

## **Planning Committee – 1 July 2009**

Present:- Councillor Mrs Hill (Chairman)  
Councillor Mrs Allgrove (Vice-Chairman)  
Councillors Bishop, Brooks, Mrs Copley, Critchard, Denington,  
Ms Durdan, Mrs Floyd, C Hill, House, Miss James, Stuart-Thorn,  
Watson and Wedderkopp

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

Also Present: Councillor Coles

(The meeting commenced at 5.00 pm)

### **71. Apologies/Substitution**

Apologies: Councillors Bowrah and Mrs Smith  
Substitution: Councillor Stuart-Thorn for Councillor Bowrah.

### **72. Minutes**

The minutes of the meeting held on 10 June 2009 were taken as read and were signed.

### **73. Application for Planning Permission**

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

That **planning permission be granted** for the under-mentioned development:-

**22/09/0008**

**Erection of ground and first floor extensions at Coate Cottage, Lydeard St Lawrence**

#### **Conditions**

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) Only those materials specified in the application and indicated on the submitted drawings shall be used in carrying out the development hereby permitted unless otherwise agreed in writing with the Local Planning Authority.

**Reason for granting planning permission:-**

The proposed development would not harm either visual or residential amenity, nor would it be damaging to the character of the main dwelling. Accordingly, the proposal did not conflict with Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design) and H17 (Extensions to Dwellings).

**74. Erection of nine dwellings following demolition of the Denmark Inn, Denmark Terrace, Cheddon Road, Taunton (38/09/0152)**

Reported this application.

**Resolved** that subject to the applicant entering into a Section 106 Agreement to secure leisure and recreation contributions, the Development Manager in consultation with the Chairman be authorised to determine the application and, if planning permission was granted, the following conditions be imposed:

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority;
- (c) (i) Before any part of the permitted development was 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; (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority; (iii) For a period of five years after the completion of each landscaping scheme the trees and shrubs shall be protected and maintained in a healthy, weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority;
- (d) No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The agreed boundary treatment shall be completed before the dwellings are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority;
- (e) Details of the means of disposal of surface water shall be submitted to, and approved in writing by, the Local Planning Authority prior to new construction work commencing, unless otherwise agreed in writing by the Local Planning Authority. Surface water shall not be discharged to the foul sewer or public highway surface. None of the dwellings shall be occupied until the drainage works have been completed in accordance with the details hereby permitted unless otherwise agreed in writing by the Local Planning Authority;

- (f) There shall be no obstruction to visibility greater than 600mm in height above adjoining road level within the splays to Cheddon Road and such visibility shall be provided before works commence on the erection of the dwellings hereby approved and shall thereafter be maintained at all times;
- (g) No demolition shall be undertaken until the implementation of an appropriate programme of building recording and analysis has been agreed in writing with the Local Planning Authority to be carried out by a specialist acceptable to the Local Planning Authority and such work shall be carried out in accordance with the written brief;
- (h) The existing hanging pub sign shall be preserved and donated to the County Museum Service prior to the demolition of the building;
- (i) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (“the 1995 Order”) (or any Order revoking and re-enacting the 1995 Order with or without modification), no development of the types described in Schedule 2 Part 1 Classes A and B of the 1995 Order other than that expressly authorised by this permission shall be carried out without the further grant of planning permission;
- (j) The windows hereby permitted shall be recessed in the wall to match the existing window recesses in the public house to be demolished, unless otherwise agreed in writing by the Local Planning Authority;
- (k) The area allocated for parking on the submitted plan shall be properly consolidated, surfaced, drained and marked out before the use commences or the buildings are occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (l) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any Order revoking and re-enacting that Order with or without modifications, no vehicular access gates shall be erected at any time unless they are set back a minimum distance of 5m behind the highway boundary and hung so as to open inwards only;
- (m) Before work commences, a layout plan shall be submitted making adequate provision for a temporary car park on site to accommodate operatives and construction vehicles during the contract period and shall indicate the eventual use of the area;
- (n) The access hereby permitted shall not be brought into use until drop kerbs have been installed at the carriageway edge and a vehicle cross-over constructed across the footway fronting the site for the width of the access;
- (o) Before any dwelling is occupied a 1.8m wide footway shall be constructed over the entire frontage of Cheddon Road in accordance with details to be submitted to, and agreed in writing by, the Local Planning Authority;
- (p) No site clearance works or development (or specified operations) shall take place between 1st March and 31st August without the prior written approval of the Local Planning Authority.

