would advise that any developer of this site gives consideration to the use of flood resilience construction practices and materials in the design and build phase. Choice of materials and simple design modifications can make the development more resistant to flooding in the first place or limit the damage and reduce rehabilitation time in the event of future inundation. There must be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provision must be made to ensure that all existing drainage systems continue to operate effectively and that riparian owners upstream and downstream of the site are not adversely affected. The Environment Agency would advise that it is the responsibility of Summerfield Developments or their agents to ensure that the surface water drainage system has the necessary capacity to cater for the additional flows.)

Reason for planning permission, if granted:-

The proposed building was considered to comply with Taunton Deane Local Plan Policies S1, S2, EC1, M3, EN9 and EN28 and material considerations did not indicate otherwise.

30. Erection of three two-storey dwellings, Plots 1-3, at land at Sidbrook Farm, West Monkton (48/2005/074)

Reported this application.

RESOLVED that subject to the receipt of a correct layout plan and no adverse views from the County Highway Authority, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if the detailed plans were approved, the following conditions be imposed:-

- (a) The windows hereby approved shall be of a vertical sliding sash design unless otherwise agreed in writing by the Local Planning Authority;
- (b) The first floor windows facing east in Plots 2 and 3 other than bedroom 5 shall be glazed with obscure glass which shall thereafter be retained. There shall be no additional windows in these elevations without the prior written consent of the Local Planning Authority.

(Note to applicant:- Applicant's attention is drawn to the conditions of the outline consent with specific regard to road surface water run-off drains that shall be constructed in accordance with the attached specification. Furthermore, the west boundary of the site should incorporate a landscape buffer and all hedges should be of native species mix.)

Reason for approving detailed plans, if granted:-

The reserved matters of this development were considered to be acceptable and would not harm visual nor residential amenity. Therefore, the scheme accorded with Taunton Deane Local Plan Policies S1, S2, H2 and M4.

31. Taunton Deane Borough (Cheddon Fitzpaine No 2) Tree Preservation Order 2005

Reported that a Tree Preservation Order had been made in August 2005 in respect of one Walnut and one Oak tree on land at Tudor Park, Maidenbrook, Taunton.

An objection had been received from the agent acting for the owner of the land, details of which were submitted, together with the Development Control Manager's responses thereto.

The Oak and Walnut trees appeared to be in good health and had the potential to make a positive contribution to the setting of the Maidenbrook Farm listed buildings as they grew to maturity.

RESOLVED that the objection be noted and that the Tree Preservation Order be confirmed.

32. Demolition of dwellings and erection of one bedroomed flats together with delivery access at 5-7 Compass Hill, Taunton (38/2005/356)

Reference Minute No 140/2005, reported that planning permission for this development had been granted subject to a Section 106 Agreement being negotiated relating to the provision of a contribution towards off-site sports and recreation provision.

Further reported that several people/organisations who had commented on a previous application relating to the site had, unfortunately, not been re-notified in respect of this current application prior to the Committee decision last November.

However, re-notification had taken place during the period when the Section 106 Agreement was being finalised. This had resulted in two further letters of objection being received.

A neighbour had commented on the difficulties which were likely to be caused by the new development through it not having any parking provision. Comment was also made about the effect the flats might have on existing drainage arrangements.

The Civic Society had also commented on the lack of parking and that the three storey development proposed would be both overbearing and oppressive.

In the view of the Development Control Manager, the proposal was for the re-use of a brownfield site in an acceptable location for a car free development. If illegal parking occurred as a result of the development, this would need to be addressed in the normal way. He added that as this application was for outline planning permission, drainage would be a condition on any approval as would the future design, height, siting and number of flats to be built on the site.

Noted that the Section 106 Agreement had now been completed.

RESOLVED that the further comments received in relation to application 38/2005/356 be noted and that permission be granted for the development in accordance with the previous recommendation and conditions.

(The meeting ended at 6.19 pm)