

Planning Committee - 19 May 2004

Present: Councillors Beaven, Bowrah, Miss Cavill, Denington, Floyd, Guerrier, Henley, Mrs Hill, Hindley, House, Miss Peppard, Phillips, Mrs Smith, Stuart-Thorn, Vail and Wedderkopp.

Officers: Mr N T Noall (Head of Development), 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).

45. Appointment of Chairman

RESOLVED that Councillor Miss Peppard be appointed Chairman of the Committee for the remainder of the Municipal Year.

46. Appointment of Vice-Chairman

RESOLVED that Councillor Mrs Hill be appointed Vice-Chairman of the Committee for the remainder of the Municipal Year.

47. Apologies

Councillors Croad and Govier.

48. Minutes

The minutes of the meeting held on 21 April 2004 were taken as read and were signed.

49. Welcome

The Chairman welcomed Councillor Hindley to his first meeting of the Planning Committee.

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

24/2004/007

Erection of detached dwelling at land to west of Yew Tree Cottage, Wrantage.

Conditions

- (a) C005 - outline - reserved matters;
- (b) C009 - outline - time limit;
- (c) C014 - time limit;
- (d) C013 - site levels;
- (e) C101 - materials;
- (f) C201 - landscaping;
- (g) C207 - existing trees to be retained;
- (h) C208A - protection of trees to be retained;
- (i) C215 - walls and fences;
- (j) C321B - parking;
- (k) Any entrance gates shall be hung to open inwards and set back a minimum distance of 4.5m from the carriageway edge;
- (l) C306 - access - gradient;
- (m) C327 - turning space;
- (n) P001A - no extensions;
- (o) P003 - no ancillary buildings;
- (p) P010 - no further windows;
- (q) C917 - services - underground;
- (r) P006 - no fencing.

(Notes to applicant:- (1) N111 - disabled access; (2) N112 - energy conservation; (3) N114 - meter boxes; (4) N115 - water conservation; (5) N118 - disabled access; (6) N118A - disabled access; (7) N024 - development in accordance with approved plans; (8) N034A - drainage/water; (9) N037 - drainage/water; (10) Applicant was advised to contact Wessex Water prior to the commencement of any works to agree connection points onto the Wessex Water system; (11) N119 - Design Guide).

Reason for granting outline planning permission:-

Notwithstanding that Wrantage was not identified as a settlement in the Taunton Deane Local Plan, it was considered that the proposed dwelling fitted in with the existing character and pattern of development and that the site constituted an infill plot between two existing properties. The proposal therefore accorded with Somerset and Exmoor National Park Joint Structure Plan Review Policy STR6 and Taunton Deane Local Plan Revised Deposit Policy S1.

Reason for granting outline planning permission contrary to the recommendation of the Chief Planning Officer:-

The Committee considered that the proposed dwelling would fit in with the existing character and pattern of development in Wrantage and that the site also constituted an infill plot between two existing properties.

- (2) That **permission be granted** for the under mentioned developments, subject to the standard conditions adopted by Minute No 86/1987 of the former Planning and Development Committee and such further conditions as stated:-

14/2004/013

Erection of two dwellings, garages and access drives at the former Crown Inn Car Park, Crown Lane, Creech Heathfield.

Conditions

- (a) C001 - time limit;
- (b) C101 - materials;
- (c) Notwithstanding the details contained within the application, prior to the commencement of works on site, full details of the surface water and foul drainage shall be submitted to, and approved in writing by, the Local Planning Authority;
- (d) C213 - hedge to be retained;
- (e) C209 - protection of hedge to be retained;
- (f) C241 - landscaping;
- (g) No development hereby approved shall take place until the applicants, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority;
- (h) C324 - parking;
- (i) The garages hereby permitted shall be constructed only in accordance with the approved plans and shall remain available in perpetuity for the parking of a motor vehicle(s) for domestic purposes only;
- (j) 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/dormer windows (other than those expressly authorised by this planning permission) shall be constructed in the western elevation of the new dwellings;
- (k) The bathroom windows on the west elevations of both units 3 and 4 shall be glazed with obscure glass and such glazing shall thereafter be maintained;
- (l) P001A - no extensions;
- (m) The new access shall maintain a level connection with the existing access lane;
- (n) Noise emissions from the site during the construction phase shall be limited to the following hours:- Monday to Friday 0800 - 1800 hours; and Saturday 0800 - 1300 hours. At all other times, including public holidays, there shall be no noisy working;
- (o) There shall be no obstruction to visibility greater than 600mm above the adjoining road level, forward of a line drawn 2m back and parallel to the nearside carriageway edge over the entire site frontage. Such visibility shall be fully provided before the access hereby permitted is first brought into use and shall thereafter be maintained at all times.