(Notes to applicant:- (1) Applicant was advised of the need 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 with Wessex Water; (2) Applicant was advised to be aware of the importance of checking with Wessex Water to ascertain whether there may be

any uncharted sewers or water mains within, or very near to, the site. If any such apparatus exists, applicants should plot the exact position on the design layout to assess the implications. 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 that may affect its apparatus; (3) Applicant was advised that as it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, care should be taken upon the commencement and during the course of building operations to ensure that no part of the development, including the foundations and roof overhang will encroach on, under or over the adjoining property; (4) Applicant was advised to consider the adoption of water conservation measures to reduce wastage of water in any systems or appliances installed and to consider the use of water butts if at all possible; (5) Applicant was advised that the proposal involves the construction of a footway widening which should be dedicated to form part of the public highway and the Highways Authority should be consulted regarding the specification and supervision of these works before they commence on site. Where works are to be undertaken on or adjoining the publicly maintainable highway a licence under Section 171 of the Highways Act 1980 must be obtained from the Highway Authority).

**Reason for planning permission, if granted:-**

The proposal for residential development was located within defined settlement limits where the principle of new housing was considered acceptable. The proposed access would be satisfactory and the development would not have a detrimental impact on the amenity of surrounding residential properties in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policies STR4 and 49 and Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), C4 (Leisure Provision) and M4 (Residential Parking Provision).

**75. Retention of fence and structures at Forde Barn, Dairy House Lane, Bickenhall, Taunton**

Reported that complaints had been received that a fence and structures had been retained at Forde Barn, Dairy House Lane, Bickenhall without the necessary permission being granted.

The Development Manager considered that it would not be expedient to take further action as the fence would be completely concealed once the plants had established and the structures within the agricultural field were ancillary to the use of the land.

**Resolved** that no further action be taken.

**76. Building at Heatherton Park Farm, Bradford on Tone not built in accordance with approved plans**

Reported that it had come to the Council's attention that the show window and door configuration and position of roof lights at Heatherton Park Farmhouse, Bradford on Tone differed from the plans approved in February 2008.

The owner of the property had been contacted and he had informed the Council that changes had been made to the openings due to new Building Regulation legislation.

The Development Manager considered that the changes were minor and did not compromise the overall design.

**Resolved** that no further action be taken.

## **77. Appeals**

Reported that two appeal decisions had recently been received, details of which were submitted. One of the appeals had been allowed and one had been dismissed.

Also reported that two new appeals had been lodged, details of which were submitted.

**Resolved** that the report be noted.

(The meeting ended at 5.53 pm)

## Planning Committee – 22 July 2009

Present:- Councillor Mrs Hill (Chairman)  
Councillor Mrs Allgrove (Vice-Chairman)  
Councillors Bishop, Bowrah, Mrs Copley, Critchard, Denington,  
Mrs Floyd, Horsley, House, Miss James, McMahon, Watson and  
D Wedderkopp

Officers:- Mr J Hamer (Development Control Area Manager West), Mr B Kitching  
(Area Planning Manager), Ms M Casey (Planning and Litigation  
Solicitor) and Mrs G Croucher (Democratic Services Officer)

Also Present: Councillors Coles, Morrell and Stuart-Thorn.

(The meeting commenced at 5.00 pm)

### 78. Apologies/Substitution

Apologies: Councillors Brooks and Mrs Smith  
Substitution: Councillor Horsley for Councillor Brooks

### 79. Declaration of Interest

Councillor Horsley declared a personal interest in application no 38/09/0184. Although he had spoken on this item he felt he had not “fettered his discretion”. He also declared a personal interest in Minute No 81. Councillor Stuart-Thorn declared a personal interest in application no 48/09/0025.

### 80. Applications for Planning Permission

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

That **planning permission be granted** for the under-mentioned developments:-

**05/09/0015**

**Erection of a two storey extension at Three Bridges, Bradford on Tone**

#### Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building unless otherwise agreed in writing with the Local Planning Authority.

**Reason for granting planning permission:-**

The extension was compatible with, and was not detrimental to the character of the building. The extension did not dominate the existing building but was ancillary to it.

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

The Committee felt that the proposed extension was compatible with the character of the existing building and would not dominate it.

