

Planning Committee – 23 November 2005

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

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

A member of the press was present for part of the meeting.

(The meeting commenced at 5.00 pm.)

143. Apologies

Councillors Miss Cavill, Denington and C Hill.

144. Minutes

The minutes of the meeting held on 2 November 2005 were taken as read and were signed.

145. Public Question Time

Mr Paul Partington referred to the item considered by the Committee at its meeting on 2 March 2005, concerning the footpath/cycleway constructed off Burge Crescent, Cotford St Luke. He wondered if any progress had been made with the developer as to the provision of the full 2m width along the length of the route which should have been constructed.

The Area Planning Officer, John Hamer, confirmed that a meeting with the developer had been held shortly after the March meeting and proposals to resolve the situation with regard to the footpath/cycleway had been promised. To date these had not been received and Mr Hamer undertook to speak to the developers again.

146. 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 **outline 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:-

38/2005/347

Erection of dwelling on land off Greenway Road, Taunton (renewal of 38/1998/423).

Conditions

- (a) C005 - outline - reserved matters;
- (b) C009 - outline - time limit;
- (c) C014A - time limit;
- (d) C101 - materials;
- (e) C241 - landscaping;
- (f) C207 - existing trees to be retained;
- (g) C208A - protection of trees to be retained;
- (h) C215 - walls and fences;
- (i) C323 - parking;
- (j) C327 - turning space;
- (k) The proposed dwelling shall be constructed as a single storey building with the main eaves line approximately level with the ground floor window heads and there shall be no living accommodation at first floor level;
- (l) The dwelling shall have a gross floor area, including garage, no greater than 115 m²;
- (m) P002 - no extensions;
- (n) P005 - no garages;
- (o) P003 - no ancillary buildings;
- (q) P006 - no fencing.

(Notes to applicant:- (1) N110 - design; (2) N111 - disabled access; (3) N112 - energy conservation; (4) N114 - meter boxes; (5) N116 - disabled access; (6) N117 - crime prevention; (7) With regard to condition (h), applicant was advised that a timber fence will not be an appropriate boundary treatment. Metal rails and a hedge may be appropriate; (8) Applicant was advised that the dwelling shown on the illustrative plan may be too large, taking into account the need to retain the footpath and provide parking, turning and landscaping on the site. A smaller two bedroom bungalow may be more appropriate; (9) Applicant was advised that a combined sewer crosses the site. You are therefore advised to contact Wessex Water to discuss this matter; (10) Applicant was advised that the submission of reserved matters should take account of the proximity of the electricity substation to the site.)

Reason for granting outline planning permission:-

The proposed dwelling lay within the settlement limits of Taunton where the principal of new housing was accepted in accordance with Somerset Structure Plan Policy STR4 and Taunton Deane Local Plan

Policy S1 and the proposal was also considered to conform to the requirements of Policy H2.

48/2005/051

Erection of bungalow on land to the east of Sidbrook Farm, 83 Greenway, Monkton Heathfield.

Conditions

- (a) C005 - outline - reserved matters;
- (b) C009 - outline - time limit;
- (c) Within a period of three years from the date of this permission, 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;
- (d) C014A - time limit;
- (e) C402 - single storey dwelling;
- (f) C414 - no increase in site level;
- (g) C323 - parking;
- (h) C327 - turning space;
- (i) C331 - provision of cycle parking;
(Notes to applicant:- (1) N112 - energy conservation; (2) Applicant was advised that the Local Planning Authority is unlikely to permit an application for a second dwelling on this site given the substandard access and subsequent objections by the County Highway Authority; (3) N111 - disabled access; (4) N114 - meter boxes; (5) N115 - water conservation; (6) Applicant was advised that there is a public foul sewer crossing the site. Wessex Water normally requires a minimum 3m easement width on either side of its apparatus for the purpose of maintenance and repair. You are further advised that diversion or protection works may need to be agreed with Wessex Water; (7) Applicant was advised of the need to protect the integrity of Wessex Water systems and any arrangements for the protection of infrastructure crossing the site should be agreed as early as possible, certainly before the developer submits any Building Regulations application; (8) N118 - disabled access; (9) N119 - design guide.)

