

Planning Committee – 24 January 2007

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

Officers:- Mr T Burton (Development Control Manager), Mr J Hamer (Development Control Area Manager – West), Mr G Clifford, Development Control Area Manager – East), Mr A Pick (Development Control Officer – West), 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, Councillor N Cavill (as Ward Councillor for application No 48/2006/046), Councillor Mrs Lewin-Harris (as Ward Councillor for applications 06/2006/021 and 022), Councillor Morrell (as Ward Councillor for application No 05/2006/035T) and Councillor Prior-Sankey (as Ward Councillor for applications 38/2006/400 and 505).

(The meeting commenced at 5.00 pm)

1. **Apologies**

The Chairman (Councillor Mrs Marie Hill) and Councillors Denington and C Hill.

2. **Minutes**

The minutes of the meeting held on 13 December 2006 were taken as read and were signed.

3. **Declaration of Interest**

Councillor Morrell declared a personal interest in Agenda item 8, application No 05/2006/035T.

4. **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:-

21/2006/024

Erection of a dwelling and alteration to access at land to south of White Oaks, Langford Budville.

Conditions

- (a) C005 – outline – reserved matters;
- (b) C009 – outline – time limit;
- (c) C013 – site levels;
- (d) C014A – time limit;
- (e) C101 – materials;
- (f) C201 – landscaping;
- (g) C215 – walls and fences;
- (h) There shall be no obstruction to visibility greater than 900mm above adjoining road level within the area of land shown coloured green on the attached plan. Such visibility shall be fully provided before the dwelling hereby permitted is occupied and shall thereafter be maintained at all times;
- (i) The dwelling hereby permitted shall not be occupied until the access, parking and turning area shown on the approved plan has been properly consolidated and surfaced (not loose stone or gravel), to the satisfaction of the Local Planning Authority and shall not be used other than for the parking of vehicles or for the purpose of access;
- (j) 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 access first being brought into use;
- (k) C402 – single storey dwelling;
- (l) C416 – details of size, position and materials of meter boxes;
- (m) P007 – no fencing in front of dwelling.

Notes to applicant:- (1) N061A – Highways Act – Section 184 Permit; (2) N118 – disabled access; (3) N112 – energy conservation; (4) N114 – meter boxes; (5) N115 – water conservation; (6) N051B – health and safety; (7) Applicant was requested to give consideration to discussion with BT regarding the relocation of the telephone box on the site.)

Reason for granting outline planning permission:-

The proposal was considered not to have a detrimental impact upon visual or residential amenity and was therefore considered acceptable and, accordingly, did not conflict with Taunton Deane Local Plan Policies S1 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:-

04/2006/003

Formation of access and erection of 3 No 1.5 storey timber holiday chalets at Paddocks, Bickenhall.

Conditions

- (a) C001A – time limit;
- (b) C102A – materials;
- (c) C201 – landscaping;
- (d) C412 – restriction of occupation for holiday lets in proposed chalets;
- (e) Any holiday let chalet that is unoccupied and not let to holiday makers for more than a 24 month period shall be demolished and/or removed including the removal of any foundations and/or floor slabs;
- (f) There shall be no additional commercial equestrian activity within the complex and ownership of Paddocks, other than that associated with use by occupiers of the holiday chalets hereby approved or for the personal enjoyment of the occupiers of Paddocks;

(Note to applicant:- (1) Applicant was advised that it will be necessary to agree with Wessex Water a point of connection onto their system for the satisfactory supply of water; (2) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (3) With regard to the septic tank, applicant was advised that percolation tests should be carried out to ascertain the required length of sub-surface irrigation drainage; (4) Applicant was advised that the Environment Agency's Consent to Discharge to an underground strata is required.)

Reason for granting planning permission:-

The proposed development would not adversely affect road safety or the landscape and would not therefore conflict with Taunton Deane Local Plan Policies S1, S2 and EC24.

04/2006/006

Change of use of agricultural land to domestic curtilage and erection of pony stable and associated storage building, Forde Barn, Dairy House Lane, Bickenhall.

Conditions

- (a) C001A – time limit;
- (b) The colour of the profiled sheet roofing shall be agreed in writing by the Local Planning Authority before development commences;
- (c) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order), the proposal hereby

permitted shall be limited to the domestic and private needs of the occupier of Forde Barn and shall not be used for any business/commercial or other purpose whatsoever;

- (d) C201 – landscaping;

Reason for granting planning permission:-

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

05/2006/035T

Application to fell three Cedar Trees the subject of a Tree Preservation Order at 24 Daws Mead, Bishops Hull.

