

Planning Committee – 12 December 2007

Present:- Councillor Mrs Allgrove (Vice-Chairman) (In the Chair)
Councillors Bishop, Bowrah, Critchard, Denington, Floyd, C Hill,
House, Miss James, McMahon, Mrs Smith, Watson,
Ms Webber, A Wedderkopp, D Wedderkopp, Miss Wood and
Woolley

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

Also present:- Councillor Coles, Councillor Mrs Whitmarsh in relation to
application No 35/2007/019 and Councillor Beaven in respect of
the enforcement item relating to Sunnydene, Dene Road,
Cotford St Luke.

(The meeting commenced at 5.00 pm.)

147. **Apology**

The Chairman (Councillor Mrs Hill).

148. **Minutes**

The minutes of the meetings held on the 21 and 22 of November 2007 were
taken as read and were signed.

149. **Firepool Lock Master Plan – Submission of details pursuant to Condition 02 of 38/2006/135 and application for non-compliance with Conditions 02 and 07 on Permission No 38/1999/394**

Reported that the Firepool Lock site (formally known as East Goods Yard),
was located between the main railway line and the Taunton and Bridgwater
Canal to the south. The site occupied approximately 13.1 ha of land. A
number of redundant railway buildings had been demolished on the site
although the Pumphouse and water tower remained in situ as it was a Grade
II listed building.

The site, the subject of the report, was 4.6 ha and formed part of the larger
Firepool area identified in the Taunton Vision Urban Design Framework
document produced by Terrence O'Rourke.

Planning permission was granted on the 20 August 2004 for the
redevelopment of part of the overall site to provide 3.3 ha of residential

development, approximately 0.9 ha of B1 employment uses, conversion of the Pumping Station to provide a public house/restaurant, new access road, canal side walkway, new infrastructure, landscaping, earth moving and the demolition of existing structures, construction of new walls and fences and all associated engineering works.

This permission was subject to a Section 106 Agreement relating to highway works, provision of, or contribution to, non-car modes of transport, provision of strategic footway/cycleway link, a contribution to suitable off-site related transport, an education contribution, a public open space contribution, 20.7% of the total units to be provided as affordable housing via a Registered Social Landlord and an obligation to ensure that the access road connected to the strategic road to the west. Numerous conditions were also imposed on the permission, many of which still remained to be formally discharged.

The original 2004 permission had contained a condition requiring the submission of a development brief indicating a draft layout of the whole site. This condition, together with a condition relating to the time limit for the submission of certain details, had subsequently been modified by application No 38/2006/135 which had been granted on the 19 May 2006. The revised condition read as follows:-

“02 – An indicative Masterplan for the entire site shall be submitted to the Local Planning Authority for approval with a supporting statement prior to any application for reserved matters. This application shall be approved by the Local Planning Authority prior to the determination of the first application for reserved matters. The indicative Masterplan shall indicate the following:-

- (a) General access arrangements including strategic cycleways and footpaths;
- (b) The broad areas of land allocated for housing, B1 employment and public house/restaurant;
- (c) The density, form, scale, height and massing of the development; and
- (d) The general location of landscaping amenity/open space and play areas.”

The details now submitted had been made pursuant to the requirements of this condition.

The Masterplan had been developed by the Gadd Group in conjunction with Barton Willmore Town Planners, LHC Architects (office development), Stride Treglown Architects (Area A residential and landscape strategy) and Highway Field Associates (Pumphouse redevelopment). Hydrock Consultant Engineers had produced the highways and infrastructure strategy and detailed design.

Following consideration of the main statutory constraints to the development of the site, the applicants had adopted the following principles for the Masterplan:-

- Street layout to open up views to the waterfront and beyond;
- “Towpath” canal side walkway on the bank of the canal;
- A mixture of apartments and townhouses fronting the canal;
- 3 – 7 storey buildings accentuating higher ground;
- The provision of part of the strategic cross-town route, the Northern Inner Distributor Road (NIDR);
- A mixed use development at the western entrance to the site with active frontages;
- A new bridge with viewing points and access for all to the river and tow path to be designed and constructed by Somerset County Council Highways;
- The Pumphouse to be restored as a focus for bars/restaurants with surrounding public open space;
- Characterised landscaped areas for the enjoyment of the public and provision of the footway/cycle routes linking to existing routes;
- Access to the canal for water uses; and
- Perimeter development allowing for better surveillance of private areas and streets.

