

## **Planning Committee – 28 February 2007**

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

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

Also present:- Councillor Bishop and Councillor Stone in relation to the applications relating to Oxen Lane, North Curry (Agenda Item No 5 refers).

(The meeting commenced at 5.00 pm)

### **30. Apology**

Councillor Hindley.

### **31. Minutes**

The minutes of the meeting held on 14 February 2007 were taken as read and were signed.

### **32. Declaration of Interest**

Councillor Mrs Smith declared a personal interest in Agenda Item No 20, enforcement item relating to the Kiddi Karu Nursery at Blackbrook Business Park, Taunton.

### **33. 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:-

**30/2006/050**

**Retention of use of land as garden to rear of Flintstones and Glengarry, Blagdon Hill (amended description).**

## Conditions

- (a) (i) Within two months of the date of this permission, a landscaping scheme which shall include details of the species, siting and numbers to be planted shall be submitted to, and approved in writing by, the Local Planning Authority; (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development or as otherwise extended with the agreement in writing of the Local Planning Authority; (iii) For a period of five years after the completion of the planting scheme, the trees and shrubs shall be protected and maintained in a healthy, weed free condition to the satisfaction of the Local Planning Authority and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority;
- (b) P003 – no ancillary buildings.  
(Note to applicant:- Applicant was advised to resite the existing sheds to avoid enforcement action being taken.)

### **Reason for granting planning permission:-**

The proposal was not considered to adversely harm the setting of the village, the Area of Outstanding Natural Beauty or the amenity of neighbours and was considered to comply with Taunton Deane Local Plan Policies S1, EN10 and EN12 and material considerations did not indicate otherwise.

### **38/2006/461**

**Erection of replacement Coach House building as two units and three adjacent cottages and parking at former Princess Margaret's School, Middleway, Taunton.**

## Conditions

- (a) C001A – time limit
- (b) C102A – materials
- (c) A sample panel of the stonework for the Coach House shall be constructed on site and agreed by the Local Planning Authority and the building thereafter so constructed;
- (d) The roof tiles of the Coach House building shall be re-used on the new structure unless otherwise agreed in writing by the Local Planning Authority;
- (e) C201 – landscaping;
- (f) C238 – tree protection in relation to construction;
- (g) C1103 – bats – where survey work shows significant numbers and where possibly more survey work and a Department of Environment, Food and Rural Affairs licence will be needed;
- (h) C324 – parking;  
(Note to applicant:- N075 – Section 106 Agreement).

**Reason for granting planning permission:-**

The proposal was considered to comply with Taunton Deane Local Plan Policies S1, S2, H2 and M4 and material considerations did not indicate otherwise.

**46/2006/040**

**Change of use of land to a 40 caravan touring site between 1 April and 30 September, with access improvements, ancillary toilet and shower block at land at Greenacres Caravan Park, West Buckland Road, Chelston, Wellington (resubmission of 46/2006/004).**

**Conditions**

- (a) C001A – time limit;
- (b) C010A – drainage – not commenced until percolation test approved;
- (c) C102 – materials;
- (d) C201 – landscaping;
- (e) Full details of the arrangements to be made for the disposal of foul and 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 and it shall be implemented prior to commencement of the use of the facilities hereby permitted;
- (f) No caravan, camping trailer, camper van or tent shall remain on the site for a period exceeding 14 nights in any consecutive period and a register containing the names and addresses of the caravaners/campers and vehicle registration numbers and arrival and departure dates shall be kept and made available for inspection by an authorised Officer of the Local Planning Authority at all reasonable times;
- (g) There shall be no construction work within 3m of any Wessex Water sewer which crosses the site unless prior agreement is reached in writing with the Local Planning Authority;
- (h) The altered access shall be constructed in accordance with details shown on the submitted plan, drawing No NGR/06/063A/3 and shall be available for use before the development is first brought into use;
- (i) The existing vehicular access onto/from the A38 West Buckland road which is located at the extreme north-west corner of the site shall be stopped up, its use permanently abandoned and the verge reinstated in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority. Such works shall be completed before the change of use of the land to a caravan touring site is first brought into use;
- (j) There shall be no obstruction to visibility greater than 900mm 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 45m to the north-west and the entire site frontage to the south-east. Such visibility splays shall be fully provided before the development hereby permitted is first brought into use and shall thereafter be maintained at all times;

