

## **Planning Committee – 8 September 2004**

Present: Councillor Miss Peppard (Chairman)  
Councillor Mrs Hill (Vice-Chairman)  
Councillors Beaven, Bowrah, Croad, Henley, House, Phillips, Mrs Smith,  
Stuart-Thorn, Vail and Wedderkopp

Officers: Mr T Burton (Development Control Manager), 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).

(Councillor Croad arrived at the meeting at 5.12 pm)

### 94. Apologies

Councillors Miss Cavill, Denington, Floyd, Govier, Guerrier and Hindley.

### 95. Minutes

The minutes of the meeting held on 18 August 2004 were taken as read and were signed.

### 96. 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 97 below should be dealt with as an urgent matter.

### 97. Unauthorised activities at Knapp Lane, North Curry

Reported that in October 2002, an enforcement notice was served in respect of the change of use of a small area of land at Knapp Lane, North Curry for the stationing of touring caravans.

Following an appeal, the notice was upheld in March 2003 whereby the owner of the land entered negotiations with the Council over a proposed land exchange which would have given Taunton Deane control of the land at Knapp Lane.

The negotiations had proved unsuccessful and it had therefore been agreed to proceed with prosecution action against the occupier of the land for breach of the enforcement notice. However, when the Enforcement Officer visited the site earlier in the year, although a small caravan was present on the land, it was not apparently being used for occupation. It was noted though that the site was being used for the carrying out of unauthorised car repairs and that some earth-moving operations had also taken place.

Further reported that a subsequent visit to the site during the bi-annual gypsy count in July revealed that no caravans were on the site.

In recent weeks, complaints had been received that the site had again been occupied. Investigations revealed that the occupiers appeared to have changed once more, and a large residential unit was now on the land and it was clear it was being residentially occupied. Although the level of car repairs had been reduced, there was still evidence of some activity on the site.

The North Curry Parish Council was concerned about the continued unauthorised use of the site and had requested Taunton Deane to use direct action to clear it.

Noted that because of the nature of the site, it would be extremely difficult to clear the site if occupied, and the need to ensure the safety of staff would make the exercise extremely costly. However, it was accepted that any further intrusion of a commercial nature into the open countryside would be very harmful and that any intensification of the use would lead to issues of noise, nuisance and highway danger.

In the circumstances, it was considered appropriate that a stop notice and enforcement notice should be served in respect of the car repairs and engineering works to seek immediate cessation of those activities.

RESOLVED that:-

- (1) An enforcement notice and stop notice be served in respect of the unauthorised vehicle storage and repairs, and other engineering operations which were taking place on the site at Knapp Lane, North Curry;
- (2) The owner of the land and any other person with a long-term interest be prosecuted for breaching the enforcement notice prohibiting the stationing of caravans; and
- (3) The current occupiers be prosecuted for breaching the enforcement notice prohibiting the stationing of caravans.

98. Applications for Planning Permission

The Committee received the report of the Development Control 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 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:-

**15/2004/004**

Erection of conservatory and installation of dormer windows to the front of Chapel Cottage, Curland.

### Conditions

- (a) C001 – time limit;
- (b) The external surfaces of the development hereby permitted shall be of materials as shown on the application form and the plan hereby approved, and no other materials shall be used;
- (c) C213 – existing hedge to be retained;
- (d) C209 – protection of hedge to be retained;

### Reason for granting planning permission:-

The proposal was considered to comply with the requirements of Taunton Deane Local Plan Revised Deposit Policy H19.

### **19/2004/009**

Erection of dwelling (including balcony to rear), change of use of strip of land adjoining from agricultural to domestic, adjacent to 8 Crimthorne Cottages, Hatch Beauchamp (amended proposal).