The report outlined in detail the proposals for the site set out in the Masterplan. The site had been divided into areas and phasing of the development was intended as set out below:-

- (1) NIDR as required for construction of following phases;
- (2) A - Residential accommodation;
- (3) J - Offices and multi-storey car park (concurrent part overlap with phases (2), (4) and (5));
- (4) I – Offices;
- (5) E – Residential accommodation (Knightstone Housing Association);
- (6) B – Residential accommodation;
- (7) C – Residential accommodation;
- (8) Pumphouse;
- (9) D – Residential accommodation; and
- (10) H – Mixed use development.

The policy background of the proposed development was set out including National and Regional guidance, Local Plan Policies and the views set out in the Taunton Design Code, the Taunton Urban Design Framework and the Proposal for Change in the Taunton Town Centre Area Action Submission Stage Consultation.

The Masterplan had been widely circulated and consultation responses had been received from the South West Design Review Panel, Taunton and District Civic Society, Project Taunton, Somerset County Highways, British Waterways, the Environment Agency, the Conservation Officer, Environmental Health, Leisure and Recreation and Planning Policy.

Submitted for information the principal issues that had arisen from this consultation exercise. The concerns expressed had been subject to

discussions with the applicants and a variety of changes to the original submission had been proposed addressing the majority of the concerns raised.

The design of the NIDR and the junctions onto it had been the subject of extensive consultations and negotiations with the County Highways Authority and the design put forward had been agreed in principle. The proposed layout, with the NIDR as a central spine road, produced a significant number of positive benefits to the development. It also contributed towards forming an active street frontage, which, together with the residential and mixed-use development to the west, provided 24/7 surveillance, increased levels of safety and community usage.

The residential blocks at Area A to the east of the Pumphouse, had been designed to form a curved perforated screen providing a dramatic “backdrop” to the Pumphouse. The heights were higher than those in the Design Code produced by Terrence O’Rourke, but with the southern blocks set at two storeys lower than the northern block, and with the northern block also stepping back at its upper levels at the western end, this would further reduce the apparent scale and massing.

The provision of accommodation and associated landscaping within the various courtyards, had also been revised with various of the freestanding houses being removed in Areas B, C and D. Further step-backs had been introduced at the upper levels of Areas B and D.

Noted that additional areas of open space had been provided along the canal side, providing opportunities for play areas and general sitting out areas.

The requirements of the relevant condition as set out above contemplated a “broad brush” approach to set a framework against which future decisions on individual parts of the site could be assessed.

Many of the comments made related to matters of greater detail than was considered necessary at this stage. Furthermore, the Masterplan was only able to provide a framework for land within its control. Other documents as previously mentioned provided the context for the nature of surrounding development into which this scheme had to fit.

In the view of the Development Manager, the details received were adequate to discharge the requirements of Condition 02 of permission No 38/2006/135. They provided an acceptable level of development and on-site arrangements that would provide a pattern for the future development of the site. However, it had to be accepted that some variations to what was established by this framework would inevitably arise when detailed development control scrutiny was undertaken of the separate phases of development.

RESOLVED that the submitted details be accepted as complying with the requirements of Condition 02 of planning permission No 38/2006/135.

150. 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 the **detailed plans be approved** 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:-

38/2007/193

Erection of Phase 1 of B1 office development with associated temporary car park at former Goods Sidings, Firepool, Taunton