(k) The altered access between the entrance gates and the edge of the 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;

(l) 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. Such drainage shall be provided prior to the site first being brought into use;

(Notes to applicant:- (1) Applicant was advised to contact Wessex Water with regard to its apparatus which crosses the site; (2) Applicant was advised that there should be no trenches through any trees or hedges or their root systems; (3) Applicant was advised to consider the capacity of the existing foul drainage system and the potential soakaway and discuss capacity increase with the Environment Agency and the Council's Drainage Officer; (4) N061A – Highways Act – Section 184 Permit; (5) Applicant was advised that the Highway Services Manager must be consulted with regard to the required reinstatement of the verge at the access which is to be closed; (6) Applicant was advised that the Environment Agency has no objection to the proposed use of the existing septic tank provided the system is in a good state of repair, regularly desludged and of sufficient capacity to deal with the potential increase in flow and loading which may occur as a result of this proposal. Applicant must also ensure that ground conditions are suitable and that the existing soakaway is of sufficient size and state of repair; (7) Applicant was advised that the Environment Agency states that if the volume of effluent discharging to the septic tank increases significantly or if there is a change in the type of effluent discharged, a formal Consent to Discharge may be required. This must be obtained from the Environment Agency before any discharge occurs and should be obtained before any development commences; (8) Applicant was advised that the Fire Brigade states that the means of escape in case of fire should comply with Approved Document B1 of the Building Regulations 2000. Detailed recommendations concerning other fire safety matters will be made at the Building Regulations stage. Access for fire appliances should comply with Approved Document B5 of the Building Regulations 2000. All new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards; (9) Applicant was advised that suitable and satisfactory drainage provision should be made. With respect to

the proposed use of the existing septic tank, the applicant should ensure that the capacity of the septic tank system is satisfactory to provide drainage for the maximum likely number of occupants of the site at any one time).

**Reason for granting planning permission:-**

The proposed development was considered to be in accordance with Taunton Deane Local Plan Policies S1, S2, M3, M5 and EC25 as it would provide a suitable location for touring caravans in a location close to the motorway and the local amenities in Wellington and was not considered to have any adverse effects on the local character or amenities of the locality.

**52/2006/044**

**Erection of telescopic lighting columns to floodlight hockey pitch and warm up area at Queens College, Trull Road, Taunton.**

**Conditions**

- (a) C001A – time limit;
- (b) The floodlights shall be erected in accordance with the submitted details;
- (c) The telescopic floodlights shall be kept in the retracted position when not in use;
- (d) The floodlights shall not be illuminated other than between 0900 and 2130 hours;
- (e) Following the commission of the floodlights, but prior to operation, the lights shall be inspected by the Local Planning Authority to ensure that the luminaries are cowled such that the light source and lens are not visible from Ferndale Drive or other residential properties. Such lights shall be maintained as such thereafter;
- (f) The floodlights around the main pitch shall be retractable to 5m when not in use unless otherwise agreed in writing by the Local Planning Authority.

**Reason for granting planning permission:-**

The proposed lighting will enable full and safe use of the school sports pitch in accordance with Taunton Deane Local Plan Policy EN34.

- (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:-

**24/2006/038**

**Change of use of land for the retention of two gypsy caravans and a day room at Oxen Lane, North Curry.**

**Reasons:-**

- (a) The proposed development, by reason of its scale and appearance, will be detrimental to the visual amenities of this attractive rural area and would not respect the distinct Low Vale Character of the North Curry Ridge Landscape Area, contrary to Taunton Deane Local Plan Policy EN12;
- (b) The site is located in open countryside where it is the policy of the Local Planning Authority to allow gypsy sites to be permitted where they comply with the criteria listed in Policy H14 of the Taunton Deane Local Plan (as amended by the Executive report dated 3 May 2006). The Local Planning Authority considers that the proposal does not comply with criteria (B), (C), (E), (H), (I) and (J) and the proposal would therefore be contrary to Taunton Deane Local Plan Policy H14;
- (c) The proposed development would generate significant additional traffic using the sub-standard junctions of Oxen Lane with Windmill Hill and Greenway and the County Highway Authority considers this to be prejudicial to highway safety and contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policy S1(A);
- (d) The use of the site for the provision of one caravan and one touring caravan and one day room, by reason of its scale, appearance and close proximity to surrounding properties, would have a detrimental impact on the residential amenity and privacy of existing residents of Oxen Lane contrary to the requirements of Taunton Deane Local Plan Policy S1(E) and would not provide an adequate level of privacy and amenity for the residents of the site contrary to the requirements of Taunton Deane Local Plan Policies S1(F) and H14(E) and (F);
- (e) The proposal, in combination with the potential use of the site for up to 16 plots for gypsy caravans, has resulted in anti-social behaviour that has created an unacceptable level of fear of crime and disorder for the existing residents of Oxen Lane contrary to the good planning of the area and contrary to Planning Policy Statement 1 and Taunton Deane Local Plan Policy S1(E);
- (f) The proposed development would create a precedent for future unauthorised and unlawful development contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policies S1, H14 and EN12;
- (g) Oxen Lane by reason of its lack of footway provision is considered unsuitable to serve as a means of access to the proposed development contrary to the requirements of Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policy H14(B).