### Conditions

- (a) C001 – time limit;
- (b) C102A – materials;
- (c)
  - (i) Before any part of the permitted development is commenced, a scheme of planting of trees, shrubs and hedges along the north-eastern boundary of the site which shall include details of the species, siting and numbers to be planted shall be submitted to, and approved in writing by, the Local Planning Authority;
  - (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority;
  - (iii) For a period of five years after the completion of the planting scheme, the trees, shrubs and hedges shall be protected and maintained to the satisfaction of the Local Planning Authority and any trees, shrubs or hedges that cease to grow shall be replaced by trees, shrubs or hedges of similar size and species, or the appropriate trees, shrubs or hedges as may be approved in writing by the Local Planning Authority;
- (d) The post and rail fencing on the north-eastern boundary shall be erected within six months of the commencement of works on site and shall be maintained as such thereafter;
- (e) P001A – no extensions;
- (f) Any vehicular entrance gates erected shall be hung to open inwards only and shall be set back a minimum of 4.5m from the carriageway edge;
- (g) 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;

- (h) There shall be no obstruction to visibility greater than 900mm above adjoining road level forward of a line drawn 2.4m back and parallel to the nearside carriageway edge over the entire site frontage. Such visibility shall be fully provided within one month of the date of this consent and shall thereafter be maintained at all times;
- (i) The dwelling hereby permitted shall not be occupied until two parking spaces for the dwelling have been provided in a position approved by the Local Planning Authority. The said spaces and access thereto shall thereafter be kept clear of obstruction and not used other than for the parking of vehicles or for the purpose of access;
- (j) The first-floor window on the west elevation shall be glazed with obscure glass and shall open a maximum of 300mm only and shall be maintained as such thereafter.
- (k) C409 – fenestration – no additional windows;  
(Notes to applicant:- (1) N040A – drainage/water; (2) Applicant was advised that soakaways should be designed in accordance with Building Research Digest 365 (September 1991); (3) Applicant was advised to note the following Wessex Water comments:- (i) The development is located within a foul sewer area, however the nearest public foul sewer is located approximately 150m from the site. Should the developer wish to connect to this system, it will be necessary to agree a point of connection onto the system for the satisfactory disposal of foul flows generated by the proposal. This can be agreed at the detailed design stage. (ii) With respect to water supply, there are water mains within the vicinity of the proposal. Again, connection can be agreed at the design stage. (iii) It is recommended that the developer agrees with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure; (4) Applicant was advised to obtain the consent of Taunton Deane Borough Council's Housing Department prior to any construction works on site; (5) Applicant was advised that the planting relating to condition (c) should be of native species; (6) Applicant was advised by the County Highway Authority that it would be beneficial if the access and turning area could be laid out in such a way as to offer turning facilities to 8 Crimthorne Cottages, and the applicant should be encouraged to enter into an agreement with the adjoining landowner, to provide improved visibility to the east).

Reason for granting planning permission:-

The proposal lay within the settlement limits of Hatch Beauchamp and was considered to comply with the requirements of Taunton Deane Local Plan Revised Deposit Policy H1.

**36/2004/016**

Continued use of land as residential curtilage and siting of conservatory thereon at The Barton, Woodhill, Stoke St Gregory.

Conditions

- (a) C001 – time limit;

- (b) P001A – no extensions;
- (c) P003 – no ancillary buildings.

Reason for granting planning permission:-

The proposal conformed to the requirements of Taunton Deane Local Plan Revised Deposit Policy H19.

**38/2004/341**

Erection of single storey extension at Gardeners Arms, 36 Priorswood Road, Taunton.

Conditions

- (a) C001 – time limit;
- (b) C102A – materials.  
(Notes to applicant:- (1) N118A – disabled access; (2) N024 – development in accordance with the approved plans.

Reason for granting planning permission:-

The proposal would not result in demonstrable harm to neighbouring residential uses. The proposal therefore accorded with Taunton Deane Local Plan Revised Deposit Policy S1(E).

