

## **Planning Committee – 16 August 2006**

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

Officers: Mr N T Noall (Director of Development) Mr T Burton (Development  
Control Manager), Mr J Hamer (Development Control Area Manager -  
West), Mr G Clifford (Development Control Area Manager - East),  
Mrs J M Jackson (Senior Solicitor) and Mr G P Dyke (Member Services  
Manager)

(The meeting commenced at 5.00 pm.)

### **95. Apologies**

Councillors Denington and Hindley (the Mayor).

### **96. Minutes**

The minutes of the meeting held on 26 July 2006 were taken as read and  
were signed.

### **97. Declarations of Interest**

Councillor Stuart-Thorn declared a personal interest in agenda item No 17,  
application No 46/2006/013.

### **98. 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:

**08/2006/011**

**Conversion of garage to play room and erection of conservatory  
to rear of 50 Standfast Place, Nerrols Farm, Taunton**

#### **Conditions**

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

**Reason for granting planning permission:-**

The proposed development would harm neither visual nor residential amenity, nor would it be damaging to the character of the main dwelling. Accordingly, the proposal did not conflict with Taunton Deane Local Plan Policies S1, S2, H17 and H18.

**38/2006/274**

**Retention of two flats (1 No two bedroom and 1 No three bedroom) at 14 Greenway Road, Taunton**

**Conditions**

- (a) Prior to the commencement of works on site, details of the proposed cycle racks incorporating no less than parking facilities for 4 cycles shall be submitted to, and approved in writing by, the Local Planning Authority. Such cycle parking shall be provided on the site prior to the occupation of the accommodation hereby permitted and shall thereafter be retained;
- (b) Prior to the commencement of works on site, details of the provision of external refuse storage shall be submitted to, and approved in writing by, the Local Planning Authority. Such facilities shall be provided on site prior to the occupation of the accommodation hereby permitted and shall thereafter be retained.

(Note to applicant:- Applicant was advised that permitted development rights would not be applicable to flats.)

**Reason for granting planning permission:-**

The proposed development would not give rise to any adverse impact on visual or residential amenity, or road safety and would not therefore conflict with Taunton Deane Local Plan Policies S1, S2, H2 and M4.

**42/2006/017**

**Erection of dwelling at 7 Orchard Close, Trull**

**Conditions**

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (d) 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 (not loose stone or gravel) in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority;

- (e) There shall be no obstruction to visibility greater than 600mm above adjoining road level in advance of a line drawn 2m back from the carriageway edge on the centre line of the access and extending to a point on the nearside carriageway edge 23m to the south of the access;
- (f) Such visibility shall be fully provided before works commence on the erection of the dwelling hereby permitted and shall thereafter be maintained at all times;
- (g) Any entrance gates erected shall be hung to open inwards;
- (h) 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;
- (i) C201 – landscaping;
- (j) All fenestration hereby permitted shall be recessed to match that of neighbouring bungalows;
- (k) P001A – no extensions;
- (l) P003 – no ancillary buildings;
- (m) P005 – no garages;
- (n) C215 – walls and fences;
- (o) The proposed access shall incorporate splays (with no obstruction to visibility greater than 600mm above adjoining road level) on both its sides to the rear of the existing footway based on the enclosed plan.

(Notes to applicant:- (1) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (2) N061A – Highways Act – Section 184 permit; (3) Applicant was advised to agree with Wessex Water prior to the commencement of any works on site, connections onto Wessex Water infrastructure.)

**Reason for granting planning permission:-**

The proposed development would not adversely affect visual amenity, residential amenity or road safety and therefore did not conflict with Taunton Deane Local Plan Policies S1, S2 and H2.

**47/2006/008**

**Erection of conservatory at Ivy Cottage, West Hatch**

**Conditions**

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

**Reason for granting planning permission:-**

The proposed development would not adversely affect the character of the building, or visual or residential amenity and therefore did not conflict with Taunton Deane Local Plan Policies S1, S2 and H17.

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

**41/2006/007**

**Erection of poultry building at Glebe Farm, Tolland, Phase 1 (revised application 41/2006/003)**

**Reason**

The proposed development would constitute an undesirable intrusion into an attractive area of open countryside to the detriment of the visual amenities of the locality and character and appearance of the Brendons Landscape Character Area. As such, the proposal is contrary to Taunton Deane Local Plan Policies S1, S2, S7 and EN12.

**Reason for refusing the application contrary to the recommendation of the Development Control Manager:-**

The Committee felt that the proposal would harm the visual amenity and rural character of the area.

**41/2006/008**

**Erection of poultry building at Glebe Farm, Tolland (Phase 2)**

**Reason**

The proposed development would constitute an undesirable intrusion into an attractive area of open countryside to the detriment of the visual amenities of the locality and character and appearance of the Brendons Landscape Character Area. As such, the proposal is contrary to Taunton Deane Local Plan Policies S1, S2, S7 and EN12.

**Reason for refusing the application contrary to the recommendation of the Development Control Manager:-**

The Committee felt that the proposal would harm the visual amenity and rural character of the area.

