

Planning Committee – 11 June 2008

Present:- Councillor Mrs Hill (Chairman)
Councillors Bishop, Critchard, Denington, Mrs Floyd, C Hill, House,
Miss James, Stuart-Thorn, Watson, Ms Webber, A Wedderkopp and
D Wedderkopp

Officers:- Mr T Burton (Development Control Manager), Mr J Hamer
(Development Control Area Manager – West), Mr G Clifford (Area
Planning Manager – South), Mr M Roberts (Area Planning Manager
(East)), Ms M Casey (Planning and Litigation Solicitor) and
Mrs G Croucher (Democratic Services Officer)

Also present:- Councillor Beaven in relation to application No 06/2008/024 and
Councillor Coles

(The meeting commenced at 5.00 p.m.)

66. Apologies/Substitution

Apologies: Councillors Mrs Allgrove, Bowrah, McMahon and Woolley.
Substitution: Councillor Stuart-Thorn for Councillor McMahon.

67. Minutes

The Minutes of the meetings held on 21 May and 22 May 2008 were taken as
read and were signed.

68. Public Question Time

Mr Alan Debenham asked the Committee about the Rumwell Farm Shop
which he likened to a supermarket but in the wrong situation. He asked
whether there had been a breach or breaches of planning control?

The Development Control Manager replied that he would ask one of the
Enforcement Officers to check that the premises were operating in
accordance with the planning regulations

69. Declarations of Interest

Councillor Bishop declared a personal interest in application nos 27/2008/008
and 27/2008/009.

Councillor House declared a personal interest in application no 36/2008/003
and left the meeting during consideration of this application.

70. 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 the **details 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:-

06/2008/024

Erection of two and a half storey building to provide accommodation for commercial/community use on ground floor A1 (shop), A3 (restaurant/café), A4 (drinking establishments), A5 (hot food takeaway), D1 (non residential institution), accommodation agency, accountant and tax advisor, bank, building society, citizens advice bureau, charitable and voluntary organisation, employment agency, estate agent, financial advisor, fitness centre, gymnasium, health centre, launderette, social services centre, solicitor, taxi business, tourist information centre, travel agent and 12 single bedroom apartments on first and second floors at land adjacent to Rogers Walk, Cotford St Luke (amended scheme)

Conditions

- (a) Any variation to the appearance of the ground floor doors and windows shall be submitted to, and approved in writing by, the Local Planning Authority;
- (b) The area allocated for vehicular and cycle parking on the approved plans shall be kept clear of obstruction and shall not be used other than for the parking of vehicles and cycles in connection with the development hereby approved;
- (c) The ground floor of the building shall be used for the uses applied for and for no other purpose;
- (d) 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.

(Notes to applicant:- (1) Applicant's attention was drawn to the conditions of planning permission numbered 06/1994/018 which must be complied with before development commences; (2) N118A – disabled access; (3) N112 – energy conservation; (4) N114 – design – meter boxes; (5) N115 – water conservation; (6) N117 – crime prevention; (7) Applicant was advised that soakaways should be provided in accordance with Building Research Digest 365. If ground conditions were found not to favour the use of soakaways, then some form of on-site surface water attenuation system will have to be installed with a limit to its discharge; (8) N051B – health and safety; (9) Applicant was advised that an existing street lighting unit adjacent to the cycle path may need to be relocated; (10) Applicant was advised that the site currently does not have a direct connection onto the publicly maintained highway; (11) Applicant was requested to ensure that deliveries to the proposed commercial/community units, including

refuse collections, should not be in vehicle movements across the cycle path).

Reason for approving details:-

The proposal was considered not to have a detrimental impact upon visual or residential amenity and provided for commercial use of the site in the interests of the local community and was therefore considered acceptable. Accordingly, the proposal complied with Taunton Deane Local Plan Policies S1, S2 and EC15 of the Taunton Deane Local Plan.