Reason for granting outline planning permission:-

The proposed dwelling lay within the settlement limits of Monkton Heathfield, where the principal of new housing was accepted in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy STR5 and Taunton Deane Local Plan Policy S1 and the proposal was also considered to conform to the requirements of Policy H2.

- (2) 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:-

20/2005/022

Erection of 13 log cabins for holiday let at land at Millfield Nursery, Parsonage Lane, Kingston St Mary (revised design to 20/2005/012).

Conditions

- (a) C001A - time limit;
- (b) C101 - materials;
- (c) The recommendations of the flood risk assessment received on 18 July 2005, shall be carried out prior to the commencement of the development hereby approved to the satisfaction of the Local Planning Authority. Any variation to the recommended implementation shall be agreed and approved in writing by the Local Planning Authority;
- (d) C201A - landscaping;
- (e) C207 - existing trees to be retained;
- (f) C413 - restriction of occupation for holiday lets in permanent buildings;
- (g) Any holiday let cabin that is unoccupied for more than a 24 month period shall be demolished and/or removed, including the removal of any foundations and/or floor slabs;
- (h) Before the development hereby approved is occupied, unobstructed visibility shall be provided above a height of 600 mm from adjoining carriageway level in the areas hatched on the attached plan. Such visibility shall thereafter be maintained to the satisfaction of the Local Planning Authority;
- (i) Soakaways shall be constructed in accordance with Building Research Digest 365 (September 1991);
- (j) Prior to the commencement of the development hereby approved, details of the western stream bank levels and the emergency spillway construction shall be agreed and approved in writing by the Local Planning Authority;
- (k) P001A - no extensions;
- (l) P003 - no ancillary buildings;
- (m) P006 - no fencing;
- (n) C215 - walls and fences;
- (o) Badgers were active in the vicinity of the development hereby approved, therefore operators shall be appropriately briefed in accordance with English Nature's "Badgers: Guidelines for Developers", and any open trenches shall be covered overnight. (Notes to applicant:- (1) N111 - disabled access; (2) N112 - energy conservation; (3) N115 - water conservation; (4) N051B - health and safety; (5) Applicant was recommended to agree with Wessex Water prior to the commencement of any works on site, a connection onto Wessex Water infrastructure; (6) Applicant was advised that planning permission for any floodlighting or external illumination is required and is unlikely to be supported if

it would result in any detrimental effect on the area; (7) With regard to condition (n), applicant was advised that boundary treatment details are required that prevent access from the site to the spinney woodland area; (8) The increased height of the cabins from the previous approval should be taken into account with regard to the landscaping scheme to be submitted for condition (d) of this permission.)

Reason for granting planning permission:-

The site was adequately screened and the proposal was not considered to be harmful to the landscape and had good access to the highway network. The visual and residential amenity of the area would not be detrimentally affected and the character and appearance of the adjacent Conservation Area would be maintained/enhanced and therefore the proposal was compliant with Taunton Deane Local Plan Policies S1, S2, S7, EC24, EN6, EN12, EN14, EN25, EN29 and EN34.

38/2005/404

Demolition of part of existing buildings, erection of two storey and single storey extensions and change of use and conversion from shop and living accommodation to 4 flats at 44 and 46 Staplegrove Road, Taunton.

Conditions

- (a) C001A - time limit;
- (b) C102 - materials;
- (c) The external surfaces of the extensions hereby permitted/approved shall be of materials to match those of the existing building. Before any works are commenced, details shall be submitted or a sample panel shall be constructed and approved in writing by the Local Planning Authority.
- (d) C331 - provision of cycle parking;
- (e) P011 - no windows on the east elevations;
- (f) The flood risk measures set out in the agent's letter, dated 2 November 2005, shall be implemented before any one of the flats hereby permitted is occupied;
- (g) Details of timber windows and doors to be installed in the new and altered building shall be submitted to, and approved in writing by, the Local Planning Authority and installed as agreed.

