

Planning Committee – 23 July 2008

Present:- Councillor Mrs Hill (Chairman)
Councillor Mrs Allgrove (Vice-Chairman)
Councillors Bishop, Denington, Mrs Floyd, House, Miss James,
McMahon, Mrs Smith, Stuart-Thorn, Watson, Ms Webber,
A Wedderkopp, D Wedderkopp, Miss Wood and Woolley

Officers:- Mr T Burton (Development Control Manager), Mr G Clifford (Area
Planning Manager – South), Mr A Pick (Principal Planning Officer –
West), Mrs J Jackson (Legal Services Manager) and Mr R Bryant
(Democratic Services Manager)

Also present:- Councillor Coles

(The meeting commenced at 5.00 pm)

89. Apologies/Substitution

Apologies: Councillors Critchard and C Hill.

Substitution: Councillor Stuart-Thorn for Councillor C Hill.

90. Minutes

The Minutes of the meeting held on 2 July 2008 were taken as read and were signed.

91. Declarations of Interest

Councillors Mrs Smith and A Wedderkopp declared prejudicial interests in application No 38/2008/295 and left the meeting during consideration of this item; Councillor McMahon declared a prejudicial interest in application No 23/2008/020LB and also left the meeting during consideration of this item.

92. Applications for Planning Permission

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

- (1) That **outline planning permission be granted** for the under-mentioned 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:-

21/2008/017

Erection of bungalow, adjoining Petersmead, Langford Budville

Conditions

- (a) C005 – outline – reserved matters;

- (b) C009 – outline – time limit;;
- (c) C010 - drainage;
- (d) C014A – time limit;
- (e) C101 - materials;
- (f) C215 – walls and fences;
- (g) C201 - landscaping;
- (h) P011 – no windows on the western elevations;
- (i) The area allocated for parking/turning 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;
- (j) There shall be no obstruction to visibility greater than 900mm above adjoining road level forward of a line drawn 2 m back and parallel to the nearside carriageway edge over the entire site frontage. Such visibility shall be fully provided before works commence on the erection of the dwelling hereby permitted and shall thereafter be maintained at all times;
- (k) Full details of the modified garage which serves Petersmead shall be submitted to, and approved in writing by, the Local Planning Authority before development commences and the modification shall be completed before the new dwelling is occupied;
- (l) There shall be no obstruction to visibility greater than 900mm above adjoining road level forward of lines drawn 2m back from the carriageway edge on the centreline of the access and extending to the extremities of the site frontage. Such visibility splays shall be fully provided within one month of the date of this permission and shall thereafter be maintained.

(Notes to applicant:- (1) Applicant was advised that soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (2) Applicant was advised that the development is located within a foul sewer area. It will be necessary for the developer to agree with Wessex Water 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; (3) Applicant was advised that there is a public foul sewer crossing the site. Wessex Water normally requires a minimum, 3 m easement width on either side of its apparatus, for the purpose of maintenance and repair. Diversion of protection works may need to be agreed; (4) 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; (5) It was noted that the applicant proposes to dispose of surface water to soakaways. Applicant was advised that surface water should not be discharged to the foul sewer. It is further advised that satisfactory arrangements for the disposal of surface water should be agreed with the Local Planning Authority; (6) With respect to water supply, applicant was advised that there are water mains within the vicinity of the proposal. Again, connection can be agreed at the design stage. It is recommended that the applicant agrees with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure. The applicant should also be aware of the

importance of checking with Wessex Water to ascertain whether there are any uncharted sewers or water mains within (or very near to) the site. If any such apparatus exists, the applicant should plot the exact position on the design site layout to assess the implications; (7) Applicant was advised that the grant of planning permission does not, where apparatus will be affected, change Wessex Water's ability to seek agreement as to the carrying out of diversionary and/or conditioned protection works at the applicant's expense or, in default of such agreement, the right to prevent the carrying out of any such development proposals as may affect its apparatus.)

Reason for granting planning permission:-

The proposed development would not adversely affect visual and residential amenity, nor road safety, and therefore did not conflict with Taunton Deane Local Plan Policies S1 and S2.

- (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:-

23/2008/020LB

Internal alterations at Quartley House, Fore Street, Milverton

Conditions

- (a) C002B – time limit – listed building;
 - (b) The works for which consent is hereby granted shall be carried out strictly in accordance with the submitted "Conclusions and Recommendations" by Premier Heritage, unless any variation thereto is first approved in writing by the Local Planning Authority;
- (Note to applicant:- Applicant was informed that it has been noted from information contained in your submission that work to the roof will be required in the future. You are advised to consult the Council's Conservation Officer, well in advance of these works being commissioned.)

Reason for granting planning permission:-

It was considered that the proposal was in line with Planning Policy Guidance Note No 15 and Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review in respect of proposals relating to listed buildings.

29/2008/008

Erection of holiday chalet in field east of Littlefields, Bishopswood.

