

## Planning Committee - 31 March 2004

- Present: Councillor Mrs Allgrove (Chairman)  
Councillor Mrs Hill (Vice-Chairman)  
Councillors Beaven, Bowrah, Croad, Denington, Floyd, Guerrier, Henley, House, Miss Peppard, Mrs Smith, Stuart-Thorn, Vail and Wedderkopp.
- Officers: Mr N T Noall (Chief Planning Officer), Mr T Burton (Area Planning Officer (East)), Mr J Hamer (Area Planning Officer (West)), Mrs J Moore (Principal Planning Officer (East)), Mrs J M Jackson (Senior Solicitor) and Mr R Bryant (Review Support Manager).

(The meeting commenced at 5.00 pm).

### 30. Apologies

The Mayor (Councillor Govier) and Councillors Miss Cavill and Morrell.

### 31. Minutes

The minutes of the meeting held on 3 March 2004 were taken as read and were signed.

### 32. Applications for Planning Permission

The Committee received the report of the Chief Planning Officer on applications for planning permission and it was RESOLVED that they be dealt with as follows:-

- (1) That **planning permission be granted** for the undermentioned 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:-

#### **11/2004/003LB**

Erection of two storey and single storey extension, replacement timber store/garage, partial removal of wall to provide hardstanding and turning area, Trebles Holford, Seven Ash, Combe Florey.

#### Conditions

- (a) C002 - time limit - listed building;
- (b) C103A - materials - listed building;
- (c) Prior to commissioning, specific details of all new windows, doors (internal and external) and staircase shall be submitted to, and approved in writing by, the Local Planning Authority;
- (d) C664 - windows - recessed;
- (e) There shall be no bell casts to the rendered areas, to the windows or doorheads;

- (f) Details of the means of venting the roofs shall be submitted to, and approved in writing by, the Local Planning Authority;
- (g) Details of the finished treatment to the joinery shall be submitted to, and approved in writing by, the Local Planning Authority;  
(Notes to applicant:- (1) N024 - development in accordance with approved plans; (2) N065A - listed building).

Reason for granting planning permission:-

The proposal was considered not to harm the character or appearance of the listed building and was sympathetic in design and materials to the original building, in accordance with Taunton Deane Local Plan Revised Deposit Policy EN18.

**11/2004/004**

Erection of two storey and single storey extension, replacement timber store/garage, partial removal of wall to provide hardstanding and turning area, erection of stable, Trebles Holford, Seven Ash, Combe Florey.

Conditions

- (a) C001 - time limit;
- (b) C102A - materials;
- (c) C201 - landscaping.  
(Notes to applicant:- (1) N024 - development in accordance with approved plans; (2) N040A - drainage/water; (3) N066 - listed building; (4) Applicant was advised that:- (a) The site should be drained on a separate system with all clean and surface water being kept separate from foul drainage; (b) All foul drainage, including foul surface water run-off, should be disposed of in such a way as to prevent any discharge to any well, spring or watercourse including dry ditches with a connection to a watercourse; (c) Manure/dung heaps should be sited in an area where it/they will not cause pollution of any watercourse or water source by the release of contaminated run-off; (d) The subsequent storage and disposal of collected wastes should be undertaken in accordance with the MAFF Code of Good Practice for the Protection of Water and the Protection of Air).

Reason for granting planning permission:-

The proposal was considered not to harm the character or appearance of the listed building or harm the residential and visual amenity of the area, in accordance with Taunton Deane Local Plan Revised Deposit Policies H19 and EN18.

**19/2004/002**

Erection of retirement/close care unit on land to the south west of Beauchamp Bungalow, Hatch Beauchamp.