Reason for granting planning permission:-

The site was located within the Taunton Central Area where flats were acceptable. The proposal did not give rise to any unacceptable visual or neighbour impact and was in accordance with Taunton Deane Local Plan Policies H3, EN14, EN23, EN28, M4, S1 and S2.

38/2005/407

Erection of office building with parking and reception for use as Regional Fire Control Centre and formation of new bunding to surface water retention ponds at Blackbrook Business Park, Taunton.

Conditions

- (a) C001A - time limit;
- (b) C101 - materials;
- (c) C203B - landscaping;
- (d) A hedgerow management plan shall be submitted to, and approved in writing by, the Local Planning Authority prior to planting commencing and shall be adhered to once agreed;
- (e) The access to the site shall be provided off the estate road as illustrated on drawing No 41415/ITK/R100 P4 unless otherwise agreed in writing by the Local Planning Authority;
- (f) The parking shall be provided as per layout drawing No 46413(1)EXW/C.001 P1 and details of the means of surface treatment to the parking areas shall be submitted to, and approved in writing by, the Local Planning Authority prior to its construction;
- (g) The emergency access onto Blackbrook Way shall be provided prior to occupation of the building and shall be kept locked at all times unless in an emergency flood event;
- (h) The ground floor level of the building and associated gatehouse/reception building shall be set at 14.3 m AOD and there shall be no variation thereto unless otherwise agreed in writing by the Local Planning Authority;
- (i) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the Local Planning Authority for approval. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks plus 10% or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground where possible and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund;
- (j) There shall be no discharge of foul or contaminated drainage or trade effluent from the site into either groundwater or any surface waters, whether direct or via soakaways;
- (k) Prior to being discharged into any watercourse, surface water, sewer or soakaway system, all surface water drainage from impermeable parking areas and hardstandings for vehicles shall

- be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor;
- (l) Details of the fence positions and colour finishes of security fencing shall be submitted to, and approved in writing by, the Local Planning Authority prior to its erection;
 - (m) External lighting details on the building or within the car park shall be submitted to, and agreed in writing by, the Local Planning Authority;
 - (n) Details of the external enclosures for the generators shall be submitted to, and approved in writing by, the Local Planning Authority prior to their provision on site;
 - (o) No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to, and approved in writing by, the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed;
 - (p) The access and parking area on site shall be set no lower than 13.8 m AOD;
 - (q) No development approved by this permission shall be occupied until construction of the new flood prevention bund, as illustrated on Swan Paul Drawing No SPP/1189/1 A, has been fully completed to the satisfaction of the Local Planning Authority;
 - (r) Development shall not commence until details of an alternative safe exit route for vehicles and pedestrians, not adversely affecting the flood regime, to land outside the 1 in 100 year flood plain are submitted to, and agreed in writing by, the Local Planning Authority. The route must be in place prior to any occupancy of the buildings;
 - (s) A flood contingency plan for the site shall be provided, with the wording to be agreed with the Local Planning Authority. The plan shall be kept accessible to any person using the site and updated to reflect any changes in flood risk to the surrounding land;
 - (t) Access visibility of 4.5 m x 60 m in each direction shall be provided with no obstruction to visibility above 300 mm at the point of access onto the estate road serving the business park.
(Notes to applicant:- (1) In relation to condition (d), applicant's attention is drawn to the attached advice from English Nature concerning hedgerow management; (2) Applicant was advised that any oil storage facility of 200 l or more must include a bund and comply with the Oil Storage Regulations, a copy of which has been forwarded to the applicant/agent; (3) Applicant was advised that if recycled inert material (for example, rubble, hardcore, topsoil or subsoil) is to be imported onto the site for landscaping or other purposes, a formal exemption from Waste Management Licensing may be required. Under such circumstances, a written application including details of the nature and quantity of materials to be used must be submitted to the Environment Agency prior to works commencing;

