

Planning Committee – 13 February 2008

Present:- Councillor Mrs Hill (Chairman)
Councillor Mrs Allgrove (Vice-Chairman)
Councillors Bishop, Bowrah, Critchard, Denington, C Hill,
House, Miss James, McMahon, Mrs Smith, Watson,
Ms Webber, A 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 J Hardy
(Senior Enforcement Officer), Mrs A Dunford (Enforcement
Officer), Mrs J M Jackson (Senior Solicitor), Ms M Casey
(Planning and Litigation Solicitor), Mr R Bryant (Democratic
Support Manager) and Mrs G Croucher (Democratic Support
Officer).

Also present:- Councillors Beaven and Mrs Lewin-Harris in relation to
application No 06/2007/064.

(The meeting commenced at 5.00 pm.)

9. Apologies

Councillors Floyd and D Wedderkopp.

10. Minutes

The minutes of the meeting held on 23 January 2008 were taken as read and were signed.

11. Declarations of Interest

As the applicant was known to him, Councillor C Hill declared a personal interest in application No 07/2007/023 and left the meeting during its consideration.

The Chairman (Councillor Mrs Hill), declared an interest in application Nos 38/2007/573LB and 38/2007/574 and left the meeting during their consideration. The Vice-Chairman (Councillor Mrs Allgrove) took the Chair whilst the Chairman was absent from the room.

12. 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, subject to the standard conditions adopted by Minute

No 86/1987 of the former Planning and Development Committee and such further conditions as stated:-

05/2007/064

Erection of conservatory at rear of 91 Gillards, Bishops Hull, Taunton

Conditions

- (a) C001A – time limit;
- (b) C102A – materials.

Reason for granting planning permission:-

The design and scale of the proposal was considered not to have a detrimental impact upon the visual or residential amenity and it was, therefore, considered acceptable and accordingly did not conflict with Taunton Deane Local Plan Policies S1, S2 and H17.

07/2007/023

Change of use, conversion and extension of building to B1 use at building at Heatherton Park Farm, Bradford on Tone (revised scheme)

Conditions

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) C201 – landscaping;
- (d) C112 – development affecting buildings where Swallows are known to nest;
- (e) Details of the means of boundary treatment to the southern and western boundary shall be submitted to, and approved in writing by, the Local Planning Authority and implemented prior to the use commencing;
- (f) Plans showing a parking area providing for five vehicles shall be submitted to, and approved in writing by, the Local Planning Authority before the development is occupied. This area shall be properly delineated and not used other than for the parking of vehicles in connection with the development hereby permitted;
- (g) There shall be no vehicular access or use onto/from the access road to the south of the site at any time. All traffic associated with this development shall utilise the access to the north as shown on the submitted plan;
- (h) 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, five minute Leq at any time during the days and times indicated when measured at any point at the façade of any residential or other noise sensitive boundary:- Monday to Friday

0800 – 1800 hrs; Saturday 0800 – 1300 hrs. At all other times, including Sundays and Bank Holidays, noise emissions shall not be audible when so measured. Noise emissions having tonal characteristics such as 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;

- (i) Work shall only be carried out at the site between the hours of 0900 – 1700 hrs Monday to Friday;
- (j) The 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;
- (k) P010 – no further windows;
- (l) No external lighting shall be erected on site without the prior approval of the Local Planning Authority.

(Notes to applicant:- (1) Applicant was advised that there should be no obstruction to visibility greater than 900 mm above adjoining road level in advance of a line drawn 2 m back from the carriageway edge on the centre line of the access extending to a point on the nearside carriageway edge, 15 m to the east of the access, where the access into the site meets the private road. Such visibility splay should be fully provided before the change of use is first brought into use; (2) Applicant was informed that a passing place should be provided at a central point on the private access road in accordance with a design and specification to be approved in writing by the Local Planning Authority and to be fully implemented to the satisfaction of the said Authority; (3) Applicant was advised that bats and nesting birds may be present on the site and all operatives on the site must be appropriately briefed on their potential presence. If bats are found on site, then work must stop and Natural England must be informed. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered, must not be disturbed; (4) Applicant was advised to ensure that a right of access exists over the northern route to the site.)

Reason for granting planning permission:-

The proposed development was not considered to adversely affect the amenity of the area and was considered to comply with Taunton Deane Local Plan Policies S1, S2, EC6, M2 and EN34 and material considerations did not indicate otherwise.