Conditions:-

- (a) No development shall take place until a plan for the approved road layout of the Northern Inner Distributor Road has been submitted to, and approved in writing by, the Local Planning Authority;
- (b) No development shall take place until amended plans showing a suitable means of access to the Northern Inner Distributor Road has been submitted to, and approved in writing by, the Local Planning Authority in association with the County Highway Authority;
- (c) There shall be no occupation of the office building hereby approved until that part of the distributor road, required to gain access to the proposed development, has been completed and opened to traffic;
- (d) A visibility splay of 4.5m x 90m shall be provided either side of the access point onto the Distributor Road prior to the use commencing and shall thereafter be maintained unobstructed;
- (e) The parking and turning area shall be provided following provision of a plan to be submitted to, and agreed in writing by, the Local Planning Authority and the parking shall be provided prior to occupation of the building and shall thereafter be maintained unless otherwise agreed in writing by the Local Planning Authority;
- (f) Prior to construction work commencing, the applicant shall examine the premises and land and identify what measures, if any, might be necessary to ensure that noise from existing sources and the proposed strategic road will not be detrimental to the amenity of the occupants of the offices. Details of any sound reduction scheme shall be submitted to the Local Planning Authority including the reasoning upon which any such scheme is based. The details shall be agreed in writing by the Local Planning Authority and the agreed works shall be completely carried out before the development is occupied;

- (g) Before works commence on the building hereby approved, a sample of all external materials, including roof and wall cladding, wall colour/texture, window glass and frames and rainwater goods shall be submitted to, and approved in writing by, the Local Planning Authority;
- (h) Before works commence on the building hereby approved, the following details in respect of each of the said areas shall be submitted to, and agreed in writing by, the Local Planning Authority:-
 - (i) Details of the important junctions of the roof area, the eaves detail and parapets, the coping to the rendered areas and external canopies with elevational plans and 1:20 scale sections;
 - (ii) A scheme for hard and soft landscaping, including a schedule of the size and species of plants which shall be maintained for five years;
 - (iii) The grey water recycling and storage area from the roof;
 - (iv) Any external lighting on the building and outside within the site; and
 - (v) The positioning of any pedestrian crossing.

(Note to applicant:- Applicant was advised that guidance on suitable internal noise levels in offices can be found in British Standard BS8233:1999 and other CIRA/BRE documents.)

Reason for approving detailed plans:-

The proposal was considered to comply with the outline scheme and Taunton Deane Local Plan Policies S1, S2, EC1, M2, EN16, EN25, T3 and T33 and material considerations did not indicate otherwise.

- (2) That **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:-

20/2007/026

Removal of agricultural occupancy Condition 06 of application 20/1991/027 at Millfield House, Parsonage Lane, Kingston St Mary

Condition

Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (or any Order revoking and re-enacting that Order), no development shall be carried out without the prior approval in writing of the Local Planning Authority which would otherwise be permitted development under Part 1, Classes A, B, and E of Schedule 2 to that Order.

Reason for granting planning permission:-

The applicant had demonstrated that the tests set out in Taunton Deane Local Plan Policy H13 had been accorded with and material considerations did not indicate otherwise.

25/2007/023

Change of use from stores to holiday units at Wick House, Norton Fitzwarren

Conditions

- (a) C001A – time limit;
- (b) C102A – materials;
- (c) C201 – landscaping;
- (d) C215 – walls and fences;
- (e) 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;
- (f) P001A – no extensions;
- (g) C416 – details of size, position and materials of meter boxes;
- (h) C927 – contaminated land – barns/small sites;
- (i) Prior to the commencement of development, a plan identifying a parking and turning area for three vehicles shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details. This area 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;
- (j) There shall be no obstruction to visibility greater than 900mm above adjoining road level forward of a line drawn 2.4m back from the carriageway edge on the centre line of the access and extending to the extremities of the site frontage. Such visibility splays shall be fully provided before the change of use, hereby permitted, is first brought into use and shall thereafter be maintained at all times;
- (k) No development shall take place until details of the foul 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;
- (l) C412 – restriction of occupation for holiday lets in permanent buildings.

(Notes to applicant:- (1) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (2) Applicant was advised that the protection afforded to species under UK and EU legislation is irrespective of the planning system and you should ensure that any activity undertaken on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation; (3) Applicant was advised to contact the Landscape Officer to discuss the landscape

requirements of the site; (4) N126 – potential ground contamination.)

Reason for granting planning permission:-

The proposed development was considered sympathetic and would not harm the integrity and character of the barn or harm the visual or residential amenities of the area. The proposal did not therefore conflict with Taunton Deane Local Plan Policies S1, S2 or EC6 and material considerations did not indicate otherwise.