(Notes to applicant:- (1) Applicant was advised that Crown Lane adjacent to the application site is a public right of way and should not be obstructed in any way by vehicles. The access is maintained by local residents and any subsequent owners/occupiers of the dwellings hereby approved will be expected to contribute to its upkeep/maintenance; (2) Applicant was advised that a public footpath runs along Crown Lane. Any change to the surface of this footpath will require the County Highway Authority's permission. Any unauthorised alterations may result in the surface being removed/reinstated at the installer's costs. Any surface would not be maintained by the public unless the lane is adopted; (3) Applicant was advised that the drainage channel to the east of the site is in private ownership and the application site has no rights to drain into it; (4) N112 - energy conservation; (5) N114 - meter boxes; (6) N045 - encroachment; (7) Applicant was advised that level access is required to the dwellings; (8) Applicant was advised that private drainage ditches may cross the site. Matters relating to these ditches are private legal matters and the granting of this permission does not override the need to reach any other agreements; (9) With regard to condition (g), applicant was requested to contact the County Archaeologist for further advice; (10) Applicant was advised that a public sewer is shown to cross the site and you are advised to contact the Wessex Water Authority to determine the location of their underground apparatus).

Reason for granting planning permission:-

The proposal was for two new dwellings within the settlement limits of Creech St Michael where new development was permitted in accordance with Taunton Deane Local Plan Revised Deposit Policy S7. The proposals were considered to have an acceptable impact on the highway and neighbouring amenity in accordance with Taunton Deane Local Plan Revised Deposit Policies S1, S2 and H1 and Somerset and Exmoor National Park Joint Structure Plan Review Policy 49. The proposal was considered to have an acceptable impact on the character and setting of the adjacent listed building, the Crown Inn, in accordance with the requirements of Somerset and Exmoor National Park Joint Structure Plan Review Policy 9 and Taunton Deane Local Plan Revised Deposit Policy EN17.

30/2004/008

Extension, dormer windows, alterations and detached double garage at Fairview, Blagdon Hill.

Conditions

- (a) C001 - time limit;
- (b) C102A - materials;
- (c) The existing garage shall be removed and replaced with the new garage, in accordance with the submitted drawings, prior to the commencement of the development of the two-storey side extension.

(Note to applicant:- Applicant was strongly advised to provide a turning area on site, in order that cars could leave the site in a forward direction, in the interests of road safety).

Reason for granting planning permission:-

The proposed development would not adversely affect residential or visual amenity and accordingly did not conflict with Taunton Deane Local Plan Revised Deposit Policies S1, S2 and H19.

46/2004/008

Removal of condition 03 attached to planning permission 46/2003/015 to allow use of garage as domestic accommodation, The Old Piggery, Gerbestone Manor, Wellington.

(Note to applicant:- Applicant was advised that any future planning application for a garage will not be viewed favourably).

Reason for granting planning permission:-

It was considered that the proposal complied with Taunton Deane Local Plan Revised Deposit Policies H19, S1 and S2 in that neither residential nor visual amenity would be adversely affected.

52/2004/008

Erection of two storey side extension at 48 Newbarn Road, Taunton.

Conditions

- (a) C001 - time limit;
- (b) C102A - materials.

Reason for granting planning permission:-

The proposed development would not adversely affect residential or visual amenity and accordingly did not conflict with Taunton Deane Local Plan Revised Deposit Policies S1, S2 or H19.

52/2004/010

Erection of conservatory at rear, 14 Ash Crescent, Taunton.

Conditions

- (a) C001 - time limit;
- (b) The external surfaces of the extension hereby permitted shall be of materials to match those of the existing building.
(Note to applicant:- N045 - encroachment).

Reason for granting planning permission:-

The proposed extension complied with Taunton Deane Local Plan Revised Deposit Policy H19 in that there was no harm to the residential amenity or other dwellings and no harm to the form and character of the dwelling.