Conditions

- (a) C001 - time limit;

- (b) C102A - materials;
- (c) C203B - landscaping;
- (d) The proposed access and parking spaces shall be constructed in accordance with details shown on the submitted plan, Drawing No 4, and shall be available for use before commencement of the development hereby approved;
- (e) The proposed access over the first 4.5 m of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (f) Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 4.5 m from the carriageway edge;
- (g) The gradient of the proposed access shall not be steeper than one in ten;
- (h) 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;
- (i) The dwellings hereby permitted shall only be used as retirement/close care homes in conjunction with and ancillary to, the nursing home facilities at Beauchamp House, unless otherwise agreed in writing by the Local Planning Authority;
- (j) C213 - existing hedges to be retained;
- (k) Prior to the commencement of any works on site, plans showing the reduction in height of the wall of the building on the southern corner of the access shall be submitted to, and approved in writing by, the Local Planning Authority. Such a reduction in the height of the boundary shall be completed prior to the access being brought into use and shall thereafter be maintained;
- (l) The turning area between the parking spaces and the highway shall be constructed prior to the use of the property as a dwelling and shall thereafter remain unobstructed;
- (m) C902 - alternate permissions on same site;  
 (Notes to applicant:- (1) With regard to the powers of the County Highway Authority under the Highways Act 1980, applicant was advised that a Section 184 Permit must be obtained from the Highway Services Manager, Taunton Deane Area. Application for such a permit should be made at least three weeks before access works are intended to commence; (2) N111 - disabled access; (3) N112 - energy conservation; (4) N114 - meter boxes; (5) N116 - disabled access; (6) N117 - crime prevention).

Reason for granting planning permission:-

The proposal was located within the settlement limits of a recognised village with acceptable impact on the surrounding area, neighbouring occupants and highway access and was considered to be in accordance with the Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Revised Deposit Policies S1 and H1.

**21/2004/005**

Erection of extensions and alterations to increase height and size of skittle alley to form 8 No holiday units in conjunction with public house, The Martlett Inn, Langford Budville.

Conditions

- (a) C001 - time limit;
- (b) C101 - materials;
- (c) C201 - landscaping;
- (d) C412 - restriction of occupation for holiday lets in permanent buildings;
- (e) P011 - no windows on the north east elevation;  
(Notes to applicant:- (1) N024 - development in accordance with approved plans; (2) N040A - drainage/water; (3) N111 - disabled access; (4) N112 - energy conservation; (5) N115 - water conservation; (6) Applicant was advised that planning permission will be required for any further extensions).

Reason for granting planning permission:-

The proposal would not harm the visual or residential amenities of the area. It would improve tourist facilities in the area in accordance with Taunton Deane Local Plan Revised Deposit Policies S1, S2 and EC18 and West Deane Local Plan Policy WD/RT/15.

**23/2004/007**

Change of use from conference room to dwelling, retention of bathroom extension and removal of spiral staircase, Barn 1, Court Farm, Milverton.

Conditions

- (a) C001 - time limit;
- (b) P001A - no extensions;
- (c) P003 - no ancillary buildings;
- (d) P006 - no fencing;
- (e) P010 - no further windows  
(Note to applicant:- N066 - listed building).

Reason for granting planning permission:-

The proposal was considered to comply with Policy EN18 of the Taunton Deane Local Plan Revised Deposit for the change of use, alteration and extension of the listed building.

**23/2004/008LB**

Retention of bathroom extension and removal of spiral staircase, Barn 1, Court Farm, Milverton.

### Conditions

- (a) C002 - time limit - listed building;
- (b) The spiral staircase shall be removed within six months of the date of this permission;  
(Note to applicant:- N067 - listed building).

### Reason for granting listed building consent:-

The proposal was considered to comply with Policy EN18 of the Taunton Deane Local Plan Revised Deposit for the change of use, alteration and extension of the listed building.

(The Chairman, Councillor Mrs Allgrove, declared a personal interest in the following application).

### **46/2004/002**

Use of part of dwelling for nursery for up to 18 children under five years old, and retention of car park and formation of play area, Ham Farm, Ham.

### Conditions

- (a) C001 - time limit;
- (b) Full details of the finished surface of the car park shall be submitted to, and approved in writing by, the Local Planning Authority within three months of the date of this permission and implemented within 12 months of the date of this permission;
- (c) C201 - landscaping;
- (d) P003 - no ancillary buildings;
- (e) The car parking area hereby permitted shall be available for use with the gate open to allow for vehicular access during the nursery drop off/pick up times;
- (f) The nursery shall operate only between 0800 - 1800 hours Monday to Friday, excluding Bank Holidays, and at no other times without the prior written consent of the Local Planning Authority;
- (g) There shall be no more than two specified play times where children will be outside in the garden area, that is two hours in the morning and two hours in the afternoon;
- (h) Any play equipment shall be sited in a position away from the listed building in position(s) to be agreed in writing by the Local Planning Authority;
- (i) The number of children to be taught/cared for on the premises shall not exceed 18 at any one time.