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

05/2008/021

Construction of flood storage areas and associated earthwork and surface water drainage works at land around Longrun House, between Somerset College of Arts and Technology and the River Tone, Bishops Hull, Taunton

Conditions

- (a) C001A – time limit;
- (b) C201 – landscaping;
- (c) Details of final levels over the soil storage areas shall be submitted to, and approved in writing by, the Local Planning Authority prior to completion of any scheme;
- (d) C901B – archaeological work;
- (e) Details of the provision of a wheel wash facility for construction vehicles shall be submitted to, and approved in writing by, the Local Planning Authority and shall be provided on site at all times during the construction work;
- (f) All construction traffic to the site shall use the temporary access off Heron Drive which shall be provided prior to excavation work commencing;
- (g) Within one month of the completion of the scheme the field, fencing and hedging shall be reinstated to its previous condition prior to the commencement of work unless otherwise agreed in writing by the Local Planning Authority;
- (h) C238 – trees – protection in relation to construction;
- (i) Details of the river bank protection and embankment protection shall be submitted to, and agreed in writing by, the Local Planning Authority and thereafter so constructed prior to completion of the scheme;
- (j) No development shall commence until the detailed design of the outfall has been submitted to, and approved in writing by, the Local Planning Authority;

- (k) A strip of land 8m wide adjacent to the banks of all watercourses crossing the site shall be kept clear of all new buildings and structures (including gates, walls and fences);
- (l) A full operation and maintenance strategy shall be submitted to, and approved in writing by, the Local Planning Authority. The strategy shall identify all future land use limitations, identify the ownership, operational and maintenance arrangements for the works over the lifetime of the scheme;
- (m) A programme of spoil management within the floodplain of the River Tone shall be agreed with the Local Planning Authority prior to the commencement of works;
- (n) No development approved by this permission shall be commenced until a scheme for prevention of pollution during the construction phase has been approved by the Local Planning Authority. The scheme shall include details of the following: (i) Site security; (ii) Fuel oil storage, bunding, delivery and use; (iii) How both minor and major spillages will be dealt with; (iv) Containment of silt/soil contaminated run off; (v) Disposal of silt/contaminated water pumped from excavations; (vi) Site induction for workforce highlighting pollution prevention and awareness. Invitations for tenders for sub-contracted works must include a requirement for details of how the above will be implemented;
- (o) Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to, and approved in writing by, the Local Planning Authority. That scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority: (1) A desk study identifying: - all previous uses, - potential contaminants associated with those uses, - a conceptual model of the site indicating sources, pathways and receptors, - potentially unacceptable risks arising from contamination at the site. (2) A site investigation scheme, based on (1) to provide information for an assessment of the risk to all receptors that may be affected, including those off site. (3) The results of the site investigation and risk assessment (2) and a method of statement based on those results giving full details of the remediation measures required and how they are to be undertaken. (4) A verification report on completion of the works set out in (3) confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance, further monitoring and reporting. Any changes to these agreed elements require the express consent of the Local Planning Authority;
- (p) The mitigation measures indicated in paragraph 6.3 of the Environmental Report to protect wildlife in the area shall be carried out unless otherwise agreed in writing by the Local Planning Authority.

(Notes to applicant:- (1) Applicant was advised that under the Water Resources Act 1991 and the Land Drainage Act 1991 both the

Environment Agency and the Local Authority have permissive powers to maintain watercourses. Their jurisdiction depends on the watercourse designation as "Main River" or "Ordinary Watercourse". However, responsibility for general maintenance of the watercourses and their banks, rests with riparian owners; (2) Applicants and developers were made aware of their responsibilities to ensure that the operations do not interfere with riparian owners common law rights to receive water undiminished in quantity or quality. If any watercourses crossing the site are interrupted or diverted then, notwithstanding the need for any statutory consents or licences, it is the applicant's responsibility to take appropriate steps to protect the rights of the riparian owners, for which he has a liability; (3) Applicant was advised that under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8m of the top of the bank of a designated 'main river'; (4) As the landowner, Taunton Deane Borough Council will be responsible for the future maintenance and operation of this facility and their relevant departments should be consulted; (5) Applicant was advised that exemptions from the Waste Management Licensing Regulations for moving waste spoil/subsoil off-site will be required and the developer will need to contact the Environment Agency to apply for such activities; (6) Applicant was advised that in relation to the proposed development, insofar as it relates to land contamination, the Environment Agency only considered issues relating to controlled waters (and relevance of regulatory regimes where the Environment Agency is the enforcing authority, eg waste management licensing). The Environment Agency recommends that developers should: (i) Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination; (ii) Refer to the Environment Agency Guidance on Requirements for Land Contamination Reports for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, for example human health; (iii) Refer to our website at www.environment-agency.gov.uk for more information; (7) Applicant was advised of the need to inform contractors of protected species and have access to a qualified ecologist for expert advice.)