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

21/2004/007

Erection of single storey Village Hall, associated car parking and access driveway, land at Ritherdons (OS Ref ST108228), Langford Budville.

Reasons

- (a) The site is beyond the settlement limits in open countryside in an elevated and prominent position, not well related to the existing settlement pattern and buildings and its development, as proposed, would constitute an undesirable intrusion into an attractive area of open countryside to the detriment of the visual amenities of the locality. (Somerset and Exmoor National Park Joint Structure Plan Review Policy STR6 and Taunton Deane Local Plan Revised Deposit Policy S8);
- (b) The development of the site, as proposed, would adversely affect the setting of St Peter's Church, which is a Grade I listed building, and the setting and character of the Langford Budville Conservation Area when viewed from the public footpath leading from Langford Common to the village by reason of its size and siting. (Somerset and Exmoor National Park Joint Structure Plan Review Policy 9 and Taunton Deane Local Plan Revised Deposit Policy EN15);
- (c) The proposed development does not make adequate provision for a footpath link of an acceptable standard to the site from the village. (Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Revised Deposit Policies S1(B) and M1).

(Note to applicant:- Applicant was advised that a site further down the slope towards the road, may be viewed favourably by the Local Planning Authority).

21/2004/011

Erection of Village Hall, formation of access driveway and car parking for Hall, Church and School and improvement of access, land to north and east of St Peter's Church, Langford Budville.

Reasons

- (a) The site is beyond the settlement limits in open countryside and the development, as proposed, would constitute an undesirable intrusion into an attractive area of open countryside to the detriment of the visual amenities of the locality. (Somerset and Exmoor National Park Joint Structure Plan Review Policy STR6 and Taunton Deane Local Plan Revised Deposit Policy S8);
- (b) The development of the site, as proposed, would introduce alien features, including the access road, in the setting of the Church (which is a Grade I listed building) and Conservation Area and would therefore be detrimental to these by reason of their siting and appearance. Furthermore, the approach to the Conservation Area from

the north-east is characterised by the narrow road and hedges and the proposed development, by reason of the visibility splays, would devalue this approach. (Somerset and Exmoor National Park Joint Structure Plan Review Policy S9 and Taunton Deane Local Plan Revised Deposit Policy EN15);

- (c) The proposed access, with the loss of roadside bank and hedgerows and the provision of visibility splays, will have a detrimental impact on the rural character of the approach to the village and would therefore detract from the visual amenity of the area. (Somerset and Exmoor National Park Joint Structure Plan Review Policy STR6, West Deane Local Plan Policies WD/SP/2 and WD/C/7 and Taunton Deane Local Plan Revised Deposit Policies S1(D), EN5 and EN13);
- (d) The proposed development does not make adequate provision for a footpath link of an acceptable standard to the site from the village. (Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Revised Deposit Policies S1(B) and M1.

43/2004/034

Retention of first floor windows, 4 Highland Place, High Street, Wellington.

Reason

The first floor windows are considered to cause undue loss of privacy to neighbouring properties from potential overlooking, resulting in harm to the residential amenities of the area contrary to Taunton Deane Local Plan Revised Deposit Policy S1.

- (4) That the following application be **withdrawn**:-

45/2004/004

Erection of nine stables and tack room to replace four stables and tack room, field adjoining Tally Ho Cottage, Triscombe.

51. Erection of dwelling, Old Hospital Site, Dene Road, Cotford St Luke (06/2004/020)

Reported this application.

RESOLVED that subject to the receipt of no adverse views from the County Highway Authority, 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) C101 - materials;
- (c) C201 - landscaping;
- (d) C215 - walls and fences;
- (e) C312B - parking;
- (f) C416 - details of size, position and materials of meter boxes;
- (g) P007 - no fencing in front of dwelling.

(Notes to applicant:- (1) N118 - disabled access; (2) N112 - energy conservation; (3) N115 - water conservation; (4) N114 - meter boxes; (5) N051B - health and safety).

Reason for planning permission, if granted:-

The site was within the development limits of Cotford St Luke and development of the site was considered to be acceptable without detriment to the adjoining development or the street scene and was in character with the area and thus the proposal was considered to be in compliance with Somerset and Exmoor National Park Joint Structure Plan Review Policy STR1 and Taunton Deane Local Plan Revised Deposit Policies S1, S2 and H1.