- (2) That planning 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:-

(Councillor Beaven declared a personal interest in the following application and left the meeting during its consideration. Councillor Phillips also declared a personal interest but remained at the meeting).

**06/2004/025**

Residential development comprising 7 No dwellings, land to west of Lydeard Mead, Bishops Lydeard.

Reasons

- (a) The site lies outside the settlement limits of Bishops Lydeard as defined in the adopted West Deane Local Plan in an area to be protected from development and is therefore contrary to Policies WD/SP/2 and WD/BL/7 of the plan; and outside the settlement limits of Bishops Lydeard, as defined in the Taunton Deane Local Plan Revised Deposit Modifications contrary to Policies S1(D), S8 and BL3, and contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 and STR6; (b) The site lies within the Bishops Lydeard Conservation Area, wherein development will only be permitted where it would preserve or enhance the appearance or character of the Conservation Area. The proposed development, including the proposed flood alleviation measures, is considered to be detrimental and contrary to Taunton Deane Local Plan

Policy EN15 and Somerset and Exmoor National Park Joint Structure Plan Review Policy 9; (c) The site lies within an area shown on the Proposals Map as an area liable to flood within the Taunton Deane Local Plan Revised Deposit Modifications and, as such, any residential development would be contrary to Taunton Deane Local Plan Policy EN30. The proposal comprises inappropriate development upon an area at high risk from flooding and does not provide sound flood defence measures in conflict both with national planning objectives as set out in Planning Policy Guidance Note No 25 and Taunton Deane Local Plan Policy EN30.

**06/2004/039**

Erection of 4 No dwellings with associated works, land north of former hospital buildings (site included on previous plans as proposed site for public house), Cotford St Luke.

Reason

The site has an extant planning permission for the provision of licensed premises, which is one of the requirements of the outline planning permission for the new village development at Cotford St Luke. No evidence has been submitted to demonstrate that there is no longer a demand for licensed premises or other commercial use in the community interest on the site. The proposed development would therefore be likely to preclude the provision of further facilities for the community, which was a requirement of the Tone Vale Development Guide and the outline planning permission for the comprehensive development of the new village. The proposal is therefore contrary to the requirements of Policy WD/TV/3 of the West Deane Local Plan, the Tone Vale Development Guide, the requirements of the conditions of outline planning permission No 06/1994/018 and will clearly affect the successful implementation of Policy EC7a of the Taunton Deane Local Plan Revised Deposit insofar as it relates to Cotford St Luke.

(The Vice-Chairman (Councillor Mrs Hill) declared a personal interest in the following application).

**14/2004/023**

Erection of single storey extension to form granny annex at Three Acres, Adsborough.

Reason

The proposal envisages the erection of a building, which is considered to be excessive in size for the purposes of an annex. Furthermore, the design of the proposal is unsatisfactory in that it is not sufficiently integrated with the existing property as an extension thereto, but rather takes the form of a separate dwelling unit which would be an inappropriate form of development and one which the Local Planning Authority are not prepared to permit on a permanent basis as proposed.

The proposal is contrary to Taunton Deane Local Plan Revised Deposit Policies S1, S8 and H19.

**24/2004/029**

Demolition of existing single storey lean-to and replacement with two storey side extension, 1 Greenway, North Curry.

Reason

The proposed extension by reason of its proximity to the neighbouring property would result in a cramped form of over-development detrimental to the character and appearance of the street scene and the designated Conservation Area. Accordingly, the proposal is contrary to Taunton Deane Local Plan Revised Deposit Policies EN15, S1 and S2.

**38/2004/261CA**

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

Reason

The proposal is considered to be unacceptable in the absence of a satisfactory proposal to redevelop the site. The proposal therefore conflicts with Taunton Deane Local Plan Revised Deposit Policy EN15.

**38/2004/287**

Alteration and extension of former Four Alls Public House to accommodate Class A3 (food and drink use) together with 19 flats and provision of car parking and cycle storage at Four Alls, Corporation Street, Taunton.

