

Planning Committee – 26 July 2006

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

Officers: 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 R Bryant (Review Support Manager)

(The meeting commenced at 5.00 pm.)

86. Apologies

Councillors Mrs Allgrove, Denington and Hindley (the Mayor).

87. Minutes

The minutes of the meeting held on 5 July 2006 were taken as read and were signed subject to the inclusion of the following amendment:-

Minute No 74. Declarations of Interest

Add "Councillor Bowrah declared a personal interest in agenda item No 15, application No 43/2006/057, and left the meeting during consideration of this item."

88. Declarations of Interest

Councillor Bowrah declared a personal interest in agenda item No 15, application No 43/2006/073, and left the meeting during consideration of this item.

89. 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:-

29/2006/013

Erection of a detached dwellinghouse, Plot 2 at Hillview, Bishopswood, Chard

Conditions

- (a) C005 – outline – reserved matters;
- (b) C009 – outline – time limit;
- (c) C010 – drainage;
- (d) C101 – materials;
- (e) C201 – landscaping;
- (f) P001A – no extensions;
- (g) P003 – no ancillary buildings;
- (h) P005 – no garages;
- (i) P006 – no fencing;
- (j) All fenestration shall be recessed in accordance with the details to be submitted to, and approved in writing by, the Local Planning Authority before development commences.
(Notes to applicant:- Applicant was advised to agree a point of connection onto the Wessex Water system prior to the commencement of any works on site.)

Reason for granting outline planning permission:-

The proposed development would not adversely affect visual or residential amenity, or road safety or the character and appearance of the Area of Outstanding Natural Beauty, and would not therefore conflict with Taunton Deane Local Plan Policies S1, S2, H2 or E10.

29/2006/014

Erection of a detached dwellinghouse, Plot 1 at Hillview, Bishopswood, Chard

Conditions

- (a) C005 – outline – reserved matters;
- (b) C009 – outline – time limit;
- (c) C010 – drainage;
- (d) C101 – materials;
- (e) C201 – landscaping;
- (f) P001A – no extensions;
- (g) P003 – no ancillary buildings;
- (h) P005 – no garages;
- (i) P006 – no fencing;
- (j) All fenestration shall be recessed in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority before development commences;
- (k) The dwelling hereby permitted shall not be occupied until two parking spaces for the dwelling have been provided in a position approved by the Local Planning Authority. The said spaces and access thereto shall thereafter be kept clear of obstruction and shall not be used other than for the parking of vehicles or for the purpose of access;
- (l) The dwelling hereby permitted shall not be occupied until a properly consolidated and surfaced turning space for vehicles

has been constructed within the site in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority. Such turning space shall be kept clear of obstruction at all times;

- (m) Any garage erected shall be at least 6m from the highway boundary;
- (n) Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 4.5m from the carriageway edge;
- (o) Provision should 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.

(Note to applicant:- Applicant was advised to agree a point of connection onto the Wessex Water system prior to the commencement of any works on site.)

Reason for granting outline planning permission:-

The proposed development would not adversely affect visual or residential amenity, or road safety or the character and appearance of the Area of Outstanding Natural Beauty and would not therefore conflict with Taunton Deane Local Plan Policies S1, S2, H2 or E10.

- (2) 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:-

43/2006/073

Erection of industrial unit at Plot 19, Rylands Farm Industrial Estate, Bagley Road, Rockwell Green, Wellington

(Notes to applicant:- (1) N111 – disabled access; (2) N112 – energy conservation; (3) N115 – water conservation; (4) N058B – health and safety; (5) Applicant was requested to ensure that the provision of any external lighting does not cause light pollution to the nearby residential properties; (6) Applicant was requested to give consideration to seeking improved signage to direct vehicles to the estate; (7) It is noted that surface water is to be discharged to soakaways. Applicant was advised that these should be constructed in accordance with Building Research Digest 365 (September 1991).)

Reason for approving detailed plans:-

The proposal was considered to comply with Taunton Deane Local Plan Policies S1, S2 and EC1 in that the site had good transport links and with the conditions imposed neither residential nor visual amenity would be adversely affected.

- (3) 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:-

03/2006/001

Extension to form a ground floor pool and games room at Hurstone House, Waterrow, Wiveliscombe

Conditions

- (a) C001A – time limit;
- (b) C102A – materials;
- (c) C201 – landscaping.

Reason for granting planning permission:-

The proposal was considered not to have a detrimental impact upon visual or residential amenity and was therefore considered acceptable and, accordingly, did not conflict with Taunton Deane Local Plan Policies S1, S2, EN12 and H17 and Somerset and Exmoor National Park Joint Structure Plan Review Policy STR1.

10/2006/008

Change of use of garage/outbuilding to a bio diesel production and storage unit at Lower Willand Farm, Churchstanton, Taunton

Conditions

- (a) C001A – time limit;
- (b) The business shall be operated in accordance with the applicants submission in the letter and “overview” of the 12 June 2006 and, notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, there shall be no intensification of use or any deviation from the operation specified unless an application for planning permission in that behalf is first submitted to, and approved in writing by, the Local Planning Authority.
(Note to applicant:- Applicant was advised that any internal or external alteration to the building will require the benefit of listed building consent and any external alterations would also require the benefit of planning permission.)

Reasons for granting planning permission:-

The proposed development would not adversely affect residential amenity or road safety and therefore did not conflict with Taunton Deane Local Plan Policies EC4, EC6 and S1.

38/2006/234LB

Conversion of Hunts Court to a wine bar, restaurant and residential development of 3 flats and 4 maisonettes at Hunts Court, Corporation Street, Taunton

Conditions

- (a) C002B – time limit – listed building;
- (b) Prior to the works for which consent is hereby granted are commenced, details of the external surfaces of the works shall be submitted to, and approved in writing by, the Local Planning Authority;
- (c) Prior to the works for which consent is hereby granted are commenced, an historic paint/finishes analysis shall be undertaken by a qualified/recognised expert in this field of the existing stair, lobbies and other common areas and submitted to the Local Planning Authority for approval with a view to reinstatement of finishes sympathetic to the original;
- (d) Prior to the works for which consent is hereby granted are commenced, specific details of all new joinery shall be submitted to, and approved in writing by, the Local Planning Authority. Such new joinery to include doors, linings, architraves, skirtings and staircases and provide for accurate representation or original detailing to enable the accurate restoration of original joinery details and new detailing consistent with historic prototypes;
- (e) Prior to the works for which consent is hereby granted are commenced, specific details of the means by which fire separation, sound insulation and limitation of reverberation in common areas shall be submitted to, and approved in writing by, the Local Planning Authority;
- (f) Prior to the works for which consent is hereby granted are commenced, specific details of the means by which the main staircase can be positively adapted to comply with Health and Safety/Building Regulations shall be submitted to, and approved in writing by, the Local Planning Authority with such details to include the removal of the “extended” handrail;
- (g) Prior to commissioning, specific details of the new/adapted windows, venting of enclosed baths/en-suites and kitchen fittings shall be submitted to, and approved in writing by, the Local Planning Authority;
- (h) No suspended/horizontal ceilings shall be introduced without the prior written approval of the Local Planning Authority;
- (i) No fireplace or chimney breast shall be removed as a result of the internal alterations without the written approval of the Local Planning Authority;
- (j) C679 – listed building – new works – damp proofing – heating, lighting, plumbing;
- (k) C658 – partitions;
- (l) C659 – cornices, skirtings and other features;
- (m) C660 – cornices, skirtings and other features;
- (n) Details of the new external door and surround shall be submitted to, and approved in writing by, the Local Planning Authority prior to work commencing;
- (o) Details of the roof alteration to the central section of rooflights,

- including cross section and junction details, shall be submitted to, and approved in writing by, the Local Planning Authority prior to work commencing;
- (p) Details of the air conditioning and ventilation of toilets, kitchens, restaurant and wine bar shall be submitted to, and approved in writing by, the Local Planning Authority prior to work commencing on site.

Reason for granting listed building consent:-

The scheme represented a suitable redevelopment of this town centre site in accordance with Taunton Deane Local Plan Policies S2, EN14, EN16 and EN17 and guidance in Planning Policy Guidance Note No 15 and material considerations did not indicate otherwise.

- (4) 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:-

38/2006/239LB

Installation of two replacement sash windows on first floor of front elevation and retention of eight windows to front and rear, The Old Bear Restaurant, 14 Upper High Street, Taunton

Reason:-

The proposal adversely detracts from the character and appearance of this Grade II listed building and therefore conflicts with Taunton Deane Local Plan Policies EN16 and EN17 and Somerset and Exmoor National Park Joint Structure Plan Review Policy 9.

Also RESOLVED that:-

- (1) Listed building enforcement action be taken to seek the removal of the unauthorised replacement windows;
- (2) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the listed building enforcement notice 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.

