

Planning Committee – 5 September 2007

Present:- Councillor Mrs Hill (Chairman)
Councillor Mrs Allgrove (Vice-Chairman)
Councillors Bishop, Bowrah, Critchard, Denington, Henley,
House, McMahon, Mrs Smith, Watson, Ms Webber,
A Wedderkopp, D Wedderkopp and Woolley

Officers:- Mr T Burton (Development Manager), Mr J Hamer
(Development Control Area Manager – West), Mrs J Moore
(Development Control Principal Officer – East), Mrs J M Jackson
(Senior Solicitor), Ms M Casey (Planning and Litigation Solicitor)
and Mr R Bryant (Democratic Support Manager)

Also present:- Councillor Coles, Councillor Williams in relation to application
Nos 12/2007/004 and 005LB, and Councillor Ms Herbert in
relation to application No 38/2007/299.

(The meeting commenced at 5.00 pm).

104. Apologies

Councillors Floyd, C Hill and Miss James.

105. Minutes

The minutes of the meeting held on 15 August 2007 were taken as read and were signed.

106. Declaration of Interest

Councillor Denington declared an interest in application No 10/2007/017, as he personally knew the applicant.

107. Applications for Planning Permission

The Committee received the report of the Development Manager on applications for planning permission and it was RESOLVED that they be dealt with as follows:-

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

06/2007/031

Erection of dwelling and garage following demolition of storage building at land at builders yard, Vicarage Lane, Bishops Lydeard (re-submission of 06/2007/005)

Conditions

- (a) C001A – time limit;
- (b) C102 – materials;
- (c) C326A – garage use only;
- (d) The areas shown on the submitted plan for the turning and parking of vehicles shall be provided prior to the occupation of the premises and shall not thereafter be used for any purpose other than for the loading/unloading, turning and parking of vehicles;
- (e) C684 – site within known area of archaeological interest;
- (f) P001A – no extensions;
- (g) P010 – no further windows;
- (h) Notwithstanding the details shown on plan No 2963/05B, the southern facing landing, bathroom and en-suite windows shall be glazed in obscure glass only and shall be fixed shut to be non-openable so long as the development remains in existence;
- (i) The boundary walls shall be retained to the heights shown on plan No 2963/05B such as to be at least 3m in height when measured from the adjoining sites;
- (j) Full details of the proposed access to the western part of the builders yard which is not part of the gardens of the dwelling hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter provided prior to occupation of the dwelling;
- (k) C201 – landscaping;
- (l) C926B – remediation investigation/certificate;
- (m) In respect of the retained area to the south-west of the site, full details of any racking or building shall be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of any building works on the site and the agreed scheme shall be implemented prior to occupation of the dwelling hereby approved;
- (n) In respect of the retained area to the south-west of the site, this area shall be used by C Back and Son Limited only and for the storage of scaffold and ladders only as specified in the agent's e-mail dated 3 September 2007 and not for general storage purposes, unless the prior written consent of the Local Planning Authority has been obtained.

(Notes to applicant:- (1) Applicant was advised that the development is located within a foul sewer area. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory disposal of foul flows generated by the proposal. This can be agreed at the detailed design stage; (2) Applicant was advised that according to records kept by Wessex Water, 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. Diversion or protection works may need to be agreed; (3) Applicant was advised to agree in writing, prior to the commencement of works on site, any arrangements for the protection

of Wessex Water infrastructure crossing the site; (4) Applicant was advised that a number of non-return valves have been fitted in the vicinity of the site suggesting previous operational problems with Wessex Water assets; (5) With respect to water supply, applicant was advised that there are water mains within the vicinity of the proposal. Connection can be agreed at the design stage; (6) Applicant was recommended to agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure; (7) Applicant was advised that the surface water soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (8) NO48A – ground contamination; (9) Applicant was advised that the existing building may contain asbestos panels which will need careful removal. If the asbestos is contained within something like cement such as roof or wall sheeting and is in good condition, it is not normally necessary to utilise a specialist contractor. If the sheeting is to be broken up for any reason, a specialist contractor must be used. If the asbestos is in a more friable condition for example lagging or water tank insulation, then a licensed specialist contractor must be used. Either way, materials containing asbestos must be double bagged in special asbestos waste bags, sealed and disposed of at a licensed tip. You are further advised to contact the Environmental Health Officer in this respect.)