**46/2006/013**

**Erection of glazed canopy to rear courtyard and porch to entrance at The Stable House, Manley's House, West Buckland**

**Reason**

The existing dwelling is the result of the conversion of a former agricultural building of traditional character where the Local Planning Authority's policies require that the appearance, structure and surroundings of the building should remain materially unaltered. In the opinion of the Local Planning Authority, the proposed porch by reason of its size and form, will have a detrimental impact on the architectural integrity and traditional character of the existing dwelling and detract from the visual amenities of the locality (Taunton Deane Local Plan Policies H7 and H17).

**Reason for refusing the application contrary to the recommendation of the Development Control Manager:-**

The Committee felt that the proposed porch would have a detrimental impact on the appearance of the dwelling.

- (3) That the following application be **deferred** for the reason stated:-

**19/2006/020**

**Demolition of garage and erection of new dwelling with attached garage, land adjacent to Ivy Cottage, Hatch Beauchamp**

**Reason**

To enable a full flood assessment to be completed.

- (4) That the following applications be **withdrawn**:-

**10/2006/017**

**Replacement stables and garages with ancillary accommodation on first floor at Hunters Lodge Barn, Churchinford**

**20/2006/017**

**Removal of conditions 05 and 06 of planning approval 20/2000/025 to permit the use of the building for warden accommodation, reception, office and storage in connection with holiday cabin development at Swallows Barn, Parsonage Lane, Kingston St Mary (revision 20/2006/010)**

99. **Demolition of buildings, earthworks, highway construction, surface water and foul drainage, new services to serve residential and commercial development areas subject to further reserved matters applications (Phase 1) at Taunton Trading Estate, Norton Fitzwarren (25/2006/012)**

Reported this application.

RESOLVED that subject to the receipt of 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 applicants be advised of the following notes:-

- (1) Applicants attention is drawn to the conditions of planning permission No 25/2002/018 which must be complied with before development commences; (2) NO51B – health and safety; (3) NO61 – Highways Act – Road Opening Notice; (4) NO75 – Section 106 Agreement; (5) Applicant was advised that any oil storage facility of 200 litres or more must include a bund and comply with the Oil Storage Regulations (“The Control of Pollution (Oil Storage) (England) Regulations 2001”); (6) Applicant was advised that the use, handling or

storage of any hazardous substance should have regard to the Schedule to the Planning (Hazardous Substances ) Regulations 1992;

(7) Applicant was advised that the Back Stream is a salmonid stream and therefore all works likely to impact on the watercourse channel must be undertaken outside the period when fish are spawning;

(8) Applicant was advised that an appropriate river corridor survey should be undertaken to establish the presence or otherwise of protected species;

(9) Applicant was advised that from a conservation perspective, the general arrangement for the new bridge in drawing AIP – 2 shows the course of the Back Stream realigned. As a result of fluvial processes, the stream will almost certainly revert to its natural course. The bridge structure, as it is piled, will not be threatened by the watercourse and therefore the Environment Agency does not consider it necessary to disturb the stream structure and ecology as proposed;

(10) Applicant was advised that where the culvert is being removed, the plans show proposed reinforcement of the banks with gabions. The Environment Agency is of the view that it should be possible to provide any necessary bank reinforcement with a softer solution, for example re-inforced earth. Such a solution would eventually allow the establishment of natural cover. This will provide natural reinforcement and ecological value unlike the gabions and have less requirement for long term maintenance/replacement;

(11) Applicant was advised of a number of pollution prevention measures recommended by the Environment Agency which should be adopted where applicable during construction.

**Reason for approving detailed plans, if granted:-**

The proposal was considered to be compatible with National and Local Planning Policies which encouraged sustainable, mixed use development on previously developed land and, in particular, the proposals met the requirements contained in Taunton Deane Local Plan Policies T4 – T7.

**100. Erection of 11 No flats at 1 Victoria Street, Taunton (38/2006/237)**

Reported this application.

RESOLVED that subject to:-

- (1) The receipt of no further representations raising new issues by 23 August 2006; and
- (2) The applicants entering into a Section 106 Agreement for the provision of off-site play and recreation provision, 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) C112 – details of guttering, down pipes and disposal of rainwater;

- (d) A sample brick panel indicating the mortar detailing shall be constructed on site and agreed in writing by the Local Planning Authority prior to any walls being erected and the building shall thereafter be constructed as per the panel details;
  - (e) Any meter boxes shall be provided internally to the building;
  - (f) The new windows 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;
  - (g) The windows hereby approved shall be of a vertical sliding sash design unless alterations are agreed in writing by the Local Planning Authority;
  - (h) The windows hereby permitted shall be recessed a minimum 80mm in the wall;
  - (i) Detailed proposals for the disposal of surface water shall be submitted to, and approved in writing by, the Local Planning Authority before the commencement of development. The agreed details shall be fully implemented before the building is occupied;
  - (j) Details of secure cycle storage shall be submitted to, and agreed in writing by, the Local Planning Authority and the bin and cycle stores shall be provided prior to occupation of the flats;
  - (k) C911 – aerials – combined system.
- (Notes to applicant:- (1) N075 – Section 106 Agreement; (2) N111 - disabled access; (3) Applicant was recommended to agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure. The integrity of Wessex Water systems should also be protected and any arrangements for the protection of infrastructure crossing the site should be agreed prior to the commencement of works.)