47/2006/006

Erection of agricultural workers dwelling at East Haddons Farm, West Hatch

Reason:-

The site is in open countryside where it is the policy of the Local Planning Authority to resist new housing development unless it is demonstrated that the proposal serves a genuine agricultural need. The Local Planning Authority is not convinced that the proposal

constitutes a genuine need and, accordingly, it is contrary to Taunton Deane Local Plan Policy S7 and Somerset and Exmoor National Park Joint Structure Plan Review Policy STR6.

(Note to Applicant:- Applicant was advised to submit an application for a renewal of 47/2001/003 for the temporary mobile home in order to demonstrate that there is a genuine need for a permanent dwelling.)

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

09/2006/004

Extension to barn conversion and erection of garage, West Bovey Farm, Waterrow

09/2006/005LB

Extension to barn conversion, West Bovey Farm, Waterrow

90. **Erection of a three storey extension to the Duchess Building for staff/patient accommodation, Respiratory, Neurology, Diabetes and Dieticians Departments at Musgrove Park Hospital, Taunton (38/2006/221)**

Reported this application.

RESOLVED that subject to no adverse comments being received from the Environment Agency by 16 August 2006, 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) C926B – remediation investigation/certificate;
- (d) Details of the colour of the windows and brise soleil shall be submitted to, and approved in writing by, the Local Planning Authority prior to work commencing.

(Notes to applicant:- (1) NO33A – drainage/water; (2) N048A – land contamination.)

Reason for planning permission, if granted:-

The siting and design of the building was considered acceptable and not to harm the amenity of the area and the proposal was considered to comply with Taunton Deane Local Plan Policies S1 and S2 and material considerations did not indicate otherwise.

91. **Conversion of Hunts Court, to a wine bar, restaurant and residential development of 3 flats and 4 maisonettes at Hunts Court, Corporation Street, Taunton (38/2006/233)**

Reported this application.

RESOLVED that subject to:-

- (1) The receipt of no further representations raising new issues by 11 August 2006; and
- (2) Subject to the applicants entering into a Section 106 Agreement by 13 August 2006 relating to the provision of off-site play and recreation facilities, 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) Details of the size, position and finish colour of any external venting shall be submitted to, and approved in writing by, the Local Planning Authority prior to its installation;
 - (d) No suspended/horizontal ceilings shall be introduced without the prior written approval of the Local Planning Authority;
 - (e) C331 – provision of cycle parking;
 - (f) Noise from any air extraction system should not exceed background noise levels by more than 3 dB (A) for a 2 minute Leq, at any time when measured at the façade of residential or other noise sensitive premises.

(Notes to applicant:- (1) Applicants attention is drawn to the listed building consent relating to the property 38/2006/224LB; (2) NO75 – Section 106 Agreement; (3) N118A – disabled access; (4) 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; (5) Applicant was advised that during the planning, design and operation of this establishment, you will need to have regard to the requirements of the Food Safety Act (Amendment) Regulations 2004, General Food Safety Regulations 2004, Regulation (EC) Nos 178/2002, 852/2004 and 853/2004 of the European Parliament and of the Council and the Food Hygiene (England) Regulations 2006. Failure to comply with the regulations is a criminal offence. Applicant was also advised of other Environmental Health recommendations; (6) Applicant was advised that all external ducting should be so designed that the flue discharges not less than 1m above the roof eaves level.)

Reason for planning permission, if granted;-

The scheme represented a suitable redevelopment of this town centre site in accordance with Taunton Deane Local Plan Policies S2, H2, C4, EN14, EN16 and EN17 and guidance in Planning Policy Guidance Note No 15 and material considerations did not indicate otherwise.

Also RESOLVED that should the Section 106 Agreement not be completed by 13 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.

92. **Erection of industrial unit park at Monument View, Summerfield Avenue, Chelston Business Park, Chelston, Wellington (46/2006/009)**

Reported this application.

RESOLVED that subject to:-

- (1) The receipt of no adverse views from the County Highway Authority or Wessex Water;
- (2) The further views of the Environment Agency; and
- (3) The receipt of satisfactory cross section plans and the receipt of no additional representations raising new issues on these 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) C102 – materials;
 - (c) C201A – landscaping;
 - (d) C207 – existing trees to be retained;
 - (e) C208A – protection of trees to be retained;
 - (f) C208B – protection of trees – service trenches;
 - (g) C209 – protection of hedges to be retained;
 - (h) C210 – no felling or lopping;
 - (i) C215 – walls and fences;
 - (j) The proposed estate roads, footways, footpaths, cycleways, bus stops/bus laybys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking, street furniture and tactile paving shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections indicating as appropriate the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority;
 - (k) 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 and turning of vehicles in connection with the development hereby permitted;
 - (l) The development hereby approved shall not be brought into use until that part of the service road which provides access to it has been constructed in accordance with the approved plans;
 - (m) In the interest of sustainable development, none of the units hereby permitted shall be occupied until a network of cycleways and footpaths has been constructed within the development