(4) Applicant was advised that the proposed development site is situated within 250 m of a known landfill site. Before commencement of the development, the applicant must ensure that all reasonable steps have been taken to investigate and, where appropriate, remediate against the possibility of gas migration affecting the development site; (5) Applicants attention is drawn to the need to provide energy efficient construction methods and consider the use of grey water recycling to reduce surface water run-off; (6) Applicant was advised that any culverting of a watercourse requires the prior written approval of the Environment Agency under the terms of The Land Drainage Act 1991 or The Water Resources Act 1991. The Environment Agency resists culverting on conservation and other grounds, and consent for such works will not normally be granted except for access crossings; (7) Applicant was advised that it was the responsibility of Summerfield Developments or their agents to ensure that the surface water drainage system has the necessary drainage capacity to cater for the additional flows. There must be no interruption to the surface water drainage system of the surrounding land as a result of operations on the site. Provision must be made to ensure that all existing drainage systems continue to operate effectively.)

Reason for granting planning permission:-

The proposed office building was considered acceptable and complied with Taunton Deane Local Plan Policies S1, S2, EC1, M2, EN9 and EN28.

44/2005/018

Erection of single storey extension, Snows Cottage, Higher Wrangway, Wellington.

Conditions

- (a) C001A - time limit;
 - (b) C102A - materials;
- (Notes to applicant:- (1) N024 - development in accordance with approved plans; (2) N040A - drainage/water.)

Reason for granting planning permission:-

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

- (3) 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:-

14/2005/039

Erection of a bungalow at 3 Francis Close, Creech Heathfield.

Reason

The proposed development will result in an over-development and cramped form of development of the site to the detriment of the appearance of the street contrary to Taunton Deane Local Plan Policies S1 (D) and S2 (A).

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

The Committee took the view that the proposed new bungalow would appear cramped within the site available and would therefore be an over-development.

17/2005/006

Erection of conservatory at Swifts Barn, Manor Farm, Fitzhead.

Reason

The proposed conservatory by reason of its design, materials and appearance are considered to be unsympathetic and out of keeping with the character of the existing dwelling/converted barn and would be detrimental to the visual amenity of the area. As such, the proposal is contrary to Taunton Deane Local Plan Policies S1, S2 and H17.

25/2005/033

Formation of access and driveway to 2 and 3 Burnshill Terrace, Norton Fitzwarren, Taunton.

Reasons

- (a) The proposal is contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review since the proposed development derives direct access from a National Primary Route/County Route and no overriding special need or benefit has been substantiated for the proposed development on this specific site;
- (b) The formation of an access with limited width leading to vehicles reversing out onto the highway would be prejudicial to road safety and contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49;
- (c) Due to the proximity of vehicles parked on the highway, there would be insufficient visibility for vehicles using the proposed access and this would be prejudicial to road safety and contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

38/2005/426

Erection of 8 No one bedroom flats with demolition of three garages, land to rear of 51-53 Cheddon Road, Taunton.

Reason

The proposed development, due to its high density on this small site, and lack of on site parking will exacerbate the existing parking problems in the area.

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

The Committee took the view that the loss of the existing garages combined with the high density of the development proposed would inevitably lead to existing parking problems in the area being exacerbated.

147. Erection of office building and formation of access and car park on land to the south west at Junction 25 of the M5, Blackbrook Business Park, Taunton (38/2005/417)

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues by 28 November 2005, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if the detailed plans were approved, the following conditions be imposed:-

- (a) Details of the external materials of the building hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority prior to work commencing and shall include a sample panel, to be erected on site, to be approved. Construction shall thereafter be carried out as per the approved details;
- (b) There shall be no access to the site other than as shown on the drawing hereby approved;
- (c) Details of any external lighting, either on or off the building shall be submitted to, and approved in writing by, the Local Planning Authority prior to its installation.