38/2007/573LB

Conversion of listed building to provide a three bedroom house and removal of all other buildings on site at the Cottage Inn, 117 Kingston Road, Taunton

Conditions

- (a) C002B – time limit – listed building;
- (b) C671 – making good building after demolition of adjoining structure.

Reason for granting listed building consent:-

The proposal represented an acceptable conversion of the listed building in a manner that would preserve its character in accordance with guidance in Planning Policy Guidance Note No 15 (PPG15).

38/2007/574

Conversion of listed building to provide a three bedroom house and erection of twelve dwellings and provision of new access at the Cottage Inn, 117 Kingston Road, Taunton

Conditions

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) C201 – landscaping;
- (d) C205 – hard landscaping;
- (e) C215 – walls and fences;
- (f) The details submitted pursuant to Condition (e) shall provide for a 1.8 m high wall adjacent to the neighbouring dwellings in Rosebery Street;
- (g) There shall be no obstruction to visibility greater than 600 mm above adjoining road level in advance of a line drawn 2.4 m back from the carriageway edge on the centre line of the access and extending to a point on the near side carriageway edge, 43 m to the north of the access. Such visibility shall be fully provided before works commence on the erection of the dwellings hereby approved and shall thereafter be maintained at all times;
- (h) There shall be no obstruction to visibility greater than 600 mm above adjoining road level in advance of a line drawn 2.4 m back from the carriageway edge on the centre line of the access and extending to a point on the near side carriageway edge, 35 m to the south of the access. Such visibility shall be fully provided before works commence on the erection of the dwellings hereby approved and shall thereafter be maintained at all times;
- (i) The layout to be submitted shall make adequate provision for a temporary car park within the site to accommodate operatives

and construction vehicles during the contract period and shall indicate the eventual use of that area;

- (j) The area allocated for parking, turning and access on the submitted plan shall be kept clear of obstruction and shall not be used other for the parking and turning of vehicles and access in connection with the development hereby permitted;
- (k) The access hereby permitted shall not be brought into use until drop kerbs have been installed at the carriageway edge and a vehicle crossover constructed across the footway fronting the site for the width of the access;
- (l) The proposed access over the first 6 m 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;
- (m) The proposal for the disposal of surface water shall be carried out in accordance with the information provided on drawing No 5840-14 Rev A to prevent water discharge onto the highway;
- (n) Before any dwelling hereby approved is first occupied, a 1.2 m wide footway shall be constructed over the entire frontage of the site in accordance with a specification to be approved in writing by the Local Planning Authority;
- (o) Provision shall be made for the parking of cycles in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority for each one bedroom apartment. Such provision shall be made before the development hereby permitted is occupied;
- (p) The proposed windows on the west elevation of the one-bedroom apartments shall be glazed with obscure glazing and fitted with restricted openers, which shall thereafter be maintained;
- (q) Prior to the commencement of the development hereby approved, detailed drawings of the facilities for the bin store shall be submitted to, and approved in writing by, the Local Planning Authority. The store shall be available for use prior to any of the dwellings hereby approved becoming first occupied;
- (r) Unless otherwise agreed in writing by the Local Planning Authority, no development shall begin on the site until a planning obligation under Section 106 of the Town and Country Planning Act 1990 has been completed to make provision for an appropriate financial contribution towards recreation facilities in Taunton.

(Notes to applicant:- (1) The proposal involves the construction of a footway/road widening which should be dedicated to form part of the public highway. Applicant was advised to contact Somerset County Council's Highways Development Group for details of the dedication procedure. The Highway Services Manager should also be consulted regarding the specification and supervision of these works before they commence on site; (2) Applicant was advised that the County Highway Authority

would be prepared to accept a dedication of the works conditioned to provide a widened footway. You are further advised to contact the Highways Development Group; (3) Applicant was advised that where works are to be undertaken on or adjoining the publicly maintainable highway, a licence under Section 171 of the Highways Act 1980 must be obtained from the County Highways Authority. An application should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services; (4) N112 – energy conservation.)

Reason for granting planning permission:-

The development represented an acceptable redevelopment of a brown-field site within the settlement area of Taunton, not impacting significantly on residential amenity and complying with the requirements of Planning Policy Statement No 1 and Planning Policy Statement No 3 and Policy S2 of the Taunton Deane Local Plan.