**Reason for planning permission, if granted:-**

The proposal complied with Taunton Deane Local Plan Policies S1, S2, H2, M4 and C4 and material considerations did not indicate otherwise.

Also RESOLVED that should the Section 106 Agreement not be completed by 29 August 2006 the Development Control Manager, in consultation with the Chairman, be authorised to refuse planning permission due to the proposal being contrary to Taunton Deane Local Plan Policy C4 or to grant planning permission with an additional condition requiring the applicant to enter into a Section 106 Agreement prior to the commencement of development.

**101. Erection of 36 (30 No two bed and 6 No three bed) affordable homes, 36 parking spaces and associated road works at land adjacent to Cobb Castle and Castle Cottages, Ham, Chelston (46/2006/006)**

Reported this application.

RESOLVED that subject to:-

- (1) The views of the Secretary of State under the Departure Procedures;
- (2) The receipt of a satisfactory unilateral undertaking under Section 106 of the Town and Country Planning Act to ensure that the proposed dwellings would remain affordable and meet local housing needs in perpetuity; and
- (3) The receipt of a satisfactory wildlife survey, 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) C205 – hard landscaping;
- (e) C207A – existing trees to be retained;
- (f) C208E – protection of trees to be retained;
- (g) C208B – protection of trees – service trenches;
- (h) C209 – protection of hedges to be retained;
- (i) C210 – no felling or lopping;
- (j) C301 – highways – in accordance with the County Highway Authority’s booklet;
- (k) C302 – highways – roads, footpaths and turning spaces to be surfaced;
- (l) C324 – parking;
- (m) C416 – details of size, position and materials of meter boxes;
- (n) P005 – no garages;
- (o) P007 – no fencing in front of dwellings.

(Notes to applicant:- (1) N118 – disabled access; (2) N112 – energy conservation; (3) N115 – water conservation; (4) N113 – street names; (5) N114 – meter boxes; (6) N051B – health and safety; (7) N075 – Section 106 Agreement; (8) In line with Government policy, applicant was advised to contact Wessex Water to see if any of the on-site or off-site drainage systems could be adopted; (9) Applicant was advised that noise emissions from the site during the construction phase should be limited to the following hours if nuisance is likely at neighbouring premises:- Monday to Friday 0800 – 1800 hours; Saturdays 0800 – 1300 hours. At all other times, including public holidays, no noisy working.)

**Reason for planning permission, if granted:-**

Whilst not strictly in accordance with Taunton Deane Local Plan Policy H11, which required that exception affordable housing schemes should be either within or adjoining the identified limits of villages and rural centres, the site was immediately adjacent to existing residential areas, accessible to regular bus services and close to a well established business park. In view of this and the urgent need for affordable housing in the area, the proposal was considered to be acceptable.



102. **Retail sales and display of sheds and play equipment at the former poultry house, A38, Bathpool, Taunton**

Reported that an area of land in front of the former poultry house, adjacent to the A38 at Bathpool, Taunton was currently being used by Ashwood Timber Products and Activity Toys to display its products. Noted that various other works including the creation of a hard standing had also been undertaken on the site. The business had very recently relocated from Taunton Trading Estate at Norton Fitzwarren which was scheduled for re-development.

The owner of the business had been advised that the development which had taken place at Bathpool was a change of use that required planning permission.

To date no application had been received and the unauthorised use of the site continued.

Further reported that complaints had also been received about unauthorised banner signs and advertising material displayed at the site which required advertisement consent.

RESOLVED that:-

- (1) Enforcement action be taken to stop the unauthorised use of the land in front of the former poultry house, adjacent to the A38 at Bathpool, Taunton for the display of sheds and play equipment and retail sales; 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.

103. **Business requiring to be dealt with as a matter of urgency**

The Chairman reported that she had certified that the item covered by Minute No 104 below should be dealt with as an urgent matter.

104. **Redevelopment to provide 48 sheltered housing apartments for the elderly with community amenity space, car parking and access at 2 and 4 Compass Hill, Taunton (38/2005/422)**

Reported that this application had been refused by the Planning Committee at its meeting on 14 December 2005.

An appeal had been lodged which was due to be considered on 6 and 7 September at a public inquiry.

The application had originally been recommended for approval subject to a Section 106 Agreement to secure an off-site contribution towards affordable housing in the sum of £350,000.

Initially the appellants intended to deal with this contribution by way of a unilateral undertaking to be tabled at the inquiry. However, following discussions between the respective solicitors it had been agreed that a Section 106 Agreement would be preferable to secure this contribution if the appeal was successful.

RESOLVED that the Solicitor to the Council be authorised to enter into a Section 106 Agreement with the appellants to secure the payment of an off-site affordable housing contribution in the event that the appeal was successful.

(The meeting ended at 8.50 pm.)