52. Demolition of existing outbuilding and erection of dwelling with garage and replacement garage for Lodge Barton at land to rear of Lodge Barton, Wood Street, Milverton (23/2004/009)

Reported this application.

RESOLVED that subject to the receipt of an acceptable design statement and the views of the Conservation Officer on any amended plans that were forthcoming, 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) Full 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, prior to commencement of any works on site and shall thereafter be implemented;
- (c) C102A - materials;
- (d) C201 - landscaping;
- (e) C205 - hard landscaping;
- (f) C215 - walls and fences;
- (g) The proposed access shall be constructed in accordance with details shown on Drawing No 11102/2A prior to occupation of the dwelling hereby approved;
- (h) The garage hereby permitted shall be constructed only in accordance with the approved plans, and shall remain available in perpetuity for the parking of a motor vehicle(s) for domestic purposes only;
- (i) The turning space shown on the submitted plans shall be kept free of obstruction at all times;
- (j) 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/dormer windows (other than those expressly authorised by this planning permission) shall be constructed;
- (k) C910B - archaeological investigation.

(Notes to applicant:- (1) Applicant was advised to contact Wessex Water in respect of points of connection; (2) Applicant was advised to contact the County Archaeologist in respect of condition (k); (3) Applicant was advised that soakaways should be constructed in accordance with Building Research

Digest 365 (September 1991); (4) N118 - disabled access; (5) N114 - meter boxes).

Reason for planning permission if granted:-

The proposal was considered to be in accordance with Taunton Deane Local Plan Revised Deposit Policies S1, S2, S7 and H1 without any detriment to the amenities of the local residents.

53. Erection of 2 No. detached dwellings at land at Rosebank Road, Milverton (23/2004/011)

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues on the amended plans by 25 May 2004, 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) C101 - materials;
- (c) C201 - landscaping;
- (d) C205 - hard landscaping;
- (e) C206A - existing and proposed levels;
- (f) C207 - existing trees to be retained;
- (g) C208A - protection of trees to be retained;
- (h) C215 - walls and fences;
- (i) C910B - archaeological investigation;
- (j) C320 - waiting bay, turning space and driveway to be hard surfaced;
- (k) 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;
- (l) The gradient of the proposed access shall not be steeper than 1 in 10.
- (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;
- (n) There shall be no obstruction to visibility greater than 600mm above adjoining road level forward of a line drawn 2m back from and parallel to the nearside carriageway edge over the entire site frontage. Such visibility shall be fully provided before works commence on the erection of the dwellings hereby permitted and shall thereafter be maintained at all times;
- (o) A type "B" waiting bay for vehicles shall be formed at the point of access in accordance with the attached diagram and specifications. Such bay shall be completed before the dwellings hereby permitted are first occupied and shall be available for the parking of vehicles at all times. The bay shall at no time be used other than for the parking of vehicles on a short stay basis;
- (p) The garages hereby permitted shall be constructed only in accordance with the approved plans and shall remain available in perpetuity for the parking of a motor vehicle(s) for domestic purposes only;
- (q) C926B - remediation investigation/certificate;

- (r) P010 - no further windows;
- (s) Windows on the upper floor which face east and west shall be glazed with obscure glass and retained as such for so long as the development remains. Any changes to this situation must be agreed in writing with the Local Planning Authority.

(Notes to applicant:- (1) Applicant was advised that there are Wessex Water assets crossing the site. Wessex Water normally requires a minimum 3m easement width on either side of its apparatus for the purpose of maintenance and repair. Diversion or protection works may need to be agreed; (2) Applicant was advised to agree with Wessex Water, prior to the commencement of works on site, any arrangements for the protection of infrastructure crossing the site; (3) Wessex Water has noted that the applicant proposes to dispose of surface water to the existing surface water drain. It will be necessary, if required, for the applicant to agree points of connection onto Wessex Water systems, for the satisfactory disposal of foul flows and surface water flows generated by the proposal. The connection point can be agreed at the detailed design stage; (4) Applicant was advised that there are water mains within the vicinity of the proposal. Again, connection can be agreed at the design stage; (5) Applicant was advised to contact the County Archaeologist to discuss condition (i); (6) Having regard to the powers of the County Highway Authority under the Highways Act 1980, applicant was advised that a Road Opening Notice must be obtained from the Highway Services Manager, Taunton Deane Area, before access works commence; (7) N111 - disabled access; (8) N048A - remediation strategy; (9) N114 - meter boxes; (10) Applicant was advised to contact the Council's Landscape Officer in respect of the best time to remove the hedge and any trees).

