

Planning Committee – 10 June 2009

Present:- Councillor Mrs Hill (Chairman)
Councillor Mrs Allgrove (Vice-Chairman)
Councillors Bishop, Brooks, Mrs Copley, Critchard, Denington,
Ms Durdan, C Hill, House, Miss James, Watson and Wedderkopp

Officers:- Mr B Kitching (Area Planning Manager – East), Mrs J Jackson (Legal Services Manager), Mr M Bale (Principal Planning Officer),
Ms M Casey (Planning and Litigation Solicitor) and Mrs G Croucher (Democratic Services Officer)

Also Present: Councillor Cavill in relation to application No. 48/09/0018.

(The meeting commenced at 5.00 pm)

65. Apologies/Substitution

Apologies: Councillors Bowrah and McMahon
Substitution: Councillor Stuart-Thorn for Councillor Bowrah.

66. Minutes

The minutes of the meetings held on 11 May and 20 May 2009 were taken as read and were signed.

67. 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 **planning permission be granted** for the under-mentioned developments:-

38/09/0098

Erection of two flats and one house to the rear of 51-53 Cheddon Road, Taunton

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above unless otherwise agreed in writing by the Local Planning Authority;
- (c) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and

re-enacting that Order with or without modification), the first floor and second floor kitchen, landing, hall and bath windows to be installed in the southeast and southwest elevation of the building shall be obscured glazed, details of which shall be submitted to, and approved in writing by, the Local Planning Authority, and non-opening (unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed). The obscure glazing shall thereafter be so retained. There shall be no alteration or additional windows in these elevations without the further grant of planning permission;

- (d) The areas allocated for parking and garages on the submitted plan shall be properly consolidated, surfaced and drained before the use commences or the buildings are occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (e) 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 garages hereby permitted shall be limited to the domestic and private needs of the occupier and shall not be used for any business or other purpose whatsoever;
- (f) Full details of the bin storage facilities indicated on the submitted plan shall be submitted to, and approved in writing by, the Local Planning Authority and be constructed and fully provided prior to occupation of the dwellings hereby permitted, and shall thereafter be retained for those purposes, unless otherwise agreed in writing by the Local Planning Authority;
- (g) Full details of a covered cycle storage facility in the location indicated on the submitted plan shall be submitted to, and approved in writing by, the Local Planning Authority and constructed and fully provided prior to occupation of the dwellings hereby permitted, and thereafter retained for those purposes unless otherwise agreed in writing by the Local Planning Authority;
- (h) No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected and hard/soft landscape to be provided. The agreed boundary treatment and surfacings shall be completed before the buildings are occupied and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority;
- (i) Details of the arrangements to be made for the disposal of foul and surface water drainage works from the proposed development shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter implemented prior to occupation of the dwellings hereby permitted;
- (j) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 ("the 1995 Order") (or any order revoking and re-enacting the 1995 Order with or without modification), no extensions, roof alterations, dormer windows, outbuildings or development of the types described in Schedule 2 Part 1 Classes A through to E of the 1995 Order other than that expressly authorised by this permission shall be carried out without the further grant of planning permission.

(Notes to applicant:- (1) Applicant was advised that 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; (2) Applicant was advised that 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; (3) Applicant was advised that having regard to the powers of the Highway Authority under the Highways Act 1980, the creation of the new access will require a Section 184 Permit).

Reason for granting planning permission:-

The proposal for residential development was located within defined settlement limits where the principle of new housing was considered acceptable and the development would not have a detrimental impact upon visual or residential amenity and was therefore considered acceptable. Therefore, the scheme accords with Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), and M4 (Residential Parking Provision).

48/09/0018

Erection of a two storey extension to replace a single storey extension (re-submission of application No 48/08/0066)

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building unless otherwise agreed in writing with the Local Planning Authority;
- (c) The two bedroom windows to be installed in the west elevation of the building shall be obscure glazed and non-opening (unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed) to the satisfaction of the Local Planning Authority and shall not be modified thereafter without the prior written consent of the Local Planning Authority.

Reason for granting planning permission:-

The proposed extension would preserve the character of the bungalow and appearance of the Conservation Area and is therefore in accordance with Policies S1 (General Requirements), S2 (Design), H17 (Extensions to Dwellings) and EN14 (Conservation Areas) of the Taunton Deane Local Plan.

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

The Committee was of the opinion that the proposed extension would preserve the character of the bungalow and appearance of the Conservation Area.

(2) That **planning permission be refused** for the under-mentioned developments:-

07/09/0008

Erection of one dwelling and formation of new access to Rose Cottage, Bradford-on-Tone

Reason

The proposed development, by reason of its detailed design and choice of materials, would dilute the presence of the Listed Building, Rose Cottage, in the street scene and detract from the features of special architectural and historic interest that it possesses. Consequently, the setting of the building and its features of special architectural interest would not be preserved and therefore the proposal is contrary to Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review, advice contained in Planning Policy Guidance note 15 and the statutory duty outlined in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

23/09/0010

Conversion of barn to form dwelling and erection of double garage for The Vicarage, Parsonage Lane, Milverton

Reasons

- (a) The proposed access, by reason of the limited visibility to the north, does not provide sufficient visibility of or from vehicles emerging from the access directly onto the carriageway. Any increased use of this existing access that would result from the proposed development, would be prejudicial to highway safety, contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policy S1 of the Taunton Deane Local Plan;
- (b) The proposed alterations to the surfacing of the access and the public highway would be unsympathetic and visually incongruous in the street scene, detracting from the character and appearance of this part of Parsonage Lane. It would fail to preserve the character and appearance of the conservation area, contrary to Policy EN14 of the Taunton Deane Local Plan, Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review and the statutory duty outlined in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

68. Display of advance sign for new housing development, Rosedale, Henlade, Taunton

Reported that it had come to the Council's attention that an advance sign for a new housing development had been displayed in the front garden of

Rosedale, Henlade, Taunton without the necessary advertisement consent being obtained.

The owner of the sign had been contacted and an application for advertisement consent had been made but this had been refused under delegated powers.

Resolved that:-

1. Enforcement action be taken to remove the unauthorised advance sign at Rosedale, Henlade, Taunton; 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.

69. Massage parlour operated from 19 Trinity Street, Taunton

Reported that it had come to the Council's attention that 19 Trinity Street, Taunton was being used for non domestic purposes without the necessary planning permission being obtained. A number of signs and CCTV units had also been fixed to the property without listed building consent being obtained.

The owners of the property had been contacted about the unauthorised use of the premises but, to date, no application to regularise the situation had been submitted and the use had continued.

Resolved that:-

1. Enforcement action be taken to stop the use of the 19 Trinity Street, Taunton for non domestic purposes;
2. Listed Building enforcement action be taken to remove the signs and CCTV units fixed to 19 Trinity Street, Taunton; and
3. Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the enforcement notice and Listed Building enforcement notice not be complied with.

70. Appeals

Reported that five appeal decisions had recently been received, details of which were submitted. Three of the appeals had been allowed and two dismissed.

Also reported that three new appeals had been lodged, details of which were submitted.

Resolved that the report be noted.

(The meeting ended at 7.30 pm)