- site in accordance with a scheme to be approved in writing by the Local Planning Authority. Each individual unit within the site shall demonstrate adequate visibility in accordance with DD32 - Places, Streets and Movements;
- (n) No work shall commence on the development site until a pedestrian footway measuring 1.8m is provided between the development site and the existing footway on Summerfield Avenue 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 Local Planning Authority;
 - (o) C708 – restricted use – no storage except where stated;
 - (p) Prior to the commencement of any development works the applicant shall, at his own expense, appoint a suitably qualified acoustics consultant with a remit to examine the premises/land and identify what measures, if any, may be necessary to ensure that noise arising from the proposed industrial units will not cause nuisance to neighbouring premises. The consultant shall submit a written report to the Local Planning Authority which shall detail all measurements taken and results obtained, together with any sound reduction scheme recommended and the calculations and reasoning upon which any such scheme is based. Such report shall be agreed in writing by the Local Planning Authority prior to the commencement of development works;
 - (q) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious basis 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 pipe work 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;
 - (r) 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;
 - (s) No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run off limitation has been submitted to, and approved in writing by, the Local Planning

- Authority. The scheme shall be implemented in accordance with the approved programme and details;
- (t) C314 – visibility splays;
 - (u) The development hereby approved shall not be occupied until sufficient secure cycle parking has been provided on site in accordance with details which shall be submitted to, and approved in writing by, the Local Planning Authority before development commences;
 - (v) 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, commercial lorry parks and fuel filling facilities 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.

(Notes to applicant:- (1) N111 – disabled access; (2) N112 – energy conservation; (3) N115 – water conservation; (4) N051B – health and safety; (5) Applicant was advised that provision should be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which should be submitted to, and approved in writing by, the Local Planning Authority. Such drainage should be provided prior to the access first being brought into use; (6) Applicant was advised that Haywards Water currently floods out of bank in this area and the development must not contribute to the problems of flooding. It is suggested that a sustainable urban drainage scheme be used for the site to improve the flooding and water quality situation; (7) applicant was advised to investigate the use of best management practices for drainage on this site in order to reduce the rate of run off and to reduce pollution. These methods consist of controlling the sources of surface water and include:- (a) Infiltration techniques; (b) Detention/attenuation; (c) Porous paving/surfaces; and (d) Wet lands; (8) Applicant was advised to refer to the Environment Agencies leaflet on Sustainable Urban Drainage Systems; (9) Applicant was advised to ensure that any surface water discharges to watercourses should be limited to that which occurs naturally from the catchment and as calculated from a 1 in 1 year storm using 10% impermeability. Any excess flows should be dealt with by on-site attenuation; (10) Applicant was advised that the design storm for any attenuation system should be for a 1 in 25 year return period storm; (11) Applicant was advised to approach the Environment Agency for consent to discharge and for their requirements regarding oil interceptors and headwall design; (12) Applicant was advised to provide details of proposed point of discharge to watercourse together with details of headwall; (13) Applicant was advised that the poor quality of water discharging from surface water outfalls can seriously affect the receiving watercourse.

Techniques to reduce the impact of these discharges have been developed and collectively form a range of Sustainable Urban Drainage Systems (SUDS) for dealing with urban run off. It is strongly recommended that some form of SUDS be used at this proposed development; (14) Applicant was advised that if there is regular tanker traffic to the site, the Environment Agency would recommend the use of a sluice which may be closed at the end of the ditch to allow a spill to be retained. All the buildings, roads and the surface water system itself must be located outside of the predicted flood plain of Haywards Water; (15) Applicant was advised that the future maintenance and management of the surface water drainage system should be arranged in advance with parties taking responsibility for that maintenance. Commuted sums may be required to be paid for such maintenance. In order to allow for maintenance, machine access to the ditch should be preserved; (16) Applicant was advised that under the terms of the water resources at 1991 and the land drainage bylaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of the Haywards Water, designated a "main river"; (17) Applicant was advised that any works that would affect the flow of water in any stream or watercourse on the site would require the prior consent of the Environment Agency. There is another existing ditch adjacent to unit C. Any culverting or restriction of flow would require the prior permission of the Environment Agency; (18) Applicant was advised to use this opportunity to improve access to, and the working strip along, the bankside. Efforts should also be made to improve the habitat of the river bank by producing a sensitive planting and landscaping scheme; (19) In the interests of pollution prevention, applicant was advised that appropriate measures should be taken at the construction stage to ensure that surface and ground water are not polluted. Practical guidance is outlined in the attached pollution prevention notes however the Environment Agency can advise further regarding this matter; (20) With regard to condition (n), applicant was advised of the need to enter into an agreement with the County Highway Authority.) (21) 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"), a copy of which has been forwarded to the applicant's agent. (22) 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. (23) All foul drainage must be conveyed to the foul sewer, with the prior approval of the sewerage undertaker. The applicant should ascertain from Wessex Water whether the existing sewerage network can adequately accommodate the increase in foul sewage flows from this development. (24) The proposed surface water storm