**24/2006/043**

**Change of use of land for the siting of one touring caravan and one mobile home for gypsy occupation and the erection of a toilet block at Plot 15, Oxen Lane, North Curry (amended title)**

**Reasons for refusal:-**

- (a) The proposed development, by reason of its scale and appearance, will be detrimental to the visual amenities of this attractive rural area and would not respect the distinct Low Vale Character of the North Curry Ridge Landscape Area, contrary to Taunton Deane Local Plan Policy EN12;
- (b) The site is located in open countryside where it is the policy of the Local Planning Authority to allow gypsy sites to be permitted where they comply with the criteria listed in Policy H14 of the Taunton Deane Local Plan (as amended by the Executive report dated 3 May 2006). The Local Planning Authority considers that the proposal does not comply with criteria (B), (C), (E), (H), (I) and (J) and the proposal would therefore be contrary to Taunton Deane Local Plan Policy H14;
- (c) The proposed development would generate significant additional traffic using the sub-standard junctions of Oxen Lane with Windmill Hill and Greenway and the County Highway Authority considers this to be prejudicial to highway safety and contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policy S1(A);
- (d) The use of the site for the provision of one caravan and one touring caravan and one day room, by reason of its scale, appearance and close proximity to surrounding properties, would have a detrimental impact on the residential amenity and privacy of existing residents of Oxen Lane contrary to the requirements of Taunton Deane Local Plan Policy S1(E) and would not provide an adequate level of privacy and amenity for the residents of the site contrary to the requirements of Taunton Deane Local Plan Policies S1(F) and H14(E) and (F);
- (e) The proposal, in combination with the potential use of the site for up to 16 plots for gypsy caravans, has resulted in anti-social behaviour that has created an unacceptable level of fear of crime and disorder for the existing residents of Oxen Lane contrary to the good planning of the area and contrary to Planning Policy Statement 1 and Taunton Deane Local Plan Policy S1(E);
- (f) The proposed development would create a precedent for future unauthorised and unlawful development contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policies S1, H14 and EN12;
- (g) Oxen Lane by reason of its lack of footway provision is considered unsuitable to serve as a means of access to the proposed development contrary to the requirements of Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policy H14(B).

**24/2006/046**

**Change of use of land for the siting of one touring caravan and one mobile home for gypsy occupation and the erection of a day room at No 1 Greenacres, Oxen Lane, North Curry (amended title)**