Conditions

- (a) C019 – time limit;
- (b) The following replacement trees shall be in accordance with British Standard BS3936 and be planted within two months of felling (unless otherwise agreed with the Local Planning Authority) in accordance with British Standard BS4428:1989:- one or more trees of an appropriate species (to be agreed with the Local Planning Authority). The trees will be included in the Tree Preservation Order.

(Note to applicant:- Applicant was advised that bats and nesting birds may be present and all operatives on site must be appropriately briefed on their potential presence. If bats are found, 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.)

18/2006/017

Erection of stable block and change of use to equestrian use and joint agricultural use at Kiln Lane, Ash Priors.

Conditions

- (a) C001A – time limit;
- (b) C102 – materials;
- (c) Prior to the commencement of any works, details of any fencing or other form of enclosure or boundary treatment shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details;
- (d) P006 – no fencing;
- (e) C201 – landscaping;
- (f) C917 – services – underground;
- (g) The stables hereby permitted shall be used for private and domestic purposes only and not as a commercial livery or as a

- commercial riding establishment or any other commercial activity;
- (h) If the period of time between Country Contracts' report, dated October 2006, and the commencement of development extends more than one year, then a further survey shall be commissioned to ascertain any changes in the use of the site by protected species;
 - (i) No external lighting shall be installed without the prior written approval of the Local Planning Authority;
 - (j) Details for the storage of any jumps or related equipment shall be submitted to and approved in writing by the Local Planning Authority;
 - (k) Prior to the commencement of any works, details of the proposed siting and materials to be used for the new access shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details.

(Notes to applicant:- (1) Applicant was advised that the lime kiln adjacent to the site is a known bat roost. If works are planned to the lime kiln then a European Protected Species Licence will be a requirement to allow works to be carried out because works could modify or destroy the bat roost. Bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 and the Conservation (Natural Habitats) Regulations 1994; (2) Applicant was advised to contact the Somerset County Council's Rights of Way Department prior to the commencement of any works to Kiln Lane to ascertain whether any consent is required; (3) Applicant was advised that soakaways should be constructed in accordance with Building Research Digest 365 (September 1991).)

Reason for granting planning permission:-

The proposal was considered not to have a detrimental impact upon the rural character or appearance of the area and was therefore considered acceptable and, accordingly, did not conflict with Taunton Deane Local Plan Policies S1, S2, S7, EN3 and EN12 and Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1, STR6 and Policy 5.

19/2006/020

Demolition of garage and erection of new dwelling with attached garage, land adjacent to Ivy Cottage, Hatch Beachamp.

Conditions

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

- (d) C201 – landscaping;
- (e) All new fenestration shall be recessed in accordance with details which shall be agreed in writing by the Local Planning Authority before development commences;
- (f) P001A – no extensions;
- (g) Before development commences, details of all boundary treatment shall be submitted to, and approved in writing by, the Local Planning Authority;
- (h) The first floor bathroom window to the southern elevation and the first floor en-suite and landing windows to the western elevation shall be obscure glazed and thereafter so maintained unless otherwise agreed by the Local Planning Authority;
- (i) The proposed drainage works as detailed in the independent Water Consultant's letter of 17 November 2006 shall be carried out and completed before work commences on the erection of the dwelling hereby approved and thereafter so maintained;
- (j) No additional access shall be constructed to the highway other than that shown on the plan hereby approved.

(Notes to applicant:- (1) Applicant was advised 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 revised its sewer records, thus indicating these as "public" in appropriate cases. Public sewerage apparatus is covered by statutory easement and no new building or similar works will normally be allowed within a minimum of 3m of this apparatus; (2) Applicant was advised to agree with Wessex Water, prior to the commencement of any works on site, any connection onto Wessex Water infrastructure; (3) Applicant was advised of the need to maintain the culvert in its new open condition in compliance with the consultant's details to avoid future flooding problems.)

Reason for granting planning permission:-

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

29/2006/030

Erection of single storey extension to Abbeywood House, Churchinford.

Conditions

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

Reason for granting planning permission:-

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

35/2006/019

Erection of extension to Oak Barn, Appley.