**38/09/0184**

**Conversion of house into two self-contained flats at 19 William Street, Taunton**

**Conditions**

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The development hereby approved shall not be brought into use until the cycle facilities and bin storage have been made available within the site in accordance with the details received on 8th July 2009 by the Local Planning Authority. This storage shall thereafter remain available and not be used for any purpose, other than for the storage of bins and cycles in connection with the development hereby permitted.

(Note to applicant:- Applicant was advised that the development was located within a foul and surface water sewer area and there were water mains within the vicinity of the proposal. It would be necessary, if required, for the applicant to agree a point of connection onto the system for water supply and for the satisfactory disposal of foul flows generated).

**Reason for granting planning permission:-**

The proposed flats were considered an appropriate use in this location, which was acceptable as a car free development due to its close proximity to the town centre facilities. Cycle storage would be provided to encourage sustainable transport methods. The proposal would have no adverse impact on the street scene or surrounding area and would not result in harm to the amenities of the occupiers of neighbouring properties. As such, the proposal was in accordance with Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design) and M4 (Residential Parking Provision).

**48/09/0025**

**Erection of single storey and two storey extensions following demolition of single storey extensions to the rear of Nos 2 and 3 The Street, West Monkton**

**Conditions**

- (a) The development hereby permitted shall be begun within three years of the date of this permission;

- (b) Only those materials specified in the application shall be used in carrying out the development hereby permitted unless otherwise agreed in writing with the Local Planning Authority;
- (c) No development shall take place until samples of the slate to be used in the construction of the external surfaces of the development hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority and a sample panel 1m x 1m minimum has been erected on site to show the colour and type of render. The panel shall be agreed in writing and shall be retained on site until the completion of the works. Development shall be carried out in accordance with the approved details;
- (d) There shall be no bell casts formed in the render over window or door heads;
- (e) The windows hereby permitted shall be recessed in the wall to match the existing window recesses.

(Note to applicant:- Applicant was advised that the staircase to No 2 The Street did not comply with current Building Regulations as it was unguarded on the living room side and therefore represented a health and safety issue).

**Reason for granting planning permission:-**

The proposed extensions had been designed to appear subordinate to, and in keeping with, the properties and were not considered to result in detriment to the appearance of the listed buildings or that of the adjoining terrace of six properties or to the surrounding Conservation Area. The extensions were positioned a sufficient distance from neighbouring dwellings to avoid material harm to their amenities. As such, the proposal was in accordance with the relevant sections of PPG15, Policy P9 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policies S1 (General Requirements), S2 (Design) and H17 (Extensions to Dwellings) of the Taunton Deane Local Plan.

**81. Planning application and enforcement issues at Taunton Vale Hockey Club, Gipsy Lane, Taunton**

Reported that since the Taunton Vale Hockey Club had been erected local residents had made a number of complaints regarding the flood lighting provided.

At its meeting on 25 February 2009 the Committee resolved to take enforcement action against the Hockey Club for failure to comply with a Breach of Condition Notice requiring a set of floodlights at the site to be shielded.

An application to vary the condition to allow a scheme that would not provide shielding and would not have a detrimental impact on local residents was considered on 15 April 2009 and deferred for further specialist advice to be sought.

It had now been confirmed that the only acceptable solution was for the lights to be shielded and the Hockey Club had been requested to submit its views.



The Hockey Club had suggested taking light readings in the gardens of nearby residents. However, the residents did not consider that readings taken at this time of year would give a true representation of the problems being experienced.

**Resolved** that the light readings should be taken within four months of the date of the meeting.

**82. Occupation of mobile home as a separate unit of accommodation at Hawthorn House, Bishopswood, Chard**

Reported that it had come to the Council's attention that a mobile home sited within the garden curtilage at Hawthorn House, Bishopswood, Chard was being occupied as a separate unit of accommodation without the necessary consent being granted.

The owner had been contacted and advised to submit an application for planning permission but, to date, no such application had been received.

**Resolved** that:-

1. Enforcement action be taken to remove the unauthorised mobile home sited within the garden curtilage at Hawthorn House, Bishopswood, Chard; 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.

**83. Appeals**

Reported that three appeal decisions had recently been received, details of which were submitted. Two of the appeals had been allowed and one had been dismissed.

Also reported that one new appeal had been lodged, details of which were submitted.

**Resolved** that the report be noted.

(The meeting ended at 6.56 pm)