**Reasons for refusal:-**

- (a) The proposed development, by reason of its scale and appearance, will be detrimental to the visual amenities of this attractive rural area and would not respect the distinct Low Vale Character of the North Curry Ridge Landscape Area, contrary to Taunton Deane Local Plan Policy EN12;
- (b) The site is located in open countryside where it is the policy of the Local Planning Authority to allow gypsy sites to be permitted where they comply with the criteria listed in Policy H14 of the Taunton Deane Local Plan (as amended by the Executive report dated 3 May 2006). The Local Planning Authority considers that the proposal does not comply with criteria (B), (C), (E), (H), (I) and (J) and the proposal would therefore be contrary to Taunton Deane Local Plan Policy H14;
- (c) The proposed development would generate significant additional traffic using the sub-standard junctions of Oxen Lane with Windmill Hill and Greenway and the County Highway Authority considers this to be prejudicial to highway safety and contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policy S1(A);
- (d) The use of the site for the provision of one caravan and one touring caravan and one day room, by reason of its scale, appearance and close proximity to surrounding properties, would have a detrimental impact on the residential amenity and privacy of existing residents of Oxen Lane contrary to the requirements of Taunton Deane Local Plan Policy S1(E) and would not provide an adequate level of privacy and amenity for the residents of the site contrary to the requirements of Taunton Deane Local Plan Policies S1(F) and H14(E) and (F);
- (e) The proposal, in combination with the potential use of the site for up to 16 plots for gypsy caravans, has resulted in anti-social behaviour that has created an unacceptable level of fear of crime and disorder for the existing residents of Oxen Lane contrary to the good planning of the area and contrary to Planning Policy Statement 1 and Taunton Deane Local Plan Policy S1(E);
- (f) The proposed development would create a precedent for future unauthorised and unlawful development contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policies S1, H14 and EN12;
- (g) Oxen Lane by reason of its lack of footway provision is considered unsuitable to serve as a means of access to the proposed development contrary to the requirements of Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policy H14(B).

**24/2006/047**



**Change of use of land for the siting of one touring caravan and one mobile home for gypsy occupation and the erection of a day room at No 8 Greenacres, Oxen Lane, North Curry (amended title)**

**Reasons for Refusal:-**

- (a) The proposed development, by reason of its scale and appearance, will be detrimental to the visual amenities of this attractive rural area and would not respect the distinct Low Vale Character of the North Curry Ridge Landscape Area, contrary to Taunton Deane Local Plan Policy EN12;
- (b) The site is located in open countryside where it is the policy of the Local Planning Authority to allow gypsy sites to be permitted where they comply with the criteria listed in Policy H14 of the Taunton Deane Local Plan (as amended by the Executive report dated 3 May 2006). The Local Planning Authority considers that the proposal does not comply with criteria (B), (C), (E), (H), (I) and (J) and the proposal would therefore be contrary to Taunton Deane Local Plan Policy H14;
- (c) The proposed development would generate significant additional traffic using the sub-standard junctions of Oxen Lane with Windmill Hill and Greenway and the County Highway Authority considers this to be prejudicial to highway safety and contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policy S1(A);
- (d) The use of the site for the provision of one caravan and one touring caravan and one day room, by reason of its scale, appearance and close proximity to surrounding properties, would have a detrimental impact on the residential amenity and privacy of existing residents of Oxen Lane contrary to the requirements of Taunton Deane Local Plan Policy S1(E) and would not provide an adequate level of privacy and amenity for the residents of the site contrary to the requirements of Taunton Deane Local Plan Policies S1(F) and H14(E) and (F);
- (e) The proposal, in combination with the potential use of the site for up to 16 plots for gypsy caravans, has resulted in anti-social behaviour that has created an unacceptable level of fear of crime and disorder for the existing residents of Oxen Lane contrary to the good planning of the area and contrary to Planning Policy Statement 1 and Taunton Deane Local Plan Policy S1(E);
- (f) The proposed development would create a precedent for future unauthorised and unlawful development contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policies S1, H14 and EN12;
- (g) Oxen Lane by reason of its lack of footway provision is considered unsuitable to serve as a means of access to the proposed development contrary to the requirements of Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policy H14(B).

**24/2006/048**

**Change of use of land for the siting of one touring caravan and one mobile home for gypsy occupation and the erection of a day room at No 16 Greenacres, Oxen Lane, North Curry (amended title)**