Reason for granting planning permission:-

The site was within village limits, outside the Conservation Area, and would provide a dwelling with garage and parking which was considered to be a development which had no detrimental affect on the character of the area and without detriment to the amenities of the locality and was considered to meet Taunton Deane Local Plan Policies S1, S2, S4, H2 and EN23.

10/2007/017

Conversion and extension to barn at Ford Farm, Moor Lane, Churchinford

Conditions

- (a) C001A – time limit;
- (b) Details of the materials of the building including a sample panel of the stonework to be used on the external walls shall be submitted to and approved in writing by, the Local Planning Authority;
- (c) C201 – landscaping;
- (d) C215 – walls and fences;
- (e) P001A – no extensions;
- (f) P003 – no ancillary buildings;
- (g) P006 – no fencing;
- (h) P010 – no further windows.

Reason for granting planning permission:-

The proposal would not have a significant affect on the character of the area and would comply with Taunton Deane Local Plan Policies S1, S2 and H7.

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

The Committee was of the view that the scheme did not involve a significant extension that would alter the character and form of the barn.

12/2007/005LB

Conversion of barns to seven units and associated works at Corfe Farm, Corfe

Conditions

- (a) C002B – time limit – listed buildings;
- (b) C103 – materials – listed buildings;
- (c) Prior to the works for which consent is hereby granted are commenced, a sample panel of stone and brickwork shall be erected on the site for the approval of the Local Planning Authority with all new stone and brickwork being subsequently implemented and maintained strictly in accordance with the approved details;
- (d) Prior to the works for which consent is hereby granted are commenced, a detailed schedule of structural works and repairs shall be submitted to, and approved in writing by, the Local Planning Authority with such works and repairs being subsequently implemented strictly in accordance with the approved details, unless any variation thereto is first approved in writing by the Local Planning Authority;
- (e) No horizontal ceilings shall be introduced or existing beams covered unless prior approval in writing has first been given by the Local Planning Authority;
- (f) Prior to commissioning, specific details of the following shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter implemented and maintained strictly in accordance with the approved details:- roof lights, slate and ridge materials/details, guttering and downpipes, doors (internal and external), architraves, skirtings, staircases, windows, insulation, venting of roofs/WC's/bathrooms/kitchens, glazed screens, flue to wood burning stoves, new floors, finished treatment for all joinery, glazing for existing ventilation "slots", lintels, sills and guarding to bed one of Barn B.

(Notes to applicant:- (1) Applicant's attention is drawn to planning permission No 12/2007/004 relating to this site/these premises; (2) Double glazed window units may be acceptable subject to satisfactory

details which should include lockable stays rather than trickle vents, with casements closing flush with the frame and balanced.)

Reason for granting listed building consent:-

The proposed scheme retained the character of the outbuildings in relation to the main farmhouse in compliance with Taunton Deane Local Plan Policies S1, S2, EN14, EN16 and EN17 and material considerations did not indicate otherwise.

38/2007/288

Demolition of garage and erection of dwelling at land to the east of 3 Northfield Road, Taunton

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) P010 – no further windows;
- (d) Details of the arrangements to be made for the disposal of foul and surface water drainage for the proposed development shall be submitted to, and approved in writing by, the Local Planning Authority before any work is commenced.

(Notes to applicant:- (1) Applicant was advised that although not shown on the public sewer record drawing, Wessex Water understand that there may be a sewer crossing the site that, by virtue of its age, could be deemed a public sewer under the former Section 24 provision of the Public Health Act 1936. Wessex Water is currently reviewing available data on these sewers in order to update and revise its sewer records thus indicating these as “public” in appropriate cases; (2) Applicant was advised that public sewerage apparatus is covered by a statutory easement and no new building or similar works will normally be allowed within a minimum of 3m of this apparatus; (3) Applicant was advised that Wessex Water had noted the proposal to dispose of surface water to “existing drains”. As there are no existing public/separate surface water sewers in the vicinity of the site, applicant was advised to investigate alternative methods for the satisfactory disposal of surface water from the site, for example soakaways. Surface water should not be discharged to the foul sewer; (4) Applicant was advised that with respect to water supply, there are water mains within the vicinity of the proposal. Connection can be agreed at the design stage. It is recommended that prior to the commencement of any works on the site, a connection onto Wessex Water infrastructure should be agreed.)