31/2007/020

Change of use and conversion of outbuildings to form two holiday cottages and domestic office/study at Toad Hall, Lower Henlade.

Conditions

- (a) C001A - time limit;
- (b) C413 – restriction of occupation for holiday lets in permanent buildings;
- (c) C927 – contaminated land – barns/small sites;
- (d) The area allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted;
- (e) 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 points on the near side carriageway edge 60m either side of the access. Such visibility splays shall be fully provided before the access hereby permitted is first brought into use and shall thereafter be maintained at all times.
(Note to applicant - Applicant was advised that permanent residential use of these buildings in the future is unlikely to be forthcoming.)

Reason for granting planning permission:-

The proposed use was considered appropriate for the outbuildings and it was thought that the scheme would not harm the integrity of the outbuilding or the character, visual and residential amenity of the area and, therefore, did not conflict with Taunton Deane Local Plan Policies S1, S2 and EC6.

31/2007/022

Erection of link from house to garage and conversion of garage to form annexe, erection of conservatory and insertion of new flue pipe on north elevation at Toad Hall, Lower Henlade.

Conditions

- (a) C001A – time limit;

- (b) C102A – materials;
- (c) 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, sold or let as a separate unit of accommodation.

Reason for granting planning permission:-

The proposed conversion and associated extension would not harm the character, visual and residential amenity of the dwelling and area and, therefore, did not conflict with Taunton Deane Local Plan Policies S1, S2, H17 and H18.

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

21/2007/026LB

Removal of part of wall, erection of wall and gate and formation of car parking space at Hillview, Langford Budville

Reason

The proposal would result in the undesirable loss of a section of wall that is Grade II listed and is of historic interest which contributes to the character of the street scene, thereby detracting from the visual amenities and character of this Conservation Area and the village as a whole, contrary to Taunton Deane Local Plan Policies EN16 and EN17 and Somerset and Exmoor National Park Joint Structure Plan Review Policy 9.

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

The Committee felt that the creation of an opening in this historic wall would be out of keeping with the adjacent listed church and surrounding area and that the proposed gate was not appropriate.

- (4) That the **following applications be deferred** for the reasons stated:-

35/2007/019

Erection of three Eco-cabins for tourism use at land to the south of Little Brimley, Appley, Wellington.

Reason

To enable an Environmental Statement to be submitted.

48/2007/019

Construction of a roundabout and alteration of associated roads and highway structure at the former chicken hatchery, Bridgwater Road, Monkton Heathfield.

Reason

For further negotiations.

151. Demolition of dwelling and erection of 8 No one-bedroom flats at 74 South Street, Taunton (38/2007/545)

Reported this application.

RESOLVED that subject to:-

- (1) The applicants entering into a Section 106 Agreement in relation to the provision of leisure contributions; and
- (2) The receipt of no further representations raising new issues by the 20 December 2007, 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) C101 – materials;
 - (c) C331 – provision of cycle parking;
 - (d) C416 – details of size, position and materials of meter boxes;
 - (e) C911 – aerials – combined system;
 - (f) C201 – landscaping;
 - (g) C927 – contaminated land – small sites;
 - (h) No development shall be commenced until the means of providing adequate play and recreation contributions for the area have been entered into and secured in writing in agreement with the Local Planning Authority;
 - (i) The development hereby approved shall not be occupied until details of the external door on the north-west elevation has been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details;
 - (j) The rear kitchen window on the north-west 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.
(Notes to applicant:- (1) N126 – potential ground contamination; (2) Applicant was advised to contact Wessex Water to ascertain whether there is a public sewer crossing the site. Public sewerage apparatus is covered by a statutory easement and no new building or similar works will normally be allowed within a minimum of 3m of this apparatus.)

Reason for planning permission, if granted:-

The proposed development was considered acceptable and material considerations did not indicate otherwise. The development accorded

with Taunton Deane Local Plan Policies S1, S2, M4, M5 and C4.