**Reasons for refusal:-**

- (a) The proposed development, by reason of its scale and appearance, will be detrimental to the visual amenities of this attractive rural area and would not respect the distinct Low Vale Character of the North Curry Ridge Landscape Area, contrary to Taunton Deane Local Plan Policy EN12;
- (b) The site is located in open countryside where it is the policy of the Local Planning Authority to allow gypsy sites to be permitted where they comply with the criteria listed in Policy H14 of the Taunton Deane Local Plan (as amended by the Executive report dated 3 May 2006). The Local Planning Authority considers that the proposal does not comply with criteria (B), (C), (E), (H), (I) and (J) and the proposal would therefore be contrary to Taunton Deane Local Plan Policy H14;
- (c) The proposed development would generate significant additional traffic using the sub-standard junctions of Oxen Lane with Windmill Hill and Greenway and the County Highway Authority considers this to be prejudicial to highway safety and contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policy S1(A);
- (d) The use of the site for the provision of one caravan and one touring caravan and one day room, by reason of its scale, appearance and close proximity to surrounding properties, would have a detrimental impact on the residential amenity and privacy of existing residents of Oxen Lane contrary to the requirements of Taunton Deane Local Plan Policy S1(E) and would not provide an adequate level of privacy and amenity for the residents of the site contrary to the requirements of Taunton Deane Local Plan Policies S1(F) and H14(E) and (F);
- (e) The proposal, in combination with the potential use of the site for up to 16 plots for gypsy caravans, has resulted in anti-social behaviour that has created an unacceptable level of fear of crime and disorder for the existing residents of Oxen Lane contrary to the good planning of the area and contrary to Planning Policy Statement 1 and Taunton Deane Local Plan Policy S1(E);
- (f) The proposed development would create a precedent for future unauthorised and unlawful development contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policies S1, H14 and EN12;
- (g) Oxen Lane by reason of its lack of footway provision is considered unsuitable to serve as a means of access to the proposed development contrary to the requirements of

**24/2006/049**

**Change of use of land for the siting of one touring caravan and one mobile home for gypsy occupation and the erection of a day room at No 7 Greenacres, Oxen Lane, North Curry (amended title)**

**Reasons for refusal:-**

- (a) The proposed development, by reason of its scale and appearance, will be detrimental to the visual amenities of this attractive rural area and would not respect the distinct Low Vale Character of the North Curry Ridge Landscape Area, contrary to Taunton Deane Local Plan Policy EN12;
- (b) The site is located in open countryside where it is the policy of the Local Planning Authority to allow gypsy sites to be permitted where they comply with the criteria listed in Policy H14 of the Taunton Deane Local Plan (as amended by the Executive report dated 3 May 2006). The Local Planning Authority considers that the proposal does not comply with criteria (B), (C), (E), (H), (I) and (J) and the proposal would therefore be contrary to Taunton Deane Local Plan Policy H14;
- (c) The proposed development would generate significant additional traffic using the sub-standard junctions of Oxen Lane with Windmill Hill and Greenway and the County Highway Authority considers this to be prejudicial to highway safety and contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policy S1(A);
- (d) The use of the site for the provision of one caravan and one touring caravan and one day room, by reason of its scale, appearance and close proximity to surrounding properties, would have a detrimental impact on the residential amenity and privacy of existing residents of Oxen Lane contrary to the requirements of Taunton Deane Local Plan Policy S1(E) and would not provide an adequate level of privacy and amenity for the residents of the site contrary to the requirements of Taunton Deane Local Plan Policies S1(F) and H14(E) and (F);
- (e) The proposal, in combination with the potential use of the site for up to 16 plots for gypsy caravans, has resulted in anti-social behaviour that has created an unacceptable level of fear of crime and disorder for the existing residents of Oxen Lane contrary to the good planning of the area and contrary to Planning Policy Statement 1 and Taunton Deane Local Plan Policy S1(E);
- (f) The proposed development would create a precedent for future unauthorised and unlawful development contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policies S1, H14 and EN12;
- (g) Oxen Lane by reason of its lack of footway provision is considered unsuitable to serve as a means of access to the

proposed development contrary to the requirements of Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policy H14(B).

**34/2006/045LB**

**Erection of two storey and single storey extensions at the rear, erection of double garage and internal alterations at Slapes, Staplegrove, Taunton**

**Reason for refusal:-**

The design of the proposed extensions is not sympathetic to the appearance of the listed building by reason of the excessive size and scale and cluttered form. Insufficient supporting information has been submitted for the proposed internal works which are likely to be inappropriate to the building. The proposal is therefore contrary to the policies which seek to protect the integrity of listed buildings. These are set out in Planning Policy Guidance Note No 15, the Somerset and Exmoor National Park Joint Structure Plan Review Policy 9 and Taunton Deane Local Plan Policies EN16 and EN17.

