

## Planning Committee – 21 November 2007

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

Officers:- Mr T Burton (Development Manager), Mr J Hamer  
(Development Control Area Manager – West),  
Mr G Clifford (Development Control Area Manager – East),  
Mrs J M Jackson (Senior Solicitor) and Mr R Bryant  
(Democratic Support Manager)

Also present:- Councillor Coles, Councillor Hall in relation to application No  
38/2007/334 and Councillor Horsley in relation to application No  
38/2007/386.

(The meeting commenced at 5.00 pm.)

### 130. Apologies/Substitutions

Apologies: Councillors Floyd, Henley and Watson.

Substitutions: Councillor Miss Wood for Councillor Henley.  
Councillor Stuart-Thorn for Councillor Watson.

### 131. Minutes

The minutes of the meeting held on 31 October 2007 were taken as read and were signed.

### 132. Declaration of Interest

Councillor Mrs Smith declared a personal interest in application No  
38/2007/386.

### 133. 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:-

- (1) That **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:-

**38/2007/386**

**Erection of 2 No two storey dwellings, four car spaces and boundary wall, following demolition of double garage at land to the rear of 55 Cheddon Road, Taunton**

**Conditions**

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) Full details of any new boundary walls and/or fences shall be submitted to the Local Planning Authority prior to commencement of any works on site and those means of enclosure shall be erected prior to occupation of the dwellings hereby approved;
- (d) C324 – parking;
- (e) Details of the arrangements 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 the development hereby permitted is commenced. The development shall be carried out in accordance with the approved details;
- (f) P001A – no extensions;
- (g) P011 – no windows on the north-west and east elevations;
- (h) The first floor east and west facing windows shall be glazed in obscure glazing and retained with such glazing for so long as the development remains in existence;
- (i) Details of materials of footpaths to the side, rear and front of the building shall be submitted to the Local Planning Authority prior to the commencement of any works on site and the approved details shall be carried out prior to occupation of the dwellings hereby permitted;
- (j) C013 – site levels;
- (k) The access hereby permitted shall not be brought into use until drop kerbs have been installed at the carriageway edge and a vehicle crossover constructed across the footway fronting the site for the width of the access;
- (l) 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;
- (m) 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 was advised that in the view of the Environment Agency the development should include water efficient appliances, fittings and systems in order to contribute to reduced water demands in the area. These should include, as a minimum, dual flush toilets, water butts, spray taps, low flow showers (no power showers) and white goods (where installed) with the maximum water efficiency

rating. Grey water recycling and rain water harvesting should be considered. The submitted scheme should consist of a detailed list and description of water saving measures to be employed within the development; (2) Applicant was advised that as the alteration of the access will involve construction works within the existing highway limits, these works must be agreed in advance with the Highway Services Manager at Somerset Highways who will be able to advise upon and issue the relevant licences necessary under Section 184 of the Highways Act 1980.)

**Reason for granting planning permission:-**

The proposal was considered to comply with Taunton Deane Local Plan Policies S1, S2, H2 and M4 without detriment to the amenities of the area.

- (2) That the following application be withdrawn:-

**52/2007/037**

**Erection of Sports Centre with parking and access at Civil Service Sports Club Ground, College Way, Taunton**

134. **Conversion of barn to four dwellings with demolition of agricultural buildings and formation of car ports, Middle Chipley Farm, Langford Budville (21/2007/017)**

Reported this application.

RESOLVED that subject to the further views of the Nature Conservation Officer and Natural England, the Development 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) C010A – drainage – not commenced until percolation test approved;
- (c) C106 – second hand materials;
- (d) C112 – details of guttering, downpipes and disposal of rain water;
- (e) C201A – landscaping;
- (f) C205 – hard landscaping;
- (g) C207A – existing trees to be retained;
- (h) C208E – protection of trees to be retained;
- (i) C208B – service trenches beneath trees;
- (j) C210 – no felling or lopping;
- (k) C215 – walls and fences;
- (l) C324 – parking;
- (m) C416 – details of size, position and materials of meter boxes;
- (n) C601 – schedule of works to ensure safety and stability of structure;
- (o) The new doors and windows indicated on the approved plans shall be made of timber only and no other materials unless the written consent of the Local Planning Authority is obtained to any variation thereto and thereafter shall be retained in timber, without the express written