Reason for granting planning permission:-

The proposed development was one that was compatible with the area, would improve habitat and biodiversity and will provide important flood storage capacity to enable development elsewhere whilst maintaining the openness and character of the area in compliance with Taunton Deane Local Plan Policies S1 (General Requirements), EN6 (Protection of Trees, Woodlands, Orchards and Hedgerows), EN13 (Green Wedges), EN25 (The Water Environment) and EN28 (Development and Flood Risk).

24/2008/017

Retention of increased height of south east boundary wall and infill pedestrian access, additional roof light and the substitution of a window for a door in north east wall, and swimming pool plan room at The Olde Canal Barn, Wrantage

Condition:-

The work to the front boundary wall shall be carried out within 2 months of the date of this permission unless otherwise agreed in writing by the Local Planning Authority.

Reason for granting planning permission:-

The development did not adversely affect the character of the buildings, or visual or residential amenity and therefore did not conflict with Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design) or H17 (Extensions to Dwellings).

27/2008/008

Conversion of barn to form offices and store, Allerford Farm, Allerford, Norton Fitzwarren

Conditions:-

- (a) C001A – time limit;
- (b) C102A – materials;
- (c) No site clearance works or development (or specified operations) shall take place between 1 March and 31 July without the prior written approval of the Local Planning Authority;
- (d) C324 – parking;
- (e) The development shall not be brought into use until a Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority. Such a Travel Plan shall include a list of elements to promote sustainable travel together with a timetable for the implementation of each such element. No part of the development shall be occupied prior to implementation of the approved Travel Plan (or implementation of those parts identified in the approved Travel Plan as capable of being implemented prior to occupation). Those parts of the approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied;
- (f) The store shall be used for the storage of construction materials, plant and equipment only and no other storage use;
- (g) C708 – restricted use – no storage except where stated;
- (h) C927 – contaminated land – barns/small sites;
- (i) The planting scheme comprising the hedge shown on the submitted plan shall be completely carried out within the first available planting season from the date of commencement of the development. 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 other appropriate trees or shrubs as may be approved in writing by the Local Planning Authority;

- (j) C010 – drainage;
- (k) Work shall not commence until details of a scheme for the provision of a bat box on the building to be converted in the development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. Once approved the works shall take place in accordance with the agreed scheme and thereafter the bat box and the access for bats shall be permanently maintained. The development shall not be occupied until the scheme for the provision of the bats' box and related accesses has been fully developed;

(Notes to applicant:- (1) N118A – disabled access; (2) N112 – energy conservation; (3) N115 – water conservation; (4) N051B – health and safety; (5) N126 - ground contamination; (6) Applicant was advised that all operatives on site must be appropriately briefed on the potential presence of protected species on site. The protection afforded to species under UK and EU legislation is irrespective of the planning system and any activity undertaken on the application site must comply with the appropriate wildlife legislation. If bats are found on site then work must stop and Natural England must be informed. All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered must not be disturbed.)

Reason for granting planning permission:-

The proposal provided for the appropriate reuse of a redundant agricultural building and it was considered that with the conditions imposed, the proposal met the criteria in Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design) and EC6 (Conversion of Rural Buildings).

38/2008/092

Two no 2 bedroom dwellings and two no 1 bedroom apartments in a two storey terrace on land between 11 and 13 Adcombe Road, Taunton

Conditions:-

- (a) C001A – time limit;
- (b) C102A – materials;
- (c) The existing tree and shrubs shown as retained on drawing No 07/17.05A shall be retained on site and the tree shall be protected in accordance with BS5837:1991 Trees in relation to construction. Appropriate replacement planting shall be agreed in writing by the Local Planning Authority and thereafter provided if the planting is damaged and dies within a 5 year period;
- (d) The cycle and bin storage shown on the submitted plan shall be provided for prior to occupation and thereafter so maintained;

- (e) The boundary details illustrated on drawing No 07/17.05A shall be provided prior to occupation of the dwellings hereby approved and shall thereafter be so retained;
 - (f) C324 – parking;
- (Notes to applicant:- (1) Applicant was advised to ensure access to adjoining properties is maintained during construction; (2) Soakaways shall be constructed in accordance with Building Research Digest 365. Applicant was advised to contact Wessex Water to agree means of protection for their infrastructure crossing the site.