152. Erection of supermarket (1965 sq m), with associated car parking and servicing, land to the rear of 36-46 High Street, Wellington (partial amendment to planning permission No 43/2004/141)

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues by the 21 December 2007, 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) C101 – materials;
- (c) C112 – details of guttering, downpipes and disposal of rainwater;
- (d) C201 – landscaping;
- (e) C205 – hard landscaping;
- (f) C215 – walls and fences;
- (g) C219 – screening during demolition;
- (h) C917 – services – underground;
- (i) Detailed drawings indicating the height, appearance, intensity of light and manufacturers' specification of any external building or car park lighting including the access thereto shall be submitted to, and approved in writing by, the Local Planning Authority before any works are commenced. The lighting shall be provided in accordance with those details and shall be so located, installed and permanently maintained so that inconvenience from glare, whether directed or reflected, shall not be caused at any other premises;
- (j) The development hereby permitted, shall not commence until details of all petrol/oil interceptors have been submitted to, and approved in writing by, the Local Planning Authority. Such petrol/oil interceptors shall be installed in the surface water disposal system and permanently retained and maintained to the satisfaction of the Local Planning Authority thereafter;
- (k) C331 – provision of cycle parking;
- (l) C324 – parking;
- (m) C330 – internal road to be kept free from obstruction
- (n) The proposed lay-by and cross-hatched area adjacent to the boundary with 48 High Street and 1 and 2 Orchard Villas shall not be used other than for the purposes of loading/unloading and turning by vehicles accessing those properties;
- (o) C910B – archaeological programme;

- (p) Details of the length of stay for vehicles parking in the proposed car park shall be submitted to, and approved in writing by, the Local Planning Authority. Any change to this approval shall be submitted to the Local Planning Authority for written approval;
- (q) Details of measures to control the use of the car park outside the times of opening for the supermarket shall be submitted to, and approved in writing by, the Local Planning Authority and provided before the use of the car park hereby permitted is commenced;
- (r) No demolition or construction work shall be carried out on the site on any Sunday, Christmas day, or bank holiday or other than between the hours of 07:30 and 19:00 hrs Monday – Friday and 07:30 and 13:00 hrs on Saturday, unless otherwise agreed in writing by the Local Planning Authority;
- (s) C206A – existing and proposed levels;
- (t) The lighting to the car park and the external surfaces of the building shall be switched off within 30 minutes of the closure of the supermarket unless otherwise agreed in writing by the Local Planning Authority;
- (u) Before the use hereby permitted is commenced, the loading bay area shall be sound-proofed in accordance with a scheme to be submitted to, and approved in writing by, the Local Planning Authority;
- (v) Prior to the commencement of the development, a Code of Practice in relation to all vehicles accessing the site during demolition and construction of the development and operation of the supermarket shall be submitted to, and approved in writing by, the Local Planning Authority. The agreed Code shall include details of wash down facilities for HGV vehicles, details of delivery times and provision for vehicle-mounted refrigeration units;
- (w) Noise emissions arising from the air-handling plant, refrigeration or other machinery on any part of the land to which this permission relates shall not exceed background levels at any time by more than 3 decibels, expressed in terms of an A-weighted 1 minute Leq when measured at any point on the boundary of any residential or other noise-sensitive premises. 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;
- (x) No deliveries, other than bakery, dairy and other perishable products shall be made between the hours of 20:00 hrs on any one day and 08:00 hrs on the following day unless otherwise agreed in writing by the Local

Planning Authority. No delivery of bakery, dairy and other perishable products shall be made other than between 07:00 and 20:00 hrs;

- (y) Details of the arrangements to be made for the disposal of surface water drainage from the proposed development shall be submitted to, and approved in writing by, the Local Planning Authority before any work hereby permitted is commenced.
- (z) No development shall be commenced until such time as the detailed design of the proposed access from High Street, including incorporation of the private accesses to the residential properties to the east, has been submitted to, and approved in writing by, the Local Planning Authority. Such works as shall be approved shall be carried out in accordance with the approved design prior to occupation of any of the development;
- (aa) A pathway to the north-east and south-east sides of the proposed building shall be gated and fenced at both ends in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority and shall only be used for maintenance and emergency purposes only unless otherwise agreed in writing by the Local Planning Authority;