Conditions

- (a) C001A – time limit;
- (b) C101 – materials;

- (c) C413 – restriction of occupation for holiday lets in permanent buildings;
- (d) The holiday chalet shall be removed from the site if not let within a 24 month period;
- (e) C201 – landscaping;
- (f) A wildlife management plan for the area shall be submitted to, and approved in writing by, the Local Planning Authority prior to occupation of the building;
- (g) Parking, access, visibility and turning shall be provided as per the submitted drawing No S307/2 prior to the development coming into use;
- (h) Details of the surfacing of the parking and turning areas which shall be permeable shall be submitted to, and approved in writing by, the Local Planning Authority prior to construction;
- (i) The wildlife mitigation measures set out in the wildlife report survey for amphibians dated April/May 2008 shall be carried out as specified unless otherwise agreed in writing by the Local Planning Authority;
- (j) Prior to work commencing detail of the siting of the treatment plant and confirmation of the necessary consents including any percolation tests for its installation shall be submitted to, and agreed in writing by, the Local Planning Authority;
- (k) 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.

(Notes to applicant:- Applicant was advised that Badgers are known to forage in the area. You should therefore take necessary steps to ensure compliance with The Protection of Badgers Act 1992. All site operatives should be informed of the fact that Badgers forage in the area. Steps must be taken to ensure that any trenches dug are covered at night or have means of escape for any animals that may fall in. The protection afforded to species under UK and EU legislation is irrespective of the planning system and any activity undertaken on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.)

Reason for granting planning permission:-

The proposed scheme was considered in line with Planning Policy Statement 7 and the Government guidance on holiday accommodation, was not considered detrimental to highway safety and was not considered to harm the character of the Area of Outstanding Natural Beauty or the amenities of the area and neighbouring properties and was considered to comply with Taunton Deane Local Plan Policies S1, S2, EC7, EN6 and EN10 and material considerations did not indicate otherwise.

- (3) That the following application be **deferred** for the reasons stated:-

52/2008/019

Erection of sports centre comprising indoor and outdoor facilities with parking, access, footpath/cycle route and associated works

at Civil Service Sports Club Ground, College Way, Taunton

Reasons

To enable further negotiations to take place with the applicants in relation to the matters set out in the report and in respect of the design and location of the proposed sports centre.

93. Temporary change of use of part of Cider Press Garden for restaurant seating between April and end of September each year adjacent to Hunts Court, Corporation Street, Taunton (38/2008/295)

Reported this application.

Resolved that subject to the receipt of no further representations raising new issues by 25 July 2008, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if planning permission were granted, the following conditions be imposed:-

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) Details of the means of surface treatment to the paved seating area shall be submitted to, and approved in writing by, the Local Planning Authority prior to the use commencing and thereafter so implemented as agreed;
- (c) The tables, chairs and umbrellas shall be removed from the site between 1 October and 31 March and overnight when the area is in use from April to September;
- (d) Before any part of the permitted development is commenced, 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. 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 and shrubs as may be approved in writing by the Local Planning Authority;
- (e) The seating area shall not be used between the hours of 10 pm and 9 am the following day;
- (f) There shall be no external music, amplifier, relay or other audio equipment operated within the site;
- (g) Details of any boundary treatment to the site shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason for planning permission, if granted:-

The Committee considered the application would not adversely affect the Conservation Area and would comply with Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design) and EN14 (Conservation Areas) and material considerations did not indicate otherwise.

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

The Committee was of the view that the proposal would not adversely impact on the character and appearance of the Conservation Area.

94. Draft Heritage Protection Bill 2008 and Heritage at Risk Register 2008

Reported that in April 2008, the Government had published its draft Heritage Protection Bill.

Under the proposed new system the existing legal distinction between different kinds of heritage assets would disappear. Instead, there would be one national register which would make it simpler to identify those assets at greatest risk and make it easier for owners to manage their assets.

A key element of the Bill was the proposal that Local Authorities should take the lead in looking after the historic environment at a local level.

Further reported that the annual report and register produced by English Heritage as to the most important heritage assets at risk in England had recently been published.

The regional position showed the total number of Grade I and Grade II* listed buildings and structural monuments at risk on the register was now 162, along with 4 protected wreck sites and one registered battlefield. This reflected the national trend of a small increase in building at risk entries.

In Taunton Deane, there were four Grade I or Grade II* listed buildings on the Heritage at Risk Register. These were Sandhill Park, Bishops Lydeard, the Gatehouse at Cothelstone Manor, the Cloth Finishing Works at Tone Mills, Wellington and Tonedale Mills (West Complex), also in Wellington.

Resolved that the report be noted.

95. Unauthorised erection of signs at Zizzi, Magdalene House, Magdalene Street, Taunton.

Reported that applications for advertisement and listed building consents to retain a number of signs advertising the Zizzi restaurant at Magdalene House, Magdalene Street, Taunton had been withdrawn on 22 May 2008 to allow further negotiations to be undertaken with the Development Control Manager.

Since then, the company had made no further contact with the Council and the unauthorised signs were still in position on the building.

Resolved that:-

- (1) Listed building enforcement action be taken seeking removal of the unauthorised signs advertising the Zizzi Restaurant at Magdalene House, Magdalene Street, Taunton; and

- (2) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the listed building enforcement notice not be complied with.

(The meeting ended at 7.21 p.m.)