Conditions

- (a) C001A – time limit;
- (b) Before commencement of any work on site, 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 and the approved scheme shall thereafter be implemented;
- (c) C101 – materials;
- (d) C201 – landscaping;
- (e) The garage/car ports hereby permitted shall be constructed only in accordance with the approved plans and shall remain available in perpetuity for the parking of a motor vehicle(s) for domestic purposes only;
- (f) C654A – windows;
- (g) The cart lodge hereby permitted shall be used in accordance with the details shown on the submitted plan as car port/storage/office use in association with Oak Barn only and shall not be converted into residential accommodation or independent office space without the prior written consent of the Local Planning Authority;
- (h) C112 – details of guttering, down pipes and disposal of rainwater.

Reason for granting planning permission:-

It was considered that the extension met the criteria in Taunton Deane Local Plan Policies S1, S2, H7 and H17 without detriment to the amenities of the locality or character of the area.

Also RESOLVED that the Section 106 Agreement relating to the property be amended to allow for the insertion of an additional rooflight.

35/2006/020

Proposed alterations and extension (revised design to application 35/2006/014) at Bella Vista, Church Lane, Stawley, Wellington.

Conditions

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

- (c) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the garage hereby permitted shall not be used other than for the parking of domestic vehicles and not for further ancillary residential accommodation;
- (d) C201 – landscaping.
(Note to applicant:- Applicant was advised to contact the Landscape Officer to discuss the requirements of the landscaping scheme.)

Reason for granting planning permission:-

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

38/2006/400

Change of use of building from community hall (D1) to office (B1) at Dodson Hall, Upper Holway Road, Taunton.

Condition

C001A – time limit.

Reason for granting planning permission:-

The existing community hall was located within the existing settlement limits of Taunton outside any defined local centre. There were no specific planning policy restrictions relating to the use of the hall and, as such, a change of use to business use was considered in accordance with the Taunton Deane Local Plan.

38/2006/505

Erection of new office building at Blackbrook Business Park, Taunton.

Conditions

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) C201 – landscaping;
- (d) The development hereby permitted shall not be commenced (including any site clearance) until there has been submitted to, and approved in writing by, the Local Planning Authority a Wildlife Mitigation and Bio-Diversity Enhancement Plan. The Plan shall detail measures for the avoidance of harm and mitigation in respect of legally protected species (Otters, Great Crested Newts, nesting birds and Slow Worms) and include information on persons responsible for the compliance with

planning conditions relating to nature conservation and regular inspection and monitoring of working practices during construction, and measures for the enhancement of bio-diversity through the provision of habitats and features and their future management. The works shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the Local Planning Authority;

- (e) Details of the external lighting on the building or within the car park including the number, size and position of any lighting columns shall be submitted to, and agreed in writing by, the Local Planning Authority prior to occupation of the building;
- (f) C245 – details of surface water disposal;
- (g) Prior to the commencement of development, details of the proposed finished floor levels of the building and the finished ground levels of the site in relation to existing site levels of surrounding land shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be strictly carried out in accordance with the approved details;
- (h) C238 – tree protection in relation to construction;
- (i) Prior to the commencement of development, details of the construction method of the fire escape and working arrangements at the eastern end of the building shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details;
- (j) Prior to the commencement of development, details of the proposed siting, design, size and materials of the proposed bin store, recycling area and generator shall be submitted to, and approved in writing by, the Local Planning Authority.

(Notes to applicant:- (1) Applicant was advised to agree with Wessex Water, prior to the commencement of any works on site, a point of connection onto Wessex Systems; (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; (3) Applicant was advised that the Local Planning Authority would seek to ensure that the bin storage and recycling facility is enclosed or that suitable landscaping mitigation measures are in place in the interests of the visual appearance of the site when viewed from Blackbrook Way.)

Reason for granting planning permission:-

The proposed building was considered to comply with Taunton Deane Local Plan Policies S1, S2, EC1, EN5, M3, EN9 and EN28 and material considerations did not indicate otherwise.

Also RESOLVED that a letter be submitted to the County Highway Authority explaining the reasons why it was not possible to require the developer to provide a pedestrian and cyclist crossing facility on

Blackbrook Way through the planning process, and to suggest that the recognised need for such a facility be met by the County Council as soon as possible.

46/2006/031

Erection of two-storey extension to offices, Silver Street Barn, Silver Street, West Buckland.

Conditions

- (a) C001A – time limit;
- (b) C102 – materials;
- (c) C203 – landscaping;
- (d) C324 – parking.

(Notes to applicant:- (1) N111 – disabled access; (2) N112 – energy conservation; (3) N115 – water conservation; (4) N051B – health and safety; (5) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991).)

Reason for granting planning permission:-

The proposal was considered not to have a detrimental impact upon visual or residential amenity and was therefore considered acceptable and, accordingly, did not conflict with Taunton Deane Local Plan Policies S1 and S2. In view of the proposal being the expansion of an existing business use at the site, the use of the access was also considered to be acceptable.

49/2006/069

Construction of dormer roofs with windows on the north-west and south-east elevations of 24 Spring Gardens, Wiveliscombe.

Conditions

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

Reason for granting planning permission:-

The proposal would not have a detrimental impact on the visual amenity of the area or the character of the area or street scene and therefore complied with Taunton Deane Local Plan Policies S1, S2 and H17.

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

The Committee felt that the proposal was an appropriate design that would not have a detrimental impact on the visual amenity of the area, the character of the property or the street scene.

51/2006/013

Erection of 5 No industrial units with B1 and B8 use, The Old Basket Works, Lyng Road, Burrowbridge.

Conditions

- (a) C001A – time limit;
- (b) C102A – materials;
- (c) Noise emissions arising from any part of the land or from any premises to which this permission relates shall not exceed background levels at any time by more than five decibels, expressed in terms of an A-Weighted, 15 minute Leq, when measured at any point on the façade of any residential or other noise sensitive boundary;
- (d) Noise emissions having tonal characteristics such as hum, drone or whine shall not exceed background levels at any time, when measured as above.

(Notes to applicant:- (1) Applicant was advised that for the purposes of this permission background levels should be those levels of noise which occur in the absence of noise from the development to which this permission relates, expressed in terms of an A-Weighted, 90th percentile level, measured at an appropriate time of day and for a suitable period of not less than 10 minutes; (2) Applicant was advised to ensure that the capacity of the plant is satisfactory to provide drainage for the maximum likely number of occupants and that any discharges do not exceed the existing Environment Agency's Consent to Discharge limits; (3) Applicant was advised to agree a point of connection onto the Wessex Water System, prior to the commencement of any works on site; (4) Applicant was advised of the fact that the site lies in a flood risk area and an action plan should be drawn up to address risk and evacuation in times of flood.)

Reason for granting planning permission:-

The proposed development would not adversely affect road safety or visual amenity and therefore did not conflict with Taunton Deane Local Plan Policies S1, S2 and EC7.

- (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 reasons as stated:-

20/2006/029

Conversion of barn to dwelling, formation of access track and improvements to access onto Lodes Lane, the barn OS field No 9138, Lodes Lane, Kingston St Mary.

Reasons

- (a) The site lies outside the defined limits of a settlement and within the countryside where the conversion of rural buildings to residential use will not be permitted unless certain criteria are fulfilled. In this case, the proposal does not fulfil some of the criteria as major rebuilding is proposed, no marketing exercise has been undertaken to establish whether a suitable business use would be attracted, the building is not near a public road and it would involve the creation of a residential curtilage which would harm the rural character of the Area of Outstanding Natural Beauty where priority will be given to preserving and enhancing the natural beauty. The proposal is therefore contrary to Taunton Deane Local Plan Policies H7 and EN10;
- (b) The existing trackway is not stoned or surfaced at present and therefore its construction and use as a driveway would have a detrimental effect on the rural character of the Area of Outstanding Natural Beauty. The proposal is therefore contrary to Taunton Deane Local Plan Policies EN10 and EN12;
- (c) The proposed improvements to the access to Lodes Lane are likely to require the removal of hedgerow which would be detrimental to the rural character of the Area of Outstanding Natural Beauty. The proposal is therefore contrary to Taunton Deane Local Plan Policies EN6, EN10 and EN12.

27/2006/023

Erection of 13 holiday chalets and provision for 50 No camping pitches and amenity block at land south of Harris's Farm, Hillcommon.