Reason for granting planning permission:-

The proposal was considered in keeping with the character of the area, not to harm residential amenity and to comply with Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design) and M4 (Residential Parking Provision).

38/2008/229

Erection of conservatory (amended design) 6 Kings Close, Taunton

Conditions:-

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

Reason for granting planning permission:-

The proposed conservatory would have no material impact on neighbouring amenity and complied with Taunton Deane Local Plan Policy H17 (Extensions to Dwellings).

52/2008/017

Erection of conservatory to rear at 23 Castlemans Road, Taunton

Conditions:-

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

Reason for granting planning permission:-

The design and scale of the proposal was considered not to have any detrimental impact upon the visual or residential amenity and was therefore considered acceptable and accordingly, did not conflict with Taunton Deane Local Plan Policies S1, S2 and H17.

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

27/2008/009

Siting of one mobile home and one touring caravan at Altona Park, Hillfarrance

Reason

The site is located in open countryside where occupiers of the new development are likely to be dependent on private vehicles for most of their daily needs. Such fostering of growth in the need to travel would be contrary to Government advice. It has not been demonstrated that there is an identified need for gypsy accommodation in this location such as to outweigh the above concerns in addition to the harmful affect the mobile home and caravan would have on the open countryside. The proposal is therefore contrary to Policies 5 and 36 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policies S1, H14, EN12 and S7 of the Taunton Deane Local Plan.

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

The Committee was of the view that the need for further gypsy accommodation on the site had not been demonstrated.

36/2008/003

Erection of 4 dwellings and garaging on land of former depot at Woodhill, Stoke St Gregory

Reasons

- (a) The proposed development site is located outside the confines of any recognised development boundary limits, in an area that has very limited public transport services. The residents of the development will be wholly reliant on the private car and there will therefore be an increase on the reliance on the private motor car and this comprises unsustainable development which is contrary to advice given in Planning Policy Guidance Note 13, Regional Planning Policy Guidance Note 10 and Policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policy S1 of the Taunton Deane Local Plan;
- (b) The buildings the subject of the proposed development are considered to be new dwellings which are not proven to be required for an existing agricultural purpose or activities. The application site is outside a town, rural centre or village where development is strictly controlled. Development is restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel. The Local Planning Authority is of the opinion that the proposal does not satisfy all of the above criteria and is therefore contrary to Planning Policy Statement No 3, Policy STR6 of the adopted Somerset and Exmoor National Park Joint Structure Plan Review, and Policy S7 of the Taunton Deane Local Plan.

49/2008/016

Removal of Condition 11 of Permission 49/2003/061 in order to allow residential usage of Wivey View, Higher Whitefield, Wiveliscombe

Reasons

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 residential use where such buildings are in keeping with traditional surroundings, where no significant alteration would be required, and where the building is unlikely to attract a suitable business re-use. In the opinion of the Local Planning Authority, the building is not of traditional character, significant alteration has taken place, and it has not been demonstrated that a suitable business use cannot be attracted. Accordingly, the proposal conflicts with Taunton Deane Local Plan Policy H7.

71. Erection of 32 no dwellings and associated works, including demolition of existing industrial buildings, Kings Yard, Taunton Road, Bishops Lydeard (06/2008/027)

Reported this application.

Resolved that subject to:-

- (1) the receipt of satisfactory amended plans;
- (2) the receipt of satisfactory surface water drainage details; and
- (3) the further views of the County Highway Authority on the amended plans,

the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if the detailed plans were approved, the following condition be imposed:-

The boundary of the site to be developed shall be maintained in perpetuity to the satisfaction of the Local Planning Authority.

(Notes to applicant:- (1) Applicant's attention is drawn to the conditions of planning permissions numbered 06/2005/046 and 06/2005/058 which must be complied with before development commences; (2) N118 – disabled access; (3) N112 – energy conservation; (4) N114 – meter boxes; (5) N115 – water conservation; (6) NO51B – health and safety; (7) Applicant was advised to contact Wessex Water with regard to the proposal; (8) Applicant was advised that the existing buildings 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/material, 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 advised to contact the Environmental Health Officer in this respect.)