- consent of the Local Planning Authority to the use of a different material;
- (p) P001A – no extensions;
  - (q) P003 – no ancillary buildings;
  - (r) P006 – no fencing;
  - (s) P010 – no further windows;
  - (t) Before the dwellings hereby permitted are first occupied, a properly consolidated and surfaced access shall be constructed for the first 10m (not loose stone or gravel) details of which shall have been submitted to, and approved in writing by, the Local Planning Authority;
  - (u) 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 dwelling first being brought into use;
  - (v) C306 – access – gradient;
  - (w) C927 – contaminated land barns/small sites;
  - (x) Before the dwellings hereby permitted are occupied, the agricultural buildings as shown on the attached plan shall be demolished and all materials resulting from the demolition shall be removed from the site;
  - (y) C1112 – development affecting buildings where Swallows are known to nest;
  - (z) Before any development (including demolition or site clearance) commences, written confirmation shall be obtained from the Local Planning Authority that a derogation from the Habitats Regulations, in the form of a Regulation 44 Licence in respect of European protected species (bats), has been issued by Natural England;
  - (aa) If the period of time between Country Contracts' submitted report dated August 2007 and the commencement of development extends more than one year beyond the date of the report, then a further survey must be commissioned and submitted to, and agreed in writing by, the Local Planning Authority to ascertain any changes in the use of the site by protected species;
  - (bb) Prior to the works of conversion for which consent is hereby granted being commenced, specific details of the means by which the works are envisaged to comply with Part L of the Building Regulations shall be submitted to, and approved in writing by, the Local Planning Authority with such approved details being subsequently implemented and thereafter maintained, unless any variation thereto is first approved in writing by the local Planning Authority.

(Notes to Applicant:- (1) N025 – conversions; (2) With regard to condition (p), applicant was advised that permission has been granted solely to retain a former agricultural building as part of the rural scene. It is therefore unlikely that future extensions would be allowed to this dwelling; (3) N118 – disabled access; (4) N112 – energy conservation; (5) N114 – meter boxes; (6) N051B – health and safety; (7) Applicants attention is drawn to the listed building consent relating to this property numbered 21/2007/018LB; (8) N126 – potential ground contamination; (9) Applicant was advised that the Environment Agency's Consent to Discharge to an underground strata would

be required; (10) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (11) Applicant was advised that bats are known to use the barn as identified in Country Contracts' report dated August 2007. The report advises that a Natural England (European Protected Species) Development Licence will be required before work commences on the barn. The species concerned are European Protected Species within the meaning of the Conservation (Natural Habitats etc) Regulations 1994 (amended 2007). Applicant was further advised that the protection afforded to species under UK and EU Legislation is irrespective of the planning system and it should be ensured that any activity undertaken on the application site complies with the appropriate Wildlife Legislation.)

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

The Local Planning Authority considered that the proposed development complied with Taunton Deane Local Plan Policy S1 and the criteria contained in Policy H7.

**135. Conversion of barn into four dwellings, Middle Chipley, Langford Budville (21/2007/018LB)**

Reported this application.

RESOLVED that subject to the further views of the Nature Conservation Officer and Natural England, the Development Manager be authorised to determine the application in consultation with the Chairman and, if listed building consent was granted, the following conditions be imposed:-

- (a) C002B – time limit – listed building;
- (b) C103 – materials – listed building;
- (c) Notwithstanding the details submitted, a sample slate shall be submitted to, and approved in writing by, the Local Planning Authority prior to the works for which consent is hereby granted are commenced;
- (d) Prior to the works for which consent is hereby granted are commenced, a detailed schedule of structural works and repairs shall be submitted to, and approved in writing by, the Local Planning Authority;
- (e) Prior to re-roofing, details of the means by which re-covered roofs shall be ventilated in accordance with Building Regulations shall be submitted to, and approved in writing by, the Local Planning Authority;
- (f) Prior to commissioning, specific details of windows, doors (including internal), architraves, skirtings, side lights, staircases, galleries, venting of enclosed WC's/en-suites/shower rooms/utilities, rainwater goods, ceiling to first floor and finished treatment for all joinery shall be submitted to, and approved in writing by, the Local Planning Authority;
- (g) Prior to the works of conversion for which consent is hereby granted being commenced, specific details of the means by which the works are envisaged to comply with Part L of the Building Regulations shall be submitted to, and approved in writing by, the Local Planning Authority with such approved details being subsequently implemented

and thereafter maintained, unless any variation thereto is first approved in writing by the local Planning Authority.