(Notes to applicant:- (1) Applicant was advised that the proposal should comply with the Food Hygiene (General) Regulations; (2) Applicant was advised of the need to have regard to the existing rights of way by third parties over the land; (3) N111 – disabled access; (4) N112 – energy conservation; (5) N115 – water conservation; (6) Applicant was advised that with regard to condition (o) the County Archeologist would be willing to provide a specification for this work and a list of suitable contractors to undertake it; (7) N117 – crime prevention; (8) N024 – development in accordance with the approved plans; (9) With regard to condition (p), applicant was advised that the length of stay should be restricted to 2 – 3 hours to ensure that the car parking spaces are available for shoppers; (10) N051B – health and safety; (11) N052 – fire safety; (12) N054 – fire safety; (13) Applicant's attention is drawn to the Conservation Area consent relating to this property numbered 43/2004/142CA; (14) N075 – Section 106 Agreement; (15) Applicant was requested to ensure that the appointed contractors subscribed to the "Considerate Contractor's Programme"; (16) Applicant was advised that the existing building contains asbestos panels which will need careful removal. If the asbestos is contained within something like cement, for example roof or wall sheeting and is in good condition, it is not normally necessary to utilise a

specialist contractor. If the sheeting is to be broken up for any reason, a specialist contractor must be used. If the asbestos is in a more friable condition/material, for example lagging or water tank insulation, then a licensed specialist contractor must be used. Either way, materials containing asbestos must be double-bagged in special asbestos waste bags, sealed and disposed of at a licensed tip. You are advised to contact the Environmental Health Officer in this respect; (17) Applicant was advised that the former Quik Save building is now located within the Conservation Area. Consequently, Conservation Area consent will be required for its demolition.)

Reason for planning permission, if granted:-

The site was a town centre site, the development of which is in conformity with the retail policy framework set out by Central Government in Planning Policy Statement No 6 and in the retail policies contained in the County Structure Plan and the adopted Local Plan. The proposal is considered to be in general compliance with the criteria set out in Taunton Deane Local Plan Policy W11.

153. Erection of extension and improvements to store to provide additional retail sales floor space and the relocation of the customer restaurant to the proposed mezzanine floor at Sainsburys Supermarket, Hankridge Farm Retail Park, Heron Gate, Bathpool (48/2007/055)

Reported this application.

RESOLVED that subject to the applicants entering into a Section 106 Agreement to provide financial contributions towards local road improvements and a Travel Plan, 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) C101 – materials;
- (c) No more than 30% of the total net sales area of the whole store, including the net sales area of the extension hereby permitted shall be used for the sale of the following comparison goods unless agreed in writing by the Local Planning Authority:- Clothing and footwear; books, comics and magazines; arts and crafts; stationers; 'phones and mobile 'phones; music and video; hardware and homewares; china goods; glass goods, gifts and leather goods;
- (d) At no time shall the superstore be sub-divided into smaller units or provide/sell:- Cars; prescription

medicines; sports or leisure goods (including fishing, golf, football or pools), luggage or antiques; or chemists and/or opticians, unless agreed in writing by the Local Planning Authority;

- (e) No more than 5869 sq.m of floor space shall be used for retail trading at any time without the written consent of the Local Planning Authority.

(Notes to applicant:- (1) Applicant was requested to give priority to local residents when appointing new employees; (2) Applicant was reminded of the need to improve the relationship of the 'town centre' store to the main shopping area by providing improved pedestrian links as soon as possible; (3) With regard to Condition (b), applicant was requested to use materials and building techniques that utilise a low carbon footprint and erect a plaque to advertise these measures to the public.)

Reason for planning permission, if granted:-

The proposed advantages in the ability to restrict the total floor space of comparison goods sales was balanced against the out of town location and was considered to result in a reduction of the potential impact on the vitality and viability of Taunton Town Centre and was considered to be in accordance with Government advice contained in Planning Policy Statement No 6 and Taunton Deane Local Plan Policies EC12, EC13 and EC14.

154. Operational development and the stationing of residential caravans at Sunnydene, Dene Road, Cotford St Luke, Taunton

Reported that planning permission had been granted for the erection of a stable block on land known as Plot 1, Dene Road, Cotford St Luke, in October 2006. The land was now known as Sunnydene.