(Notes to applicant:- (1) Applicant was advised that details of surface water drainage should be agreed with the Environment Agency and the use of sustainable drainage systems should be investigated; (2) Applicant was advised of the need to contact Wessex Water prior to commencement of works to arrange the protection of infrastructure crossing the site and for connection to their systems. All mains should be located on site prior to any excavations; (3) Applicants attention is drawn to the need to comply with conditions (c) to (h) inclusive on outline planning permission 38/2003/409; (4) Applicant was advised to ensure that natural heating and energy saving measures are designed into the building to reduce its CO₂ footprint as much as possible.)

Reason for approving detailed plans, if granted:-

The proposed building provided office development in line with the outline permission and Taunton Deane Local Plan Policies S1 and S2.

148. Change of use from C1 (guest house) to C2 (residential institution) at Orchard House, Middleway, Taunton (38/2005/448)

Reported this application.

RESOLVED that subject to the receipt of satisfactory amended plans, 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) No more than seven bedrooms shall be provided in the property at any time;
- (c) The building and associated curtilage shall only be used for the purpose of the assessment of prospective parents and/or parents and their children and for no other purpose as detailed within Class C2 - residential institution of the Town and Country Planning (Use Classes) Order 1987 (as amended) unless an alternative Class C2 - residential institution use is approved in writing by the Local Planning Authority;
- (d) To ensure orderly parking on the site and thereby decrease the likelihood of parking on the highway, the existing car parking area shown on the submitted plan shall be marked out in accordance with a scheme to be agreed by the Local Planning Authority prior to the change of use being brought into use;
- (e) The development hereby approved shall not be occupied until a covered cycle rack facility has been provided within the site capable of accommodating 7 bicycles in accordance with a design specification to be submitted to, and approved in writing by, the Local Planning Authority and shall be constructed to the satisfaction of the said Authority;
- (f) The children of any parents attending the application premises for assessment shall be no older than 12 years of age at the date of first arrival at the premises.
(Note to applicant:- Applicant was advised that any works to convert the building to the use hereby permitted may require listed building consent.)

Reason for planning permission, if granted:-

The proposed change of use would be centrally located and within easy reach of community facilities in accordance with the requirements of Taunton Deane Local Plan Policies S1 and H2.

149. Erection of conservatory at Toulton Bothy, Cothelstone, Bishops Lydeard

Noted that this item had been withdrawn from the agenda.

150. Provision of two satellite dishes at 18 Park Street, Taunton

Reported that a complaint had been received that two satellite dishes had been provided on the front elevation of 18 Park Street, Taunton without the necessary listed building consent. The owner of the property had been contacted and requested to remove the satellite dishes but, to date, they were still attached to the building.

RESOLVED that:-

- (1) Listed building enforcement and planning enforcement action be taken to seek the removal of the two unauthorised satellite dishes that had been installed on the front elevation of 18 Park Street, Taunton;
- (2) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the enforcement notices not be complied with; and
- (3) The Solicitor to the Council be also authorised to institute legal proceedings in respect of the unauthorised work undertaken to the listed building.

151. 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 152 below should be dealt with as an urgent matter.

152. Change of use of domestic land to storage/tipping of building materials at Tudor Park, Taunton

Reported that permission to convert Maidenbrook Farmhouse into 2 dwellings had been granted in March 2002. The domestic curtilage of the dwellings was to have comprised the former residential curtilage of the farmhouse.

The developers of the property had however, only sold part of the designated residential curtilages to the converted farmhouse with the remainder now being used for the storage of builders materials and other items.

The authorised use of the land was that of domestic curtilage and its current use was considered to have a detrimental affect on the setting of the farmhouse which was a Grade II listed building.

RESOLVED that:-

- (1) Enforcement action be taken to seek the removal of the building materials and other items from the land at Tudor Park, 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.

(Councillors Henley and Mrs Smith left the meeting at 7.57 pm and 8.48 pm respectively.)

(The meeting ended at 8.58 pm.)