(Note to applicant:- Applicants attention is drawn to the planning permission reference numbered 21/2007/017 relating to this site.)

**Reason for listed building consent, if granted:-**

It was considered that the proposal complied with Taunton Deane Local Plan Policies EN16 and EN17 in that the proposal would not have an adverse impact on the character and appearance of the building and its surroundings.

**136. Redevelopment to form 44 “assisted living” apartments for the frail elderly, including staff accommodation, communal facilities, with associated car parking and landscaping at No’s 2, 4 and Kells, Compass Hill, Taunton (38/2007/334)**

Reported this application.

RESOLVED that subject to the applicant entering into a Section 106 Agreement to provide a commuted sum of £350,000 for off-site affordable housing provision and tying the occupancy (excluding the manager and staff) to the elderly (over 60), the Development 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) A sample panel of brick illustrating the mortar jointing shall be constructed on site and approved in writing by the Local Planning Authority prior to construction commencing and the walls shall be so constructed as per the agreed panel;
- (d) C201 – landscaping;
- (e) C207A – existing trees to be retained;
- (f) C208E – protection of trees to be retained;
- (g) C208B – service trenches beneath trees;
- (h) C205 – hard landscaping;
- (i) Details of the arrangements for the disposal of surface water drainage from the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to any work hereby permitted commencing;
- (j) Prior to the commencement of any works hereby permitted, details of the boundary treatment shall be submitted to, and approved in writing by, the Local Planning Authority and the works shall take place in accordance with the approved scheme;
- (k) Prior to the commencement of any works hereby permitted, details of any proposed lighting on the site shall be submitted to, and approved in writing by, the Local Planning Authority and works shall take place in accordance with the approved scheme;
- (l) P010 – no further windows;

- (m) The windows in the south west elevation at first and second storey level, which serve corridors, shall be inserted in obscure glazing and shall thereafter be maintained in obscure glazing;
- (n) The layout to be submitted shall make adequate provision for a temporary car park within the site to accommodate operatives and construction vehicles during the contract period and shall indicate the eventual use of that area;
- (o) 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;
- (p) No building shall be occupied or otherwise used for any purpose until provision has been made within the site for the loading and unloading of goods vehicles for which details shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (q) The accesses hereby permitted shall not be brought into use until vehicle cross overs have been constructed across the verge fronting the site, for the widths of the accesses;
- (r) The gradient of the accessways shall not at any point be steeper than 1:10 for a distance of 10m from its junction with the public highway;
- (s) The southern access shall be used for the purpose of "entry only" and appropriate signs shall be erected before the development hereby permitted is first brought into use and thereafter maintained;
- (t) The northern access shall be used for the purpose of "exit only" and appropriate signs shall be erected before the development hereby approved is first brought into use and thereafter maintained;
- (u) 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 development first being brought into use;
- (v) The existing accesses shall be stopped up and their use permanently abandoned within one month of the new accesses hereby permitted being first brought into use;
- (w) At the proposed access there shall be no obstruction to visibility greater than 600mm above adjoining road level within the area of land shown coloured green on the attached plan. Such visibility shall be fully provided before works commence on the erection of the dwelling hereby approved and shall thereafter be maintained at all times;
- (x) Notwithstanding the details shown on the submitted plans, a realignment of the exit to allow vehicles to wait "square" with the main road shall be provided in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority before development is commenced;
- (y) A pedestrian guard rail shall be included on the central island and shall be erected in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority before development is commenced;
- (z) Prior to commencement of works on site, an emergence survey for bats shall be undertaken by a qualified environmental consultant between the months of May and September inclusive and a report

submitted to, and approved in writing by, the Local Planning Authority. The survey and report shall include an identification of species present, an impact assessment and mitigation/avoidance measures in order to safeguard protected species in accordance with the law;

- (aa) 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:- (1) N061 – Highways Act – Section 184 Permit; (2) Applicant was advised that traffic management during the works will be critical to ensure the free flow of vehicles. In consequence, there should be close contact between the developer and the Area Highways Manager to ensure that significant problems do not arise; (3) Applicant was advised that prior to the commencement of the development contact should be made with Wessex Water; (4) Applicant was advised that the protection afforded to species under UK and EU legislation is irrespective of the planning system and it should be ensured that any activity undertaken on the application site complies with the appropriate wildlife legislation.)