Reason for granting planning permission:-

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

- (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:-

35/2007/011

Change of use and conversion of barn to form dwelling at Potters Cottage, Appley

Reasons

- (a) The site lies within a countryside area where it is the policy of the Local Planning Authority only to allow the conversion of existing buildings to new uses where such buildings are of a suitable size and traditional character and are structurally sound and the conversion works will lead to their maintenance and retention as part of the local scene and that the appearance, structure and surroundings of the building will be materially unaltered. In the opinion of the Local Planning Authority, the existing building is not of a suitable size to warrant its conversion and the proposed works would materially alter its surroundings to the detriment of the rural character and visual amenities of the area. The proposal would therefore be contrary to Taunton Deane Local Plan Policy H7;
- (b) No marketing exercise has been undertaken to establish that a suitable commercial use would be attracted and therefore the proposal is contrary to Taunton Deane Local Plan Policy EC6.

38/2007/299

Demolition of house and erection of 11 No one bedroom flats at 74 South Street, Taunton

The proposed building by reason of its scale, bulk and massing of the built form is considered to be excessive and, if allowed, would be detrimental to the character and visual amenities of the street scene and would harm the amenities of adjoining occupiers by reason of it appearing overbearing. As such, the proposal is contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy STR1 and Taunton Deane Local Plan Policies S1, S2 and H2.

(Note to applicant:- Applicant was advised that a reduction in the cubic capacity is likely to be acceptable and the Local Planning Authority would wish to see windows in the kitchens.)

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

The Committee felt that the proposed development would be out of character with the surrounding area and overbearing with respect to neighbouring properties.

108. Change of use and conversion of barns to seven units and erection of six dwellings with access and parking/garaging at Corfe Farm, Corfe (12/2007/004)

Reported this application.

RESOLVED that subject to the applicants entering into a Section 106 Agreement concerning the provision of affordable housing and leisure and recreation contributions, the Development Manager be authorised to determine the application in consultation with the Chairman and, if planning permission was granted, the following conditions be imposed:-

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) A sample panel of the stonework and brickwork for the new build shall be constructed on the site and agreed in writing by the Local Planning Authority and thereafter so constructed;
- (d) C201 – landscaping;
- (e) C111 – materials – for roads, drives and turning areas;
- (f) C112 – details of guttering, downpipes and disposal of rainwater;
- (g) C416 – details of size, position and materials of meter boxes;
- (h) C917 – services – underground;
- (i) Provision shall be made for combined radio and TV satellite aerial facilities to serve the development hereby permitted and no external radio or TV aerial shall be fixed on any individual residential property or flat or other unit of living accommodation;
- (j) The new windows and doors indicated on the approved plans shall be made of timber only and no other materials, unless the written consent of the Local Planning Authority is obtained to any variation thereto and thereafter shall be maintained and shall be retained in timber without the express written consent of the Local Planning Authority to the use of a different material;
- (k) The windows hereby permitted shall be recessed in the wall to match the existing window recesses of the farmhouse unless otherwise agreed in writing by the Local Planning Authority;
- (l) Development shall not commence until details of a scheme for the retention of Swallow nest sites and its accesses (or the provision of alternative new sites or accesses) has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a programme for the implementation of the development which avoids any building or other operations likely to affect the Swift/Swallow/House Martin nest sites being undertaken between 1 April and 31 September inclusive. The development shall be carried out in accordance with the approved scheme or any amendment to the scheme as approved in writing by the Local Planning Authority;
- (m) C245 – details of surface water disposal;
- (n) P001A – no extensions;
- (o) P003 – no ancillary buildings;
- (p) P006 – no fencing;
- (q) P010 – no further windows or rooflights;