Reason for approving detailed plans, if granted:-

The site was located within the settlement of Bishops Lydeard where residential development was considered acceptable in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy STR5. The proposal was considered to meet the requirements of the Taunton Deane Local Plan Policies S1 (General Requirements), S4 (Rural Centres), H9 (Affordable Housing within General Market Housing), EC9 (Loss of Employment Land) and C4 (Standards of Provision of Recreational Open Space) and material considerations did not indicate otherwise.

72. Residential development comprising 100 apartments and 4 town houses with associated infrastructure and external works at Area A, Firepool Lock, Taunton (38/2008/022)

Reported this application.

Resolved that subject to appropriate variations to the existing Section 106 Agreement regarding affordable housing, alignment of highway, delivery and providing for implementation of a Public Art Strategy and a contribution towards drainage attenuation maintenance (if necessary) being agreed and entered into and consideration of outstanding consultee responses with the addition of any conditions which might arise from them, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if the detailed plans were approved, the following conditions be imposed:-

- (a) C101 – materials;
- (b) No development shall take place until detailed plans and specifications of the highway infrastructure work have been submitted to, and approved by, the Local Planning Authority in consultation with the County Highway Authority;
- (c) No dwelling or unit shall be occupied until the highways infrastructure has been constructed to the satisfaction of the Local Planning Authority and the County Highway Authority and opened to traffic;
- (d) The proposed estate roads, footways, footpaths, cycleways, bus stops/bus lay-bys, 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;
- (e) The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (f) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of

which shall be submitted to the Local Planning Authority for approval. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%, or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground, where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund;

- (g) No development approved by this permission shall be commenced until the Local Planning Authority is satisfied that adequate sewerage infrastructure will be in place to receive foul water discharges from the site. No buildings (or uses) hereby permitted shall be occupied (or commenced) until such infrastructure is in place;
- (h) No development approved by this permission shall commence until a scheme for water efficiency has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details;
- (i) Development hereby approved shall not commence until a wildlife plan, produced in conjunction with a construction environmental management plan has been submitted to, and formally approved in writing by, the Local Planning Authority. The plan shall detail how provision will be made for protected and national bio-diversity action plan species especially those known to use the corridor of the River Tone. Any plans shall detail a maintenance schedule;
- (j) A line of trees shall be provided along the top of the canal bank with the primary aim of continuing the canopy. Trees shall be native and appropriate to the site. Species shall be agreed by the Council's Landscape Officer and the Nature Conservation Officer;
- (k) Any necessary lighting of the foot cycleway must be designed and sited to minimise stray light on the watercourse with the object of achieving a maximum of 1 lux on the waterway;
- (l) Prior to the commencement of any development works, the applicant shall examine the premises/land and identify what measures, if any, may be necessary to ensure that noise from existing sources and the proposed strategic road will not be detrimental to the amenity of the occupants of the premises on the completed development. The applicant shall submit to the Local Planning Authority all details of any sound reduction scheme recommended and the reasoning upon which any such scheme is based. Such details are to be agreed, in writing, by the Local Planning Authority prior to the commencement of development works. All works that form part of the scheme shall be completed before the development is occupied;
- (m) Prior to the commencement of any development works, the applicant shall provide detailed designs showing the play value of the site, how it takes into account the objectives of the Council's Play Policy and how it will be managed to ensure that children and young people can use it effectively for play in particular taking into account the proximity to dwellings and

potential for noise nuisance. Such details to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with those approved details prior to first occupation of any dwelling or within a timescale to be agreed in writing with the Local Planning Authority.