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

The proposal was considered to be an appropriate redevelopment site close to the town centre and the proposal was considered to be in accordance with the Taunton Deane Local Plan Policies S1, S2, M4 and EN8 and material considerations did not indicate otherwise.

**137. Conversion of mill building (former Haymans Coal Yard Warehouse) and extension to form 21 two bed apartments and formation of 32 car parking spaces and bike lockers for 42 bikes, Haymans Mill, Payton Road, Westford, Wellington (43/2007/087)**

Reported this application.

RESOLVED that subject to:-

- (1) The further views of the Environment Agency; and
- (2) The applicant entering into a Section 106 Agreement to secure the provision of 4 No two bed units for low cost outright purchase at 40% below market value and a contribution of £38,440 towards improvements towards local leisure facilities, the Development 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) C102 – 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) C112 – details of guttering, downpipes and disposal of rainwater;
- (e) C201A – landscaping;
- (f) C215 – walls and fences;
- (g) C205 – hard landscaping;
- (h) C324 – parking;
- (i) There shall be no obstruction to visibility greater than 900mm above adjoining road level, forward of a line drawn 2.4m back from Rackfield on the centre line of the access, extending to a point 33m to the north of the access at the nearside carriageway edge, and 2.4m back and parallel to Rackfield to the south of the access for the extent of the site frontage. Such visibility shall be fully provided before the dwellings hereby permitted are first occupied and shall thereafter be maintained at all times;
- (j) Before the dwellings hereby permitted are first occupied, the surface of Rackfield shall be consolidated and surfaced between the site access and the existing highway, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (k) C416 – details of size, position and materials of meter boxes;
- (l) The fenestration details on the north and east elevations, comprising obscure glazing and louvres, shall be implemented strictly in accordance with the approved plans and thereafter be retained. There shall be no alteration or additional windows in this elevation without the prior written consent of the Local Planning Authority;
- (m) P003 – no ancillary buildings;
- (n) P006 – no fencing;
- (o) C1103 – bats – where survey work shows significant numbers and where possibly more survey work and a DEFRA licence will be needed;
- (p) Prior to any of the apartments being occupied, the gravelled area to the north of the existing building shall be hard surfaced and retained as a passing place in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority;
- (q) Prior to the commencement of development, a detailed record shall be taken of the building and its surroundings and a report of the findings submitted to the Local Planning Authority;
- (r) C926B – remediation investigation/certificate.

(Notes to Applicant:- (1) N118 – disabled access; (2) N112 – energy conservation; (3) N115 – water conservation; (4) N114 – meter boxes; (5) N024 – development in accordance with approved plans; (6) N051B – health and safety; (7) N075 – Section 106 Agreement; (8) Applicant was advised to contact the Fire Safety Officer with regard to means of escape, access for appliances and water supplies; (9) Applicant was advised to contact Wessex Water with regard to connection to the foul drainage system and water supply; (10) It is noted that it is proposed to dispose of surface water to the “existing drain on site also culvert”. As

there are no existing public/separate surface water sewers in the vicinity of the site, applicant was advised to investigate alternative methods for the satisfactory disposal of surface water from the site for example, soakaways. These should be constructed in accordance with the current BS standard; (11) N048A – potential ground contamination.)

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

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.

**138. Conversion of buildings and the erection of new buildings to provide 223 dwellings and a number of commercial units together with associated car parking and accessways, Tonedale Business Park, Tonedale Mill, Milverton Road, Wellington (43/2007/092)**

Reported this application.