**34/2006/046**

**Erection of two storey and single storey extensions at the rear, erection of double garage to the east of Slapes, Staplegrove, Taunton**

**Reasons for refusal:-**

- (a) The design of the proposed extensions is not sympathetic to the appearance of the listed building by reason of the excessive size and scale and cluttered form. The proposed double garage has a poor relationship with the listed building and will compete and conflict with appreciation of the listed building. The proposal is therefore contrary to the policies which seek to protect the integrity of listed buildings. These are set out in Planning Policy Guidance Note No 15, the Somerset and Exmoor National Park Joint Structure Plan Review Policy 9 and Taunton Deane Local Plan Policies EN16 and EN17;
  - (b) The layout of the site is such that excessive manoeuvring would be required reducing the ability of vehicles to enter and leave the highway in forward gear which is essential to highway safety. The proposal is therefore contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.
- (3) That **advertisement consent be granted** for the under-mentioned development, subject to the standard conditions adopted by Minute No 86/1987 of the former Planning and Development Committee and such further conditions as stated:-

**43/2006/175A**

**Display of sign and illuminated sign at Lloyds TSB, 27 Fore Street, Wellington**

**Conditions:-**

(a)-(e) C801 – C805 – standard conditions for advertisements.

**Reason for granting advertisement consent:-**

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, EN14 and EN34.

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

**20/2006/037**

**Amendment to wording of Condition 05 of permission 20/2005/005 at Mill Meadow, Parsonage Lane, Kingston St Mary**

**Reason**

For further consideration of the application and to obtain the comments of the Tourism Officer.

**20/2006/038**

**Amendment to wording of Condition 06 of permission 20/2005/022 at Mill Meadow, Parsonage Lane, Kingston St Mary**

**Reason**

For further consideration of the application and to obtain the comments of the Tourism Officer.

**20/2006/039**

**Amendment to wording of Condition 03 of permission 20/2006/026 at Mill Meadow, Parsonage Lane, Kingston St Mary, Taunton**

**Reason**

For further consideration of the application and to obtain the comments of the Tourism Officer.

(5) That the following application be withdrawn:-

**03/2006/006**

**Formation of access track, erection of timber implement store and two polytunnels at land at Higher Cobhay, Milverton**

**34. Change of Use of Four Alls to A2 office use and A3 food and drink, erection of four ground floor retail units and 50 flats with cycle storage at the Four Alls/Castle Moat Chambers, Corporation Street, Taunton (38/2006/582)**

Reported this application.

RESOLVED that subject to:-

- (1) The submission of revised drawings taking into account issues raised by the Conservation Officer;
- (2) The negotiation of a suitable financial contribution relating to highway improvements; and
- (3) The applicants entering into a Section 106 Agreement in relation to affordable housing by the 18 March 2007, 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) 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. Such provision shall be made before each phase of the development is occupied/use hereby permitted is occupied;
  - (d) C416 – details of size, position and materials of meter boxes;
  - (e) C911 – aerials – combined system;
  - (f) C724A – odour;
  - (g) Prior to the occupation of dwellings to which this permission relates, the developer shall ensure that residential flats shall not be exposed to internal noise levels of 40dB(A) LAeq 16 hour in all rooms during the day (0700 – 2300 hours) and 30dB(A) LAeq 8 hour during the night. In addition, a 45 decibel LA max applies in all bedrooms during the night;
  - (h) Prior to the occupation of the dwellings or retail use to which this permission relates, details of the boundary treatment along the site boundary adjoining The Corsetry Cottage at ground and first floor level shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details;
  - (i) Prior to the occupation of the dwellings or retail use to which this permission relates, details of the proposed siting, design, size and materials of the proposed bin store shall be submitted to, and approved in writing by, the Local Planning Authority;
  - (j) C910B – archaeological programme;
  - (k) Before any part of the permitted development is commenced, the trees adjacent to the site within the footway along Corporation Street shall be protected by a chestnut paling fence 1.5m high, in a position to be agreed and the fencing shall be removed only when the development has been completed. During the period of construction of the development, the existing soil levels around the boles of the trees so retained shall not be altered;

- (l) Details of the surfacing of the arcade shall be submitted to, and approved in writing by, the Local Planning Authority before any works commence;
- (m) No buildings shall be demolished before a contract is let to secure the redevelopment of the site;
- (n) A full survey of the culvert passing through the site shall be carried out and details shall be provided as to what protection measures are to be carried out before any site works commence;
- (o) Flood alleviation measures shall be undertaken in accordance with details included within the agents flood risk assessment dated December 2006