- (r) C601 – schedule of works to ensure safety and stability of structure;
- (s) C106 – second hand materials;
- (t) C331 – provision of cycle parking;
- (u) Details of the size, design and location of bin storage areas shall be submitted to, and agreed in writing by, the Local Planning Authority and shall be provided prior to the occupation of any unit;
- (v) Details of the windows, doors, external finished treatment of joinery and boarding, venting of roofs, toilets, bathrooms and kitchens, flues to any roofs, sills and lintels, balcony porch and obscure glazing details shall be submitted to, and approved in writing by, the Local Planning Authority prior to installation;
- (w) If the time period between Michael Woods Associates survey dated March 2007 and the commencement of the development extends to more than one year, then a further survey must be commissioned to ascertain any changes in the site by protected species.

(Notes to applicant:- (1) NO75 – Section 106 Agreement; (2) Applicants attention is drawn to the listed building consent relating to this property No 12/2007/005LB; (3) Applicant was advised that the protection afforded to species under UK and EU legislation is irrespective of the planning system and you should therefore ensure that any activity undertaken (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.)

Reason for planning permission, if granted:-

The proposal was considered to reflect the requirements of Taunton Deane Local Plan Policies C01, S1, S2, H2, H9, C4, M4, EN14 and EN16 and material considerations did not indicate otherwise.

Also RESOLVED that a letter be submitted to the County Highway Authority supporting Corfe Parish Council's request for a 30 mile per hour speed limit to be introduced in place of the current 40 mile per hour speed limit and for its extent to be increased beyond the proposed access to this development in the Taunton direction.

109. Erection of single storey extension and alterations to flat roof to form pitched roof, 71 Greenway, Monkton Heathfield (48/2007/046)

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues by 7 September 2007, the Development Manager be authorised to determine the application in consultation with the Chairman and, if planning permission was granted, the following conditions be imposed:-

- (a) C001A – time limit;
- (b) C102 – materials.

Reason for planning permission, if granted:-

The proposed extension and alterations to the roof would have no material impact on neighbouring amenity or the street and complied with Taunton Deane Local Planning Policy H17.

110. Taunton Deane Borough (Taunton No 3) Tree Preservation Order 2007

Reported that a Tree Preservation Order had recently been made in respect of a Norway Maple tree (T1) a Purple Norway Maple (T2) and a group of eleven Poplar trees and two Holm Oaks (G1) situated on land at Trinity Court, Haywood Road, Taunton.

An objection had been received from the owners of Trinity Court, Knightstone Housing Association, details of which were submitted.

Also reported the comments of the Development Manager who considered that the trees were in good health and contributed to the "leafy" character of this part of Taunton.

However, it was conceded that whilst the Poplars in the group did have amenity value, they were not the most suitable trees to be planted in such close proximity to dwellings.

It was therefore felt that their phased removal and replacement with more desirable species over the next few years should be considered by Knightstone Housing Association. It was recommended that certain trees currently at each end of Group 1 should be omitted from the Tree Preservation Order.

Noted that two Cherry trees had been identified within the group which should be included within the Order.

RESOLVED that the Tree Preservation Order:-

- (1) Be modified to omit five Poplar trees from Group 1, four from the southern end of the group and one from the northern end, such trees being identified on site; and
- (2) Be confirmed to include T1, T2 and G1 to comprise six Poplar trees, two Holm Oaks and two Cherry trees.

111. 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 112 below should be dealt with as an urgent matter.

112. Unauthorised works at 24 Silver Street, Wiveliscombe

Reported that planning permission had previously been granted to undertake conversion works and the replacement of a shop front at 24 Silver Street, Wiveliscombe.

Works had recently begun but it had been drawn to the Council's attention that the works being undertaken were far in excess of that approved.

RESOLVED that:-

- (1) Enforcement action be taken requiring the re-instatement of 24 Silver Street, Wiveliscombe and
- (1) Subject to being satisfied by the evidence, the Solicitor to the Council institute legal proceedings should the enforcement notice not be complied with.

(The meeting ended at 7.29 pm.)