RESOLVED that subject to:-

- (1) The inclusion of any further conditions recommended by the Environment Agency;
- (2) The applicants entering into a Section 106 Agreement to provide for:-
  - (i) a contribution of £200,000 towards the provision of off-site affordable housing and its timing;
  - (ii) a phasing plan incorporating a programme of restoration of the retained employment buildings to ensure that as far as is practical, refurbished premises are available for existing tenants who have expressed a wish to remain at Tonedale Mill;
  - (iii) The timing of flood alleviation works, the provision of a commuted sum for their future maintenance and the lodging of a bond to secure the funding of the works; and
  - (iv) The provision of free bus passes for travel to Taunton for residents of the development for the first year of occupation; and
- (3) The views of the Secretary of State on application No 43/2007/093LB, the Development 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) C106 – second hand materials;
  - (c) Details of all guttering, downpipes and disposal of rainwater shall be submitted to, and approved in writing by, the Local Planning Authority before such works on any specific building block commences;
  - (d) C203 – landscaping;
  - (e) The approved scheme of hard landscaping showing the layout of areas with stones, paving, walls, cobbles or other materials

shall be completely implemented before each phase of the development hereby permitted is occupied;

- (f) Before any particular phase of the permitted development is commenced, the trees to be retained on that particular part of the site shall be protected by a chestnut paling fence 1.5m high, placed at a minimum radius equivalent to the full spread of the tree canopy from the trunk of the tree and the fencing shall be removed only when the phase of the development has been completed. During the period of construction of the development, the existing soil levels around the boles of the trees so retained shall not be altered;
- (g) C208B – service trenches beneath trees;
- (h) No tree, excepting those identified on the submitted plans hereby approved shall be felled, lopped, topped, lifted or disturbed in any way without the prior written consent of the Local Planning Authority;
- (i) The proposed estate roads, footways, footpaths, cycleways, bus stops/bus laybys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriage 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;
- (j) The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling, before it is occupied, shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway;
- (k) The development hereby approved shall not be brought into use until that part of the service road which provides access to it has been constructed in accordance with the approved plans;
- (l) 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 dwellings first being brought into use;
- (m) Details of the size, position and materials of any meter boxes installed in connection with the development shall be submitted to, and approved in writing by, the Local Planning Authority before such development commences on any specific building block;
- (n) The new doors and windows indicated on the approved plans shall be made of timber only and no other materials, unless the written consent of the Local Planning Authority is obtained to any variation thereto and thereafter shall be retained in timber,

without the express written consent of the Local Planning Authority to the use of a different material;

- (o) C708 – restricted use – no storage except where stated;
- (p) C917 – services – underground;
- (q) P002 – no extensions;
- (r) P003 – no ancillary buildings;
- (s) P006 – no fencing;
- (t) 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 modification), no windows/roof lights/dormer windows (other than those expressly authorised by this planning permission, shall be constructed;
- (u) Prior to the occupation of the mixed use blocks, a noise management plan to cover activities and plant/equipment shall be submitted to, and approved in writing by, the Local Planning Authority;
- (v) C926B – remediation investigation/certificates;
- (w) Prior to the commencement of development, a survey shall be carried out to ascertain the condition of the existing culverts where they pass through the site. Any necessary remedial measures shall be carried out prior to the occupation of any of the buildings, unless otherwise agreed in writing by the Local Planning Authority;
- (x) Noise emissions arising at any individual commercial premises on any part of the land to which this permission relates shall not exceed background levels at any time by more than three decibels, expressed in terms of an A-Weighted, two minute Leq when measured at any residential or other noise sensitive premises. Noise emissions having tonal characteristics such as hum, drone or whine shall not exceed background levels at any time when measured as above. For the purpose of this permission background levels shall be those levels of noise which occur in the absence of noise from the development to which this permission relates (other than that part of the development proposed for residential use), expressed in terms of an A-Weighted ninetieth percentile level, measured at an appropriate time of day and for a suitable period of not less than ten minutes;
- (y) No deliveries shall be made to the commercial premises in the mixed use blocks, or commercial units in blocks adjacent to residential premises after 2000 hours and before 0700 hours the following day unless otherwise agreed in writing with the Local Planning Authority;
- (z) Noise emissions from the site during the construction phase shall be limited to the following hours if nuisance is likely at neighbouring premises:- Monday to Friday 0800 – 1800 hours; Saturdays 0800 – 1300 hours; at all other times, including public holidays, no noisy working;