(Notes to applicant:- (1) Applicant was requested to ask that parents/carers use the car park when dropping off/picking up children; (2) Applicant was advised that the site is close to areas liable to flood. You may therefore wish to take appropriate measures).

Reason for granting planning permission:-

The provision of this working farmhouse facility would provide rural employment and farm diversification in line with Policies SC2, EC4 and EC5 of the Taunton Deane Local Plan Revised Deposit. It would provide a needed childcare facility and an acceptable use for the listed building (Policy EN17). These benefits were considered to outweigh the concerns of the County Highways Authority in respect of the Structure Plan Policies.

- (2) That planning permission be refused for the undermentioned 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:-

**38/2004/061**

Demolition of existing dwelling and commercial garage buildings and the erection of a block of 15 flats at Eastwick Farm Cottage, Eastwick Road, Taunton.

Reason

The proposed development would constitute an over-development of the site out of keeping with the character of the area and would be contrary to Taunton Deane Local Plan Revised Deposit Policies S2(A), (F) and H1(G). Furthermore, the proposal has insufficient parking and turning provision to adequately serve the development and is considered contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Revised Deposit Policy M3a.

**45/2004/001**

Erection of attached garage, internal and external alterations to house at Easter Cottage, West Bagborough.

Reason

It is considered that the proposed design is not consistent with the existing architecture in the West Bagborough Conservation Area and this, combined with the siting of a garage to the front of the property, would not preserve or enhance the Conservation Area. The site is in a prominent position with regard to the main street of the village and the proposal would be detrimental to the character and appearance of the West Bagborough Conservation Area. The proposal is therefore contrary to Taunton Deane Local Plan Revised Deposit Policies S1(D), S2(A) and EN15 and the Supplementary Design Guidance - West Bagborough Village Design Statement.

**52/2004/001**

Erection of 12 dwellings on site of New Barn (to be demolished) and formation of access thereto, 41 Comeytrowe Lane, Taunton.

Reasons

- (a) The layout of the proposed development and the proximity of a number of units close to the site boundaries will result in an overbearing nature and loss of privacy to adjoining residential

properties contrary to the provisions of Taunton Deane Local Plan Revised Deposit Policies H1 and S2;

- (b) The proposed visibility splays are considered to be inadequate to secure the visibility necessary for the safety and convenience of traffic associated with the proposed development, contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49;
- (c) The Local Planning and Highway Authorities have adopted the Somerset County Council Publication "Estate Roads in Somerset" which sets out standards for the layout of new estates. The proposed access roads do not conform to these agreed standards and are not, therefore, adequate to serve the development proposed and are contrary to the interests of highway safety and to the requirements of the Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

- (3) That the following applications be **withdrawn**:-

**38/2004/024CA**

Demolition of former Four Alls Public House, Corporation Street, Taunton.

**38/2004/025**

Demolition of existing building and erection of five storey building comprising 2 office suites and 21 flats at Four Alls Public House, Corporation Street, Taunton.

33. Erection of storage and livestock building (A) at Meare Green Farm, Frog Lane, Stoke St Gregory (36/2004/003)

Reported this application.

RESOLVED that subject to the receipt of no adverse views from the County Highway Authority, English Nature or the Environment Agency, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if planning permission were granted, the following conditions be imposed:-