Reasons

- (a) The formation of an access together with the introduction of conflicting traffic movements on Corporation Street, such as would be generated by the proposed development, would be prejudicial to road safety. The proposal is therefore contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Revised Deposit Policy S1(A).
- (b) The proposed access on to Corporation Street does not incorporate the necessary visibility splays, which are essential in the interests of highway safety. The proposal is therefore contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Revised Deposit Policy S1(A).
- (c) The proposed building, by reason of its scale in relation to existing buildings in Bath Place, will produce a dominant

feature at variance with the established character of Bath Place, contrary to Taunton Deane Local Plan Revised Deposit Policy EN15 and advice in Planning Policy Guidance Note No 15.

**47/2004/007**

Erection of summerhouse next to pond at Ash Lodge, West Hatch, Taunton.

Reason

The design, external appearance and siting of the proposed development would result in an intrusion of associated residential development in open countryside, detrimental to the character and visual amenities of the area. The proposal is therefore contrary to Taunton Deane Local Plan Revised Deposit Policies S1, S2 and S8.

(Note to applicant:- Applicant was advised that planning consent is required for a change of use and the engineering works associated with the creation of a pond on what is currently agricultural land).

99. Erection of ancillary 42 bed residential care home including the removal and replacement of trees included in Tree Preservation Order TD467, Red Lodge Care Home, Hope Corner Lane, Taunton (38/2004/328)

Reported this application.

RESOLVED that subject to the receipt of further car parking details and acceptable landscaping plans, the Development Control Manager 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) C203A – landscaping;
- (d) C208 – protection of trees to be retained;
- (e) No tree on the northern boundary, other than any tree which occupies any area of the application site upon which those buildings comprise within the development hereby permitted are to be constructed, shall be felled, lopped, topped, lifted or disturbed in any way without the prior written consent of the Local Planning Authority or, in default, of the First Secretary of State;
- (f) Before any part of the permitted development is commenced, details of all boundary walls, fences or hedges forming part of the development, together with a programme of phasing of implementation shall be submitted to, and approved in writing by, the Local Planning Authority or, in default, by the First Secretary of State and any such wall, fence or hedge so approved shall be erected/planted in accordance with the approved programme of phasing;
- (g) C303 – highways, roads, turning spaces and parking areas to be surfaced;
- (h) C324 – parking;
- (i) C917 – services – underground;
- (j) Any construction work within the canopy spread of the two ash trees to the north of the site shall be hand dug in accordance with details to be submitted



to, and agreed in writing by, the Local Planning Authority prior to the commencement of development;

- (k) No new windows shall be formed in any part of the first floor of the development hereby approved without the prior written consent of the Local Planning Authority.
- (l) There shall be no living accommodation on the first floor of the building at any time other than that indicated on the approved plan;
- (m) 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 to 1800 hours; Saturdays 0800 to 1300 hours. At all other times, including Public Holidays, no noisy working;
- (n) The annex hereby permitted shall be solely used ancillary to Red Lodge Nursing Home at all times;
- (o) C327 – turning space.

(Notes to Applicant:- (1) The outbuilding currently used as an office and laundry, shares a common boundary wall with the garage of The Elms and applicant was advised to contact the owner of The Elms prior to any demolition taking place; (2) NO52 – fire safety; (3) Applicant was advised that the Local Planning Authority is unlikely to agree to any further extensions or buildings within the site; (4) Applicant was advised that it is possible that soakaways for surface water drainage would not be satisfactory on this site because of the nature of the sub-soil, although this cannot be established definitely unless a percolation test is carried out; (5) N115 – water conservation; (6) N114 – meter boxes; (7) N112 – energy conservation; (8) N111 – disabled access; (9) N117 – crime prevention); (10) N075 – Section 106 Agreement.)

Reason for planning permission, if granted:-

The proposal was within the settlement limits of Taunton where new building was considered acