

Planning Committee – 29 October 2008

Present:- Councillor Mrs Allgrove (Vice-Chairman) (In the Chair)
Councillors Bishop, Bowrah, Mrs Copley, Denington, Mrs Floyd, C Hill,
House, Miss James, McMahon, Watson, Ms Webber, D Wedderkopp
and Miss Wood

Officers:- Mr B Kitching (Area Planning Manager), Mr G Clifford (Area Planning
Manager, South), Mr A Pick (Principal Planning Officer, West), Mrs J
Jackson (Legal Services Manager) and Mrs G Croucher (Democratic
Services Officer)

Also present:- Councillors Beaven, Coles and Thorne

(The meeting commenced at 5.00 pm)

113. Apologies

The Chairman (Councillor Mrs Hill) and Councillor Critchard.

114. Minutes

The Minutes of the meeting held on 24 September 2008 were taken as read
and were signed.

115. Application for Planning Permission

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

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

30/2008/026

Erection of two dwellings and parking following demolition of Oasis, Blagdon Hill

Reasons

- (a) The proposal is considered an overdevelopment of the site resulting in a cramped form of development that would have an overbearing impact on adjoining property contrary to Taunton Deane Local Plan Policies S1(D) and S2(A);
- (b) The developer has not adequately shown that the visibility can be provided and subsequently maintained in perpetuity and so may be detrimental to highway safety contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

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

The Committee felt that the application was an over-development of the site resulting in a cramped form of development that would have an overbearing impact on adjoining property. The Committee also felt that the visibility from the access could be detrimental to highway safety.

116. Variation of Condition 7 relating to planning application 07/2005/012 to allow the accommodation to be used in connection with the use of the existing house as a single family dwelling or rented accommodation at The Old Granary, Hele, Bradford on Tone (07/2008/013)

Reported this application.

Resolved that subject to the applicant entering into a Section 106 Agreement ensuring the retention of the main house, The Old Granary, and the annex building, Poppy Cottage, within the same ownership, the following conditions be imposed:-

- (a) The accommodation hereby permitted shall be used in connection with the use of the existing house as a single family dwelling or rented accommodation and shall not at any time result in the creation of a separate dwelling;
- (b) Within one month of the date of approval, detailed plans showing the space to be laid out for parking and turning within the site shall be submitted to, and approved by, the Local Planning Authority. The said space shall provide space for two cars to be parked to serve the existing dwelling, together with space for one car to be parked to serve the new dwelling [space for vehicles to turn shall also be provided so that they may enter and leave the site in forward gear]. The said space shall be laid out within the site, in accordance with the plan to be approved, within three months of the date of approval unless otherwise agreed in writing by the Local Planning Authority.

(Note to applicant:- Applicant was advised that all other conditions in planning permission 07/2005/012 still apply).

117. Unauthorised erection of fences at various locations on the Blackbrook Estate, Taunton

Reported that it had come to the Council's attention that a number of fences had been erected at various locations on the Blackbrook Estate, Taunton contrary to Condition 14 of planning permission 48/1982/046 which was granted on 19 October 1983.

The fences, which were unauthorised due to Permitted Development rights being removed, had however been in existence for more than 4 years. In the view of the Development Manager it would not now be expedient to take enforcement action.

Resolved that no further action be taken.

118. Change of use of site to operate a private hire minibus business, 154 Bridgwater Road, Bathpool, Taunton

Reported that it had come to the Council's attention that a minibus hire business had been operating from 154 Bridgwater Road, Bathpool without the necessary planning permission. An application for permission had been submitted but this had been refused. To date, the business continued to operate.

During the discussion of this item Members took the view that a minibus hire business was acceptable at this site.

Resolved that:-

1. No further action be taken; and
2. The applicant be requested to submit a further application for planning permission to regularise the current situation.

119. Various unsatisfactory/unfinished works at Woodards (former Convent), South Road, Taunton

Reported that a number of contraventions had been reported at Woodards (former Convent), South Road, Taunton. These comprised:-

- (i) Relaying of cloister tiled floor, unsatisfactorily finished;
- (ii) Unfinished repairs to wall at south end of cloister and redundant wiring still in situ;
- (iii) New tiled floor to communal entrance of phase 5 unsatisfactory;
- (iv) Repair and consolidation of former shrine to SE of site not completed plus inappropriate modern railings erected to enclose it; and
- (v) Non reinstatement of wooden figure to east elevation of phase 4.

Resolved that:-

1. Listed building enforcement action be taken to rectify the contraventions at Woodards (former Convent), South Road, 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.

120. Appeal against conditions imposed on planning approval 06/2008/046 for the use of land to site 3 no mobile homes and provision of septic tank for one gypsy family at Sunny Dene, Cotford St Luke

Reported that planning permission had been granted for the use of land to site 3 no mobile homes and the provision of septic tank for one gypsy family at Sunny Dene, Cotford St Luke. However, it had come to the Council's

attention that a breach of certain conditions had taken place and a Breach of Condition Notice had therefore been served on the applicant in August 2008. The applicant had subsequently lodged an appeal against all the conditions imposed on planning permission 06/2008/046.

Noted that works carried out to comply with some of the conditions had been acceptable but they had not been discharged as the fee payable had not been received.

Further reported that the variation of Condition 3 from a personal permission to a standard gypsy occupation condition would accord more closely with Government guidance and it was therefore recommended that the original wording of the condition should be varied.

Resolved that:-

1. Condition 3 attached to planning permission 06/2008/046 be varied as follows:- "the site shall not be occupied by any persons other than gypsies and travellers, as defined in paragraph 15 of ODPM Circular 01/2006; and
2. Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the current appeal be dismissed in relation to any of the conditions still outstanding which were referred to in the Breach of Condition Notice.

(The meeting ended at 6.43 p.m.)