- (aa) No development approved by this permission shall be commenced until a scheme for the provision and implementation of foul drainage works has been approved by, and implemented to the reasonable satisfaction of, the Local Planning Authority;
- (bb) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. 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 inter connected tanks, plus 10%. 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 water course, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund;
- (cc) Prior to being discharged into any water course, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor;
- (dd) The development hereby permitted shall not be commenced until details of a strategy to protect species protected by law and their habitat has been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall be based on the results of the submitted ADAS survey information detailed in reports on bats, September 2007; badgers, December 2006; otters, June 2007 and reptiles, December 2006 and shall include:-
  - (i) Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
  - (ii) Details of the timing of works to avoid periods of work when the species could be harmed by disturbance;
  - (iii) Measures for the retention and replacement and enhancement of habitat for the species;
  - (iv) Measures for the long term commitment to the security and maintenance of the agreed habitats. The plan shall include the specification of management of all habitats on site and the means of securing that management;
  - (v) Persons responsible for compliance with legal consents relating to bats and otters, including applying for European Protected Species Licences in respect of bats; compliance with planning conditions relating to wildlife conservation; implementation and regular inspection of physical protection measures and monitoring of working practices during construction; provision of training and information to all construction personnel on site about the

conservation's significance of the protected species present and the importance of protected measures and practices being employed. 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;

- (ee) Details of any sub-stations, control kiosks for pumping stations and satellite distribution boxes and their locations shall be submitted to, and approved in writing by, the Local Planning Authority prior to their installation;
- (ff) Specific details of the approved bridges shall be submitted to, and approved in writing by, the Local Planning Authority prior to their commencement and thereafter implemented and so maintained unless otherwise agreed in writing by the Local Planning Authority;
- (gg) The hours of opening of the proposed A1 retail unit shall be submitted to, and agreed in writing by, the Local Planning Authority prior to the occupation of such unit. The hours agreed shall be adhered to unless a written variation has been agreed in writing by the Local Planning Authority;
- (hh) Prior to the occupation of Block F, a public access statement setting out public visibility and accessibility shall be submitted to, and agreed in writing by, the Local Planning Authority and thereafter adhered to;
- (ii) Minimum finished floor levels for each building shall be as listed below:-  
Block A – 50.39 (metres AOD), Block B – 50.45 (metres AOD),  
Block C – 50.45 (metres AOD), Block D – 51.32 (metres AOD),  
Block E – 50.51 (metres AOD), Block F – 50.45 (metres AOD),  
Block G – 50.51 (metres AOD) and Block H – 50.89 (metres AOD);
- (jj) C911 – aerials – combined system.

(Notes to applicant:- (1) N118 – disabled access; (2) N112 – energy conservation; (3) N115 – water conservation; (4) N114 – meter boxes; (5) N051B – health and safety; (6) Applicants attention is drawn to the listed building consent relating to this property numbered 43/2007/093LB; (7) N075 – Section 106 Agreement; (8) N048A – potential ground contamination; (9) Applicant was advised that:- (i) Means of escape in case of fire should comply with Approved Document B1 of the Building Regulations 2000. Detailed recommendations concerning other fire safety matters will be made at the Building Regulations stage; (ii) Access for fire appliances should comply with Approved Document B5 of the Building Regulations 2000 and (iii) all new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards; (10) Applicant was advised that it will be necessary to agree with Wessex Water points of connection for the satisfactory disposal of foul flows, surface water and water supply.)

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

The proposal would enable the restoration and redevelopment of the site, which would protect and conserve its heritage. The proposals respected the site's historical and architectural importance and provided a realistic basis for regeneration of the complex. The proposals were considered to be in compliance with Taunton Deane Local Plan Policy W2.

**139. Conversion of buildings and the erection of new buildings to provide 223 dwellings and a number of commercial units, Tonedale Business Park, Tonedale Mill, Milverton Road, Wellington (43/2007/093LB)**

Reported this application.