Reasons

- (a) In the opinion of the Local Planning Authority the proposed holiday chalets by reason of their size, design, materials and permanent construction are not considered to comply with the definition of a holiday chalet as defined under Policy EC24 of the adopted Local Plan. As such, the development would be contrary to Policy EC23 covering permanent accommodation due to its location beyond any settlement limit. As such, the proposal would be contrary to Taunton Deane Local Plan Policies EC24 and EC23;
- (b) The proposed holiday chalets and parking/gardens associated with them are not of a scale, form and design in keeping with its surroundings and would appear an intrusive form of development detrimental to the character and visual amenities of the landscape. Furthermore, the proposed amenity block by reason of its siting, form and design would appear an obtrusive development detrimental to the character and landscape of the area. As such, the proposal would be contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1, STR6 and Policy 5 and Taunton Deane Local Plan Policies S1, S2, S7, EN12, EC23, EC24 and EC25;

- (c) The site has been identified as having a “reasonable likelihood” of the presence of Great Crested Newts in the locality. In the absence of any further ecological/wildlife survey of the application site in response to the request of the Nature Conservation and Reserves Officer, there is no guarantee that the proposal would 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 EN5 and relevant Central Government Guidance.

48/2006/046

Erection of detached dwelling and garage in garden of 21 Heathfield Drive, Monkton Heathfield.

Reasons

- (a) The proposed dwelling would be out of keeping with the established layout and character of this estate of linked dwellings and would detract from the street scene and the visual amenities of the area. Accordingly, the proposal would be contrary to Taunton Deane Local Plan Policies S1, S2 and H2;
- (b) Having regard to the relationship to the proposed dwelling to adjoining residential properties, it is considered that the proposal would adversely affect the residential amenities of the occupiers of these neighbouring properties. Accordingly, the proposal is considered contrary to Taunton Deane Local Plan Policies S1, S2 and H2.

5. **Erection of mixed use development comprising two units of holiday accommodation, craft village (A3 Planning Use Class), 19 open market houses, 22 affordable housing units (comprising 12 houses and 10 flats) and associated highway infrastructure at Station Farm, Station Road, Bishops Lydeard (06/2006/021).**

Reported this application.

RESOLVED that in the event of the Local Planning Authority being in a position to determine the application, the application would have been refused for the following reasons:-

- (a) The site is beyond the recognised limits of a designated settlement in open countryside where it is the policy of the Local Planning Authority to strictly control new development. Somerset and Exmoor National Park Joint Structure Plan Review Policy STR6 and Taunton Deane Local Plan Policy S7 state that such development should be restricted to that which benefits the rural economy, maintains or enhances the environment or is for the purposes of agriculture. In the opinion of the Local Planning Authority, insufficient justification has been put forward

for the proposed development sufficient to warrant an exception being made to these policies;

- (b) In the opinion of the Local Planning Authority, it is considered that the proposed tourist development elements of the proposal are unlikely to be viable in the long term, leading to future pressure for other uses for the buildings which would not be in compliance with Taunton Deane Local Plan Policy EC22. Furthermore, the policy does not make provision for enabling development or retail development as proposed or provide for a site of the size indicated on the planning application;
- (c) The proposed development by reason of its siting and appearance would be detrimental to the setting and character of "Slimbridge", which is a listed building, and the rural character and aspect of the railway station and its general surroundings, contrary to Taunton Deane Local Plan Policies EC22 and EN16.

6. Erection of inn with restaurant (A4 Planning Use Class) and associated highway infrastructure, as part of proposed mixed use development comprising holiday accommodation, craft village and housing at Station Farm, Station Road, Bishops Lydeard (06/2006/022).

Reported this application.

RESOLVED that in the event of the Local Planning Authority being in a position to determine the application, the application would have been refused for the following reason:-

The current application for the proposed development has been submitted in conjunction with a mixed use development the subject of planning application 06/2006/021. In the opinion of the Local Planning Authority, the development of this site should not be considered in isolation but only in conjunction with the potential development of the adjoining land, in order to ensure that potential development proceeds in a comprehensive manner in compliance with Taunton Deane Local Plan Policy EC22.

7. Demolition of existing garage buildings and the erection of 24 flats at the former East Reach Sales, East Reach, Taunton (38/2006/523).

Reported this application.

RESOLVED that subject to the receipt of:-

- (1) No adverse views from the County Highway Authority on the amended plans; and
- (2) No further representations raising new issues by the 6 February 2007, 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) The boundary walls/fences shall be constructed in compliance with the details shown on submitted plan No 744/01H prior to

the occupation of any of the units hereby permitted unless an alternative scheme is first submitted to, and approved in writing by, the Local Planning Authority;

- (b) The windows in flat Nos 7,8 and 11 on the submitted plans shall be glazed with obscure glass which shall thereafter be retained. There shall be no alteration or additional windows in this elevation without the prior written consent of the Local Planning Authority;
- (c) Prior to their erection on site, details of the proposed entrance gates shall be submitted to, and approved in writing by, the Local Planning Authority. Such details shall include an automated electronic operating system. The gates and approved operating system shall be installed in accordance with the approved details prior to the occupation of any of the units hereby permitted and shall thereafter be maintained in working order to the satisfaction of the Local Planning Authority;
- (d) Prior to the commencement of any construction works on site, details for the disposal of surface water so as to prevent its discharge onto the highway shall be submitted to, and approved in writing by, the Local Planning Authority. The hereby agreed surface water disposal shall be fully implemented on site prior to the occupation of any of the units hereby approved;
- (e) Prior to the commencement of any construction works on site, details of the new access, constructed as a vehicular crossing shall be submitted to, and approved in writing by, the Local Planning Authority. The proposed access shall be constructed in accordance with the approved details prior to the commencement of construction work on site and thereafter maintained;
- (f) Any entrance gates erected shall be hung to allow a minimum distance of 5.5m between the back of footway and the nearest part of the gate when open or in the process of being opened and maintained as such thereafter;
- (g) Prior to the occupation of any of the units hereby permitted, the existing central traffic island in East Reach shall be extended and modified in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (h) Prior to the occupation of any of the units hereby permitted, extra vehicle detector loops shall be installed in the carriageway on the westbound approach to the signal controlled junction in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (i) Prior to the occupation of any of the units hereby permitted, a service lay by shall be provided in a position and to a specification in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority;

- (j) The existing access shall be stopped up and its use permanently abandoned within 3 months of the new access hereby permitted being first brought into use.
(Note to applicant:- NO61A - Highways Act – Section 184 Permit.)

Reason for approving detailed plans, if granted:-

The proposed residential and commercial development lay within the central area of Taunton where the principal of such uses was acceptable in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy STR4 and Taunton Deane Local Plan Policy S1, S2, H2, M4 and EC9.

8. **Erection of 14 flats on land adjacent to Wessex Lodge, 11/13 Billet Street, Taunton (38/2006/535).**

Reported this application.

RESOLVED that subject to the applicants entering a Section 106 Agreement or unilateral undertaking relating to the provision of sports and recreation contributions by the 22 February 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) C910B – archaeological programme;
 - (d) C414 – no increase in site level;
 - (e) C416 – details of size, position and materials of meter boxes;
 - (f) C331 – provision of cycle parking;
- (Notes to applicant:- (1) N024 – development in accordance with approved plans; (2) N075 – Section 106 Agreement; (3) N118A – disabled access; (4) N051B – health and safety; (5) 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 to Friday 0800 to 1800 hours, Saturdays 0800 to 1300 hours. At all other times, including public holidays, no noisy working.)

Reason for planning permission, if granted:-

The proposed building respected the setting of the adjacent listed building, was appropriate in the street scene and did not cause demonstrable harm to residential amenity. The site's town centre location made it suitable for a car-free development. The proposal therefore accorded with the requirements of Taunton Deane Local Plan Policies S1, S2, H2, EN16 and M4.

Also RESOLVED that should the Section 106 Agreement or the unilateral undertaking not be completed by the 22 February 2007 the Development Control Manager, in consultation with the Chairman, be authorised to refuse planning permission due to the proposal being contrary to Taunton Deane

Local Plan Policy C4 or to grant planning permission with an additional condition requiring the applicant to enter into a Section 106 Agreement or unilateral undertaking prior to the commencement of development.

9. **Sub-division of Calypso, Rectory Close, Staplegrove into two units of accommodation.**

Reported that a complaint had been received that the dwelling known as Calypso, Rectory Close, Staplegrove, Taunton had been sub-divided into two units of accommodation without the necessary planning permission.

The owner of the property had been contacted and a planning application to regularise the situation had been submitted, but this had been refused under delegated powers.

RESOLVED that:-

- (1) Enforcement action be taken to return the property known as Calypso, Rectory Close, Staplegrove, Taunton to one unit of accommodation; 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.

10. **Extension not built in accordance with approved plans as 31 Shoreditch Road, Taunton**

Noted that this report had been withdrawn from the Agenda as a further application for planning permission was due to be submitted.

(The meeting ended at 10.04 pm)