(Notes to applicant:- (1) 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/agent; (2) Applicant was strongly recommended to include sustainable design and construction measures, which comply with the Code for Sustainable Homes within the proposed development. The development should aim to achieve the highest number of stars possible, preferably six. The Code includes sections on energy and water efficiency and will soon be compulsory for all housing. In a sustainable building minimal natural resources and renewables are used during construction and the efficient use of energy is achieved during subsequent use. This reduces greenhouse gas emissions and helps to limit and adapt to climate change. Running costs of the building can also be significantly reduced; (3) Applicant was advised that water efficiency measures should be incorporated into this scheme. These could include, for example, water butts, rainwater recycling and the use of water-efficient internal appliances and systems. It would assist in conserving natural water resources and offer some contingency during times of water shortage; (4) Applicant was advised that there should 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; (5) Applicant was advised that nothing other than uncontaminated excavated natural materials shall be deposited on the site; (6) Applicant was advised that there should be no discharge of foul or clean water into the Bridgwater and Taunton Canal; (7) Applicant was advised that the Environment Agency welcomes the proposal to wave/weave the foot cycleway. This will add some width to discrete areas to be planted. It will also add interest for users of the path/cycleway; (8) Applicant was advised that this development will create a trespass and vandalism risk on to the railway. In the interests of promoting public safety, it is recommended that a 1.8 m high trespass fence be erected parallel to, but separate from, the railway fence; (9) Applicant was advised that the Department of Transport recommends the provision of a safety barrier adjacent to the railway, alongside all roads, turning circles and parking areas where the railway is situated at or below the level of the development. The safety barrier should be designed to cater for specific loadings dependent on the road traffic anticipated; (10) Applicant was advised that additional or increased flows of surface water should not be discharged onto Network Rail land or into Network Rail's culvert or drains. In the interest of long-term stability of the railway, it is recommended that soakaways should not be constructed within 10 m of Network Rail's boundary; (11) Applicant was advised that no work should be carried out on the development site that may endanger the safe operation of the railway or the stability of Network Rail's structures and adjoining land; (12) Applicant was advised that the design and siting of buildings should take into account the possible effects of noise and vibration and the generation of airborne dust resulting from the operation of the railway).

Reason for approving detailed plans, if granted:-

The application comprised details pursuant to an outline consent for development and was in the line with the approved Masterplan. It was therefore considered to constitute an acceptable form of development in accordance with the requirements of Planning Policy Statement 3 and Policies S1, S2 & T3 of the Taunton Deane Local Plan.

73. Erection of 14 no apartments (Block E), land to rear of Fore Street and North Street, Wellington (43/2007/184)

Reported this application.

Resolved that subject to the views of the County Highways Authority and the Environmental Health Officer and the further views of the Nature Conservation Officer on the follow up bat and reptile surveys, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if planning permission was refused, the following reasons be stated:-

- (a) Inadequate justification has been put forward for the proposed development in the form submitted. It is considered that the proposed development will have a significant detrimental impact on structures of local/historic importance, traditional building patterns, the character and appearance of the Conservation Area and the setting of Grade II listed buildings on Cornhill and Fore Street due to the scale, design, massing and materials of the proposed buildings (Somerset and Exmoor National Park Joint Structure Plan Review Policy 9, Taunton Deane Local Plan Policies EN14 and EN15 and Planning Policy Guidance Note No15);
- (b) The proposed development together with the subject of applications 43/2007/184 and 43/2007/185 fails to adequately make provision for the comprehensive redevelopment of the area, in particular the restoration of the existing properties fronting Cornhill, which are within the Conservation Area and some of which are Grade II listed;
- (c) The proposed development does not make any provision for affordable housing or contributions towards local leisure facilities and primary/secondary education facilities, as required by Taunton Deane Local Plan Policies H9, C1 and C4;
- (d) The proposal represents an overdevelopment of the site out of keeping with the general scale and character of the existing properties in Bishops Court. It would result in a development of comparatively cramped appearance and would thus detract from the visual amenity of the area. The proposal would furthermore be un-neighbourly and adversely affect adjacent property in Bishops Court by reason of overlooking and having an overbearing effect on outlook (Taunton Deane Local Plan Policies S1 and S2);
- (e) The Ecological Assessment submitted with the application concluded that further bat and reptile surveys are required. In the absence of the results of these further surveys, there is no guarantee that the proposal will not have an adverse effect on protected species. Therefore the Local

Planning Authority considers it reasonable to issue a holding reason for refusal on the basis of Taunton Deane Local Plan Policy EN4 and Planning Policy Statement 9.

74. Erection of 24 no apartments (Blocks A and B), land to rear of Fore Street and North Street, Wellington (43/2007/185)

Reported this application.