(Notes to applicant:- (1) 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 – Friday 0800 – 1800 hours; Saturdays 0800 – 1300 hours. At all other times, including public holidays, no noisy working; (2) Applicant was advised to protect the integrity of Wessex Water Systems and agree, prior to the commencement of works on site, any arrangements for the protection of infrastructure crossing the site. Any arrangements for the protection of Wessex Water Infrastructure crossing the site should be agreed prior to the commencement of works; (3) Applicant was advised to agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water Infrastructure; (4) Applicant was advised that means of escape in case of fire should comply with Approved Document B1 of the Building Regulations 2000. Detailed recommendations concerning other fire safety matters will be made at the Building Regulations stage; (5) Applicant was advised that access for fire appliances should comply with Approved Document B5 of the Building Regulations 2000; (6) Applicant was advised that all new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards; (7) N024 – development in accordance with approved plans; (8) N075 – Section 106 Agreement; (9) N118A – disabled access; (10) N051B – health and safety.)

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

The mix of uses proposed was considered appropriate for this town centre location in accordance with Taunton Deane Local Plan Policies H1, H3 and S3. The proposed design would respect the character and form of both Corporation Street and the Bath Place Conservation Area to the rear. The proposal therefore complied with the requirements of Taunton Deane Local Plan Policies S2 and EN14.

Also RESOLVED that should the Section 106 Agreement not be completed by the 18 March 2007 the Development Control Manager, in consultation with the Chairman, be authorised to refuse planning permission by reason of

inadequate provision being made for the provision of affordable housing requirements in accordance with Taunton Deane Local Plan Policy H9.

**35. Unauthorised works to barn, including raising the roof structure and formation of access and track at Theats Farm, Creech Heathfield, Taunton**

Reported that it had been brought to the Council's attention that unauthorised works were being undertaken to a barn at Theats Farm, Creech Heathfield.

A site visit had been made and it had been found that:-

- (1) Part of the walls to the barn were in the process of being re-built and additional load bearing walls were being constructed;
- (2) New roof trusses were being erected indicating that the roof would be considerably higher than before;
- (3) A large mobile home, which appeared to be in occupation, was sited in a nearby Dutch Barn; and
- (4) A new access had been formed onto the Class 3 Road leading to Creech Heathfield, together with a track across the field leading to the barn.

The owner of the barn had been contacted about the above works and the change of use of land, all of which required planning permission.

To date, no application seeking to regularise the situation had been received.

RESOLVED that:-

- (1) Enforcement action be taken seeking the return of the barn to its former condition and the removal of the unauthorised mobile home, access and track at the barn at Theats Farm, Creech Heathfield; 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.

**36. Erection of fence adjacent to the highway at 55 Mountway Road, Bishops Hull, Taunton**

Reference Minute 51/2003, reported that an enforcement notice had been served in relation to a 1.8m high fence which had been erected along the frontage of 55 Mountway Road, Bishops Hull.

Planning permission had subsequently been granted to retain the fence at a height of 1.35m.

Although the fence had not been reduced in height, substantial planting to the front and back of the fence had taken place.



Over time this planting had softened the impact of the original fence to the extent that it was not now considered to have a detrimental effect on the visual amenities of the street scene or adjacent properties.

RESOLVED that no further action be taken.

37. **Display of advertisement on rear of building at the Kiddi Karu Nursery, Blackbrook Business Park, Taunton**

Reference Minute 222/2002, reported that although the owners of the Kiddi Karu Nursery at Blackbrook Business Park, Taunton had been advised that a sign at the rear of their premises required advertisement consent, no such application had been submitted. The sign had been made more prominent by a nearby security light which effectively illuminated the sign.

Noted that the boundary planting on the development had matured over the past few years making the sign far less visible.

If an application was now submitted, consent would be likely to be forthcoming.

RESOLVED that no further action be taken.

38. **Carrying out of extensive engineering operations at The Ranch, Church Lane, Tolland, Lydeard St Lawrence**

Reference Minute 208/2002, reported that as the result of an enforcement notice and a stop notice being served all activity, including extensive earth works, on land at The Ranch, Church Lane, Tolland, Lydeard St Lawrence had ceased.

However, one of the requirements of the enforcement notice to reinstate the land had not been carried out.

Over the past few years the land had self seeded and it was now considered that to insist on the requirements of the notice being complied with would cause more harm to the visual amenity of the area than if it were left.

RESOLVED that no further action be taken.

(The meeting ended at 7.54 pm)