RESOLVED that subject to the views of the Secretary of State, the Development Manager be authorised to determine the application in consultation with the Chairman and, if listed building consent was granted, the following conditions be imposed:-

- (a) C002B – time limit – listed buildings;
- (b) The surfaces of the works for which consent is hereby granted shall be of materials as shown on the submitted plan and no other materials shall be used without the written consent of the Local Planning Authority;
- (c) None of the buildings for which demolition is hereby granted shall be demolished before planning permission has been granted and a contract let for the redevelopment;
- (d) Prior to any works of conversion and any associated demolition for which consent is hereby granted are commenced on any building block, a detailed photographic record, detailed measured survey and contextual plan of those elements to be demolished, removed, altered or compromised shall be submitted to, and approved in writing by, the Local Planning Authority;
- (e) C107 – second hand materials – listed buildings;
- (f) Prior to the works of conversion for which consent is hereby granted are commenced on any building block, detailed schedules of structural work and repairs with associated detailed plans, materials schedules and methods of workmanship shall be submitted to, and approved in writing by, the Local Planning Authority with such approved details being strictly adhered to unless any variation thereto is first approved in writing by the Local Planning Authority;
- (g) All repairs shall be progressed on the basis of minimal intervention with all repair works affected in appropriate traditional materials and with workmanship commensurate with the building's age/character unless any variation thereto is first approved in writing by the Local Planning Authority;
- (h) Prior to any works of conversion for which consent is hereby granted are commenced on any building block, specific details of the following (where appropriate) shall be submitted to, and approved in writing by, the Local Planning Authority:- new doors (internal and external),

architraves, skirtings, new and retained windows, finished treatment for joinery, staircases, lifts, floor finishes, ceiling finishes and their positions, venting of recovered roofs, venting of enclosed bathrooms/en suites/wcs, vent terminals, rooflights, air conditioning, garage doors, flues, fire separation, means of escape, sound insulation, hoppers, guttering and downpipes, patent glazing, cedar cladding, zinc cladding, perforated metal guarding, glazed screens, damp proofing, dry lining, insulation, tanking, external plumbing, external lighting, locations and design of service boxes, details of maintaining access to wheel pits, location/retention/relocation of artefacts, location of communal satellite dishes/TV receivers with such approved details being subsequently implemented and thereafter maintained unless any variation thereto is first approved in writing by the Local Planning Authority;

(Note to Applicant:- Applicant's attention is drawn to the planning permission numbered 43/2007/092 relating to this site/these premises).

**Reason for listed building consent, if granted:-**

The proposal would enable the restoration and redevelopment of the site which would protect and conserve its heritage. The proposals respected the site's historical and architectural importance and provided a realistic basis for regeneration of the complex. The proposals were considered to be in compliance with Taunton Deane Local Plan Policies EN16, EN17, EN18 and W2.

**140. Retention of extension to lounge at Hunter's View, Knapp, North Curry**

Reported that a conservatory had been constructed at Hunter's View, Knapp, North Curry in 2002 without the benefit of planning permission.

In 2005, alterations were carried out to this structure which involved the replacement of the glazed roof with tiles and the slight increase in floor area to accommodate the support for the tiled roof.

Further reported that this alteration would have also required the submission of a planning application. However, in the view of the Development Manager, the alteration to the structure was acceptable and any application for permission would be likely to receive a favourable recommendation.

RESOLVED that no further action be taken over the minor alteration carried out at Hunter's View, Knapp, North Curry.

**141. Erection of a smoking shelter at The Eagle Tavern, South Street, Taunton**

Reported that it had come to the Council's attention that a smoking shelter had been erected to the front of The Eagle Tavern, South Street, Taunton together with a fence erected adjacent to the highway which was over one metre in height.



The landlord of the public house had been notified that planning permission to retain both the shelter and the fence was required but, to date, no application to regularise the situation had been forthcoming.

RESOLVED that:-

- (1) Enforcement action be taken requiring the removal of the smoking shelter and the fence which had been erected at The Eagle Tavern, South Street, Taunton; 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.

142. **Formation of an additional access driveway to Candletrees, Maundown, Wiveliscombe**

Reported that it had come to the Council's attention that an additional access driveway to the property known as Candletrees, Maundown, Wiveliscombe had been formed over agricultural land.