Resolved that subject to the views of the County Highways Authority and the Environmental Health Officer and the further views of the Nature Conservation Officer on the follow up bat and reptile surveys, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if planning permission was refused, the following reasons be stated:-

- (a) Inadequate justification has been put forward for the proposed development in the form submitted. It is considered that the proposed development will have a significant detrimental impact on structures of local/historic importance, traditional building patterns, the character and appearance of the Conservation Area and the setting of Grade II listed buildings on Cornhill and Fore Street due to the scale, design, massing and materials of the proposed buildings (Somerset and Exmoor National Park Joint Structure Plan Review Policy 9, Taunton Deane Local Plan Policies EN14 and EN15 and Planning Policy Guidance Note No15);
- (b) The proposed development together with the subject of applications 43/2007/184 and 43/2007/187 fails to adequately make provision for the comprehensive redevelopment of the area, in particular the restoration of the existing properties fronting Cornhill, which are within the Conservation Area and some of which are Grade II listed;
- (c) The proposed development does not make any provision for affordable housing or contributions towards local leisure facilities and primary/secondary education facilities, as required by Taunton Deane Local Plan Policies H9, C1 and C4;
- (d) The proposal represents an overdevelopment of the site out of keeping with the general scale and character of the existing properties in the vicinity. It would result in a development of comparatively cramped appearance and would thus detract from the visual amenity of the area. The proposal would furthermore be unneighbourly and adversely affect adjacent property in North Street by reason of overlooking and having an overbearing effect on outlook (Taunton Deane Local Plan Policies S1 and S2);
- (e) The Ecological Assessment submitted with the application concluded that further bat and reptile surveys are required. In the absence of the results of these further surveys, there is no guarantee that the proposal will not have an adverse effect on protected species. Therefore the Local Planning Authority considers it reasonable to issue a holding reason for refusal on the basis of Taunton Deane Local Plan Policy EN4 and Planning Policy Statement 9.

75. Erection of 40 no apartments (Blocks C and D), land to rear of Fore Street and North Street, Wellington (43/2007/187)

Reported this application.

Resolved that subject to the views of the County Highways Authority and the Environmental Health Officer and the further views of the Nature Conservation Officer on the follow up bat and reptile surveys, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if planning permission was refused, the following reasons be stated:-

- (a) Inadequate justification has been put forward for the proposed development in the form submitted. It is considered that the proposed development will have a significant detrimental impact on structures of local/historic importance, traditional building patterns, the character and appearance of the Conservation Area and the setting of Grade II listed buildings on Cornhill and Fore Street due to the scale, design, massing and materials of the proposed buildings (Somerset and Exmoor National Park Joint Structure Plan Review Policy 9, Taunton Deane Local Plan Policies EN14 and EN15 and Planning Policy Guidance Note No 15);
- (b) The proposed development together with the subject of applications 43/2007/185 and 43/2007/187 fails to adequately make provision for the comprehensive redevelopment of the area, in particular the restoration of the existing properties fronting Cornhill, which are within the Conservation Area and some of which are Grade II listed;
- (c) The proposed development does not make any provision for affordable housing or contributions towards local leisure facilities and primary/secondary education facilities, as required by Taunton Deane Local Plan Policies H9, C1 and C4;
- (d) The Ecological Assessment submitted with the application concluded that further bat and reptile surveys are required. In the absence of the results of these further surveys, there is no guarantee that the proposal will not have an adverse effect on protected species. Therefore the Local Planning authority considers it reasonable to issue a holding reason for refusal on the basis of Taunton Deane Local Plan Policy EN4 and Planning Policy Statement 9.

76. Installation of roller shutters to window and door openings, 24 Silver Street, Wiveliscombe

Reported that red roller shutters to the door and window openings had been installed at 24 Silver Street, Wiveliscombe without planning permission. The owner of the property had been contacted about the unauthorised shutters but, to date, no application to regularise the situation had been submitted.

Resolved that:-

- 1) Enforcement action be taken seeking the removal of the unauthorised shutters at 24 Silver Street, Wiveliscombe; 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.

77. Selling of cars from residential property at 4 Gravelands Lane, Henlade, Taunton

Reported that it had come to the Council's attention that vehicles were being offered for sale at 4 Gravelands Lane, Henlade, Taunton.

The owner of the property had been contacted about the unauthorised change of use of the premises but, to date, no application to regularise the situation had been submitted and the use had continued.

Resolved that:-

- 1) Enforcement action be taken to stop the unauthorised change of use of 4 Gravelands Lane, Henlade, Taunton for the purposes of selling motor vehicles; 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.

(The meeting ended at 9.20 p.m.)