drain must be assessed to establish the need for an interceptor, silt trap and screen. This will depend largely on the nature of industrial processes undertaken at the site. (25) According to Environment Agency records there is a landfill site within 250 metres of the proposed development. The landfill site. Agency ref WML 28, was issued to Wyvern Waste Services Ltd (originally operated by Somerset County Council). The licence permits the disposal of household waste; commercial and industrial; clinical waste and some difficult wastes. The licence has been modified to remove special waste and bonded asbestos from the list of waste types that can be deposited. The licence is still valid. The site is classified as being at high risk from the production of landfill gas. 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. (26) If off-site waste disposal is utilised it must be in accordance with the Duty of Care and the Waste Management Licensing Regulations 1994. (27) During construction the following pollution prevention measures must be adopted, where applicable: (i) Pumps used for pumping out water from excavations should be sited well away from watercourses and surrounded by absorbent material to contain oil spillages and leaks. (ii) Discharge of silty or discoloured water from excavations should be irrigated over grassland or a settlement lagoon be provided to remove gross solids. The Environment Agency must be advised if a discharge to a watercourse is proposed. (iii) Storage of fuels for machines and pumps should be well away from any watercourses. The tanks should be bunded or surrounded by oil absorbent material (regularly replaced when contaminated) to control spillage and leakage.

Reason for planning permission, if granted:-

The proposal was in an area allocated for employment use in the Taunton Deane Local Plan and was considered to comply with Local Plan Policies S1, S2 and EC1 in that the site had good transport links and, with the conditions imposed, neither residential nor visual amenity would be adversely affected.

93. Enforcement Action in relation to land at Knapp Lane, North Curry

Reported that in the past, action had been taken to secure compliance with an enforcement notice served in respect of a small area of land at Knapp Lane, North Curry where a caravan had been stationed for residential use together with associated activities.

Further reported that in June 2005 prosecution proceedings had been issued against the occupier at that time, Mr Brian Smith. The matter had been heard

in the Crown Court in April 2006 where Mr Smith was found guilty and he was given a two year conditional discharge and ordered to pay £500 costs. However during the course of the proceedings the Court was informed that the land had been sold to a third party.

Subsequent investigations had shown that the current owner was a Mr Paul Boyer of Exmouth, Devon. The new owner had been requested to clear the site in accordance with the enforcement notice by 31 July 2006. However, in view of the history of the site and the continued activity it was felt that the taking of formal action might be necessary. Noted that the two main options available to the Committee were to take direct action by clearing the site or, alternatively, to seek an injunction against the owner requiring the land to be cleared and steps taken to prevent future unauthorised use.

RESOLVED that if the site was not cleared by 31 July 2006, the Solicitor to the Council be authorised to seek an injunction against Mr Paul Boyer requiring the site at Knapp Lane, North Curry to be cleared in compliance with the enforcement notice relating to the land and steps taken to prevent re-occupation of the site for unauthorised uses.

94. **Roof height not in accordance with the approved plans at 34 Manor Road, Taunton**

Reported that planning permission had been granted in September 2005 for a single storey extension at 34 Manor Road, Taunton.

A complaint was subsequently received that following commencement of the building works, the roof height was not in accordance with the approved plan. A site visit had been made and the roof height was found to be approximately 150 mm higher than shown on the approved plan.

Noted that this slight discrepancy was due to a step on the original drawings being omitted and therefore the floor level of the new extension was now at the same height as the existing dwelling. This was to accommodate the use of a wheelchair.

In the view of the Development Control Manager, the increase in roof height did not have a significant impact on the neighbouring properties and any amendment submitted would be granted permission.

RESOLVED that no further action be taken.

(The meeting ended at 6.15 pm.)