Reason for planning permission, if granted:-

The proposal was considered to be acceptable having regard to the location within the settlement limits and, as it would have no adverse affects on the amenities of neighbouring properties, it was considered to be in accord with Policies S1, S2, S7 and H1 of the Taunton Deane Local Plan Revised Deposit.

54. Expansion of business onto land to be used for covered and open storage of raw materials and finished products, together with access and landscaping, land adjoining Unit 2, Rylands Farm Industrial Estate, Bagley Road, Wellington (43/2004/038)

Reported this application.

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

- (a) C006 - outline - reserved matters;
- (b) C009 - outline - time limit;
- (c) C014 - time limit;
- (d) C101 - materials;
- (e) C201 - landscaping;
- (f) C215 - walls and fences;

- (g) The use of the building and land shall be limited to storage use only;
- (h) Noise emissions from any part of the premises or land to which this permission refers, shall not exceed background levels by more than 5 decibels expressed in terms of an A-Weighted, 5 minute Leq at any time during the days and times indicated below when measured at any point at the façade of any residential or other noise sensitive boundary:- Monday to Friday 0800 - 1800 hours and Saturdays 0800 - 1300 hours. At all other times, including public holidays, noise emissions shall not be audible when so measured. 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 purposes 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, expressed in terms of an A-Weighted 90th percentile level, measured at an appropriate time of day and for a suitable period of not less than 10 minutes.
- (Notes to applicant:- (1) N111 - disabled access; (2) N112 - energy conservation; (3) N115 - water conservation; (4) Applicant was advised that the proposed soakaways should be constructed as follows:- (i) Northern soakaway 40 x 0.5 x 1 m wide; (ii) Western soakaway 40 by 0.5 x 0.8 m wide, together with French drain to the south of the proposed building, as generally shown on the plan submitted with the application).

55. Unauthorised provision of solar panels at The Cider House, Capland Court, Hatch Beauchamp

Reported that despite listed building consent being refused for the retention of solar panels on the roof of the converted barn known as The Cider House, Capland Lane, Hatch Beauchamp, no action had been taken to date to remove them.

During the discussion of this item, Members took the view that the solar panels were not out of keeping with the character and appearance of the barn which was listed because it was within in the curtilage of Capland Farm, a Grade II listed building.

RESOLVED that:-

- (1) No further enforcement action be taken; and
- (2) The owner of The Cider House, Capland Lane, Hatch Beauchamp be invited to resubmit an application for listed building consent to retain the solar panels.

Reason for deciding not to take enforcement action, contrary to the Chief Planning Officer's recommendation:-

The Committee considered that the visual impact of the solar panels did not have an adverse affect on the character of the listed building.

56. Unauthorised display of internally illuminated sign at Carpetright plc, Unit 2, Priory Fields Retail Park, Taunton

Reported that a large internally illuminated sign, advertising the company Carpetright, had been erected on the front elevation of their premises at Unit 2, Priory Fields Retail Park, Taunton, without advertisement consent.

Although an application had subsequently been submitted, this had been refused. An appeal was now in the process of being determined.

RESOLVED that subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings to secure removal of the unauthorised sign, if the current appeal was ultimately dismissed.

56. Unauthorised use of land to store scrap vehicles, 55-60 Mantle Street, Wellington

Reported that a number of complaints had been received concerning an area of land to the rear of Nos 55-60 Mantle Street, Wellington, which was currently being used without planning permission to store scrap vehicles.

The owner had been requested to submit a planning application to regularise the situation but, to date, this had not been received.

RESOLVED that:-

- (1) Enforcement action be taken to stop the land at the rear of 55-60 Mantle Street, Wellington being used to store scrap vehicles; 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.

(Councillors Hindley and Vail left the meeting at 7.10 pm. Councillors Henley and Bowrah left the meeting at 8.37 pm and 8.56 pm respectively).

(The meeting ended at 9.04 pm).