- (a) C001 - time limit;
- (b) C102A - materials;
- (c) Prior to commencement of works on site, details of a lorry turning area shall be submitted to, and approved in writing by, the Local Planning Authority. The lorry turning area shall be provided in accordance with the approved details and shall thereafter be maintained and kept free from obstruction at all times;
- (d) All farm traffic moving between the new building and the slurry pit shall use internal, farm tracks only and shall not at any time use the adjacent public highway;  
(Note to applicant:- Applicant was advised that:- (i) The site must be drained by a separate system of foul and surface water drainage, with all clean roof and surface water being kept separate from foul water; (ii) Under the terms of the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991, the prior authorisation of the Environment Agency is

required for the construction of storage installations as defined in the Regulations; (iii) Slurry must be stored within a sealed system, which should be isolated from the main drainage system, in accordance with the MAFF "Code of Good Agricultural Practice for the Protection of Water"; (iv) The disposal of silage and/or slurry must be undertaken in accordance with the MAFF "Code of Good Agricultural Practice for the Protection of Water". No farm effluent or contaminated surface water, including wash down water, shall be discharged into any watercourses or water sources; (v) Manure/dung heaps must be sited in an area where it/they will not cause pollution of any watercourse or water source by the release of contaminated run-off; (vi) The subsequent disposal of collected wastes must be undertaken in accordance with the MAFF "Code of Good Agricultural Practice for the Protection of Water").

Reason for planning permission, if granted:-

The proposed agricultural building was considered to be in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy STR6 and Taunton Deane Local Plan Revised Deposit Policies S1 and S8.

34. Erection of storage and livestock building (B) at Meare Green Farm, Frog Lane, Stoke St Gregory (36/2004/004)

Reported this application.

RESOLVED that subject to the receipt of no adverse views from the County Highway Authority, English Nature and the Environment Agency, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if planning permission were granted, the following conditions be imposed:-

- (a) C001 - time limit;
- (b) C102A - materials;
- (c) Prior to commencement of works on site, details of a lorry turning area shall be submitted to, and approved in writing by, the Local Planning Authority. The lorry turning area shall be provided in accordance with the approved details and shall thereafter be maintained and kept free from obstruction at all times;
- (d) All farm traffic moving between the new building and the slurry pit shall use internal, farm tracks only and shall not at any time use the adjacent public highway;  
(Note to applicant:- Applicant was advised that:- (i) The site must be drained by a separate system of foul and surface water drainage, with all clean roof and surface water being kept separate from foul water; (ii) Under the terms of the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991, the prior authorisation of the Environment Agency is required for the construction of storage installations as defined in the Regulations; (iii) Slurry must be stored within a sealed system, which should be isolated from the main drainage system, in accordance with the MAFF "Code of Good Agricultural Practice for the Protection of Water"; (iv) The disposal of silage and/or slurry must be undertaken in accordance with the MAFF "Code of Good Agricultural Practice for the Protection of Water". No



farm effluent or contaminated surface water, including wash down water, shall be discharged into any watercourses or water sources; (v) Manure/dung heaps must be sited in an area where it/they will not cause pollution of any watercourse or water source by the release of contaminated run-off; (vi) The subsequent disposal of collected wastes must be undertaken in accordance with the MAFF "Code of Good Agricultural Practice for the Protection of Water").

Reason for planning permission, if granted:-

The proposed agricultural building was considered to be in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy STR6 and Taunton Deane Local Plan Revised Deposit Policies S1 and S8.

35. Business requiring to be dealt with as a matter of urgency

The Chairman reported that she had certified that the item covered by Minute No 36 below should be dealt with as an urgent matter.

(The Chairman, Councillor Mrs Allgrove, declared a personal interest in the item covered by Minute No 36 below).

36. Foxmoor Nurseries, Haywards Lane, Wellington

Reference Minute No 19/2004, the Senior Solicitor (Mrs Jackson) reported that even though the agreed mediation in respect of the Section 106 Agreement at Foxmoor Nurseries would be taking place towards the end of April 2004, it had come to light in the past few days that a further business unit had been created within the glasshouse to accommodate a tile company.

RESOLVED that the owners of Foxmoor Nurseries be notified that:-

- (1) their full co-operation would be expected to enable the Council's Enforcement Officer to carry out a full survey of current uses; and
- (2) in considering any appropriate action following the proposed mediation, the Committee would take into account the fact that users had entered into occupation of the site following the decision to mediate and might, in those circumstances, authorise immediate court proceedings in preference to planning enforcement action.

(Councillors Floyd and Henley left the meeting at 7.54 pm).

(The meeting ended at 7.57 pm).