Although work on this timber structure had commenced shortly after approval, it had been brought to the Council's attention on 23 November 2007 that a mini-digger, septic tank and associated pipes had been delivered to the same site. A visit was made where, as well as the stable building, it was discovered that a concrete hard-standing had been provided and that work to install a septic tank appeared to be about to take place.

A temporary stop notice was therefore served to prevent any further unauthorised works taking place. The owner of the land confirmed that he would be submitting a planning application for the unauthorised work already undertaken and the works he wished to carry out.

Further reported that over the weekend of 24/25 November 2007, a static caravan had been brought onto the land followed by two further caravans, one of which was a twin unit mobile home. This latter unit

had been positioned on the hard standing ready for connection to services.

Following the weekend, the owner submitted his application for planning permission for the three caravans, plus associated works on the land.

A further temporary stop notice was served to prevent any further caravans from being brought onto the site.

Noted that the temporary stop notices would expire shortly before Christmas. As the planning application was unlikely to be considered until January 2008, it was considered necessary to have in place an enforcement notice and stop notice once the temporary notices expired.

During the discussion of this item, it was reported that the owner of the land had requested consent to connect the main mobile home to an existing septic tank on the land. Members were recommended to allow this to ensure the health and welfare of the occupants of the mobile home.

RESOLVED that:-

- (1) An enforcement notice be served on the owner of the land at Sunnysdene, Dene Road, Cotford St Luke, requiring the removal of the mobile home and caravans and any associated unauthorised works;
- (2) A stop notice be served on the owner of the land to stop any additional caravans from being brought onto the site and to stop any further unauthorised operational developments;
- (3) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the stop notice or enforcement notice not be complied with; and
- (4) In the event of the site being occupied, the owner of the land be notified that the Council would not take steps to enforce the stop notice in relation to any connection made from the main mobile home to the existing septic tank on site and in relation to any temporary measures put in place to mitigate against problems arising from mud on the site.

155. **Stationing of a motor home for use as a dwelling and the carrying out of an agricultural machinery repair business at Harpford Farm, Langford Budville, Wellington.**

Reported that following the sale of farm buildings and land at Harpford Farm, Langford Budville, it had been brought to the Council's attention that the new owner was living on the site in a large motor home situated within one of the farm buildings. This change of use had occurred without planning permission being obtained.

Furthermore, it appeared that the owner intended to use the farm buildings in connection with an agricultural machinery repair business. Nearby residents had reported that works had already taken place within the farm buildings which had been extremely noisy.

Reported that the owner had applied for planning permission in respect of the change of use of the farm buildings and the stationing of the mobile home.

RESOLVED that:-

- (1) Enforcement action be taken requiring the change of use of land for the stationing of a mobile home at Harpford Farm, Langford Budville to cease;
- (2) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the enforcement notice not be complied with; and
- (3) Subject to the Environmental Health Department confirming that the criteria for serving a stop notice had been met, an enforcement notice and stop notice be served in relation to the alleged unauthorised industrial use of the site.

156. Mesh fence erected above existing wall at Brookfield House, Pitminster

Reported that despite planning permission being refused for the retention of a mesh fence erected above an existing wall at Brookfield House, Pitminster, no action to remove the unauthorised mesh fence had been taken to date.

RESOLVED that:-

- (1) Enforcement action be taken requiring the removal of the unauthorised mesh fence erected above an existing wall at Brookfield House, Pitminster; 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.

157. Alterations to existing field entrance onto classified road and removal of hedgerow on land opposite Vale View Cottages, West Bagborough

Reported that it had come to the attention of the Council that works had been undertaken to alter the existing field entrance onto a classified road on land opposite Vale View Cottages, West Bagborough. The works undertaken, had also resulted in the removal of a hedgerow along the roadside.

The owner of the land had been contacted and a planning application to regularise the situation had been submitted. However, this application had been refused in October 2007 and to date, no action to restore the field entrance to its previous condition had been taken.

RESOLVED that:-

- (1) Enforcement action be taken requiring the re-instatement of the field entrance on land opposite Vale View Cottages, West Bagborough, to include the replanting of the hedgerow; 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.

(The meeting ended at 9:05pm.)