The owner had been advised that planning permission to retain the driveway was required but, to date, no application to regularise the situation had been submitted.

RESOLVED that:-

- (1) Enforcement action be taken to secure the removal of the unauthorised additional access driveway serving Candletrees, Maundown, 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.

(The meeting ended at 7.54 pm)

## **Planning Committee – 22 November 2007**

Present:- Councillor Mrs Hill (Chairman)  
Councillor Mrs Allgrove (Vice-Chairman)  
Councillors Bishop, Bowrah, Mrs Court-Stenning, Critchard, Denington, C Hill, House, Miss James, Mrs Smith, Stuart-Thorn, Ms Webber, A Wedderkopp, D Wedderkopp, Miss Wood and Woolley.

Officers:- Mr T Burton (Development Manager), Mrs J Moore (Development Control Principal Officer – East), Ms J Wislade (Strategic Director), Mr I Clark (Heritage and Landscape Officer), Mrs J M Jackson (Senior Solicitor), Ms M Casey (Planning and Litigation Solicitor) and Mr R Bryant (Democratic Support Manager).

Also present:- Councillors Cavill, Coles, Leighton (as both Ward Councillor and Chairman of the West Monkton Community Engagement Panel) and Mrs Waymouth.

(The meeting commenced at 5.00 pm).

### **143. Apologies/Substitutions**

Apologies:- Councillors Henley, McMahon and Watson.

Substitutions:- Councillor Miss Wood for Councillor Henley.  
Councillor Mrs Court-Stenning for Councillor McMahon.  
Councillor Stuart-Thorn for Councillor Watson.

### **144. Declarations of Interest**

Councillor Ms Webber declared a personal interest in application No 48/2005/072 as one of her family owned a property adjacent to the development site.

Councillor Cavill declared a prejudicial interest in application No 48/2005/072 as one of the local landowners. Under the Revised Code of Conduct for Members, issued in May 2007 by the Standards Board for England, Councillor Cavill remained in the room during the presentation of the application and was also afforded the opportunity to address the Committee. Councillor Cavill left the meeting before the application was debated.

### **145. Proposed Mixed Use Urban Extension Development comprising residential, employment, local centre, new primary school, A38 relief road, green spaces and playing fields at Monkton Heathfield (48/2005/072)**

Reported this application.

RESOLVED that the Development Manager be authorised to represent the Council at any appeal arising from the non-determination of this application and to object to the proposal on the following grounds:-

- (1) Landscape impact;
- (2) Reduction in extent and effectiveness of Green Wedge;
- (3) Failure to deliver comprehensive and coordinated development in accordance with the adopted Development Plan for the reasons set out in Sections B, J and M of the Development Manager's report;
- (4) Failure to secure community educational and leisure and recreation provision and facilities in accordance with the adopted Development Plan as set out in Sections G, H and L of the Development Manager's report;
- (5) Failure to deliver affordable housing in accordance with the adopted Development Plan as set out in Section I of the Development Manager's report;
- (6) Failure to deliver provision of a local centre in accordance with the adopted Development Plan as set out in Section N of the Development Manager's report;
- (7) Failure to deliver provision of adequate surface water drainage arrangements for the developed site in accordance with the adopted Development Plan as set out in Section K of the Development Manager's report;
- (8) Failure to deliver the necessary highway network and other transport improvements and provision in accordance with the adopted Development Plan as set out in Sections A, B and J of the Development Manager's report;
- (9) Insufficient information had been submitted to enable a full and proper assessment of the impact of the improvements to Milton Hill and the new Western Relief Road on the environment as required by the Environmental Impact legislation (DETR Circular 02/99).

Also RESOLVED that the Council's Senior Solicitor be authorised to continue Section 106 Agreement discussions and ultimately to agree common ground with the appellants wherever possible in the period leading up to any future Public Inquiry.

**146. Formation of road at land north of Langaller Lane, Monkton Heathfield (48/2007/006)**

Reported this application.

RESOLVED that the Development Manager be authorised to represent the Council at any appeal arising from the non-determination of this application and to object to the proposal in accordance with the Council's position relating to application No 48/2005/072 above.

(The meeting ended at 7.13 pm.)