- (2) 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:-

06/2007/064

Use of land to site 3 mobile homes and provision of septic tank for one gypsy family (retrospective) at Sunny Dene, Dene Road, Cotford St Luke, Bishops Lydeard

Reason

The siting of the mobile homes appear an incongruous and significant skyline feature and have a harmful impact upon the rural character and appearance of the landscape. Furthermore, the required visibility splays would be likely to require a significant amount of hedgerow to be removed and would also reduce the availability to provide landscape mitigation measures. As such, the development is contrary to the provisions of Policy 5 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policies S1, S7, H14 and EM12 of the Taunton Deane Local Plan.

13. **Redevelopment of shop and storage/garage to form dwelling with replacement of shop-front at 24 Silver Street, Wiveliscombe (49/2007/076)**

Reported this application.

Resolved that subject to the receipt of a satisfactory amended plan indicating the restoration of a rubble wall on the southern elevation of the building, 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) C654A – windows;
- (d) The proposed roof lights hereby approved, shall be of a conservation design only, that is flush fitting to the roof plane;
- (e) Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any subsequent Order amending or 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, cycles and refuse bins and not for further residential accommodation or any other purpose whatsoever;
- (f) No doors, gates or low level windows/utility boxes/down pipes, shall obstruct footways and/or shared surfaces. The highway limits shall be limited to that area of footway/carrageway clear of all private service boxes, inspection chambers, rainwater pipes, vent pipes, meter boxes (including wall mounted), and steps.
(Notes to applicant:- (1) Applicant was advised that under the Party Wall Act 1996, the building owner is responsible for providing temporary cover to adjacent buildings and properties that are exposed. The building owner is responsible for making good any damage caused by the works or must make payment in lieu of making good if the adjoining owner requests it; (2) Applicant was advised that Conservation Area consent is also required for the demolition works despite being retrospective; (3) N112 – energy conservation.)

Reason for planning permission, if granted:-

The site was in a sustainable location within the town centre and comprised the conversion of an existing building. The proposal was considered not to have a detrimental impact upon visual or residential amenity or the character and appearance of the Conservation Area and therefore did not conflict with Taunton Deane Local Plan Policies S1, S2, EN14, M4 and Planning Policy Statement No 3.

14. Erection of first floor extension above garage, 10 Clifford Crescent, Taunton (38/2007/537)

Reported that this application had been determined and planning permission granted on 10 January 2008 following a reference to the Chairman.

However, it had since been realised that the applicant was a member of staff and the application should therefore have been referred to Committee before a decision was made.

Noted that the proposal did not raise any significant issues and no neighbour objections had been received.

Resolved that the decision of the Development Manager, in consultation with the Chairman, to grant planning permission be endorsed.

15. **Unauthorised fence around building to east of Fairwater, Taunton School, Staplegrove Road, Taunton**

Reported that this unauthorised fence had been brought to the Council's attention during August 2007. An application to retain the fence had been submitted, however, this had been refused on 17 January 2008.

Resolved that:-

- (1) Enforcement action be taken seeking the removal of the unauthorised fence erected around a building to the east of Fairwater, Taunton School, Staplegrove Road, Taunton;
- (2) Such action be deferred for a period of two months from the date of the meeting to allow Taunton School to submit a further planning application to retain the fence; and
- (3) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should any enforcement notice subsequently served, not be complied with.

16. **Large advertisement on gable wall of Kilkenny House, Cheddon Road, Taunton**

Reported that a large sign advertising Taunton CDC Dental Surgery had been erected on the gable wall of Kilkenny House, Cheddon Road, Taunton, without advertisement consent.

Although an application to regularise the situation had been submitted, this had been refused under delegated powers on 8 January 2008.

Resolved that subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings to secure the removal of the unauthorised sign on the gable wall of Kilkenny House, Cheddon Road, Taunton, unless it was removed within one month.

17. **High wall built adjacent to lane at Bavino, South Street, Wiveliscombe**

Reported that it had been brought to the Council's attention that a wall over 2 m high had been constructed adjacent to a lane at Bavino, South Street, Wiveliscombe. Investigations had shown that the wall, part of which had been rebuilt, had been increased in height by 100 mm.

In the view of the Development Manager, the slight increase in height was considered to be acceptable.

Resolved that no further action be taken.

(The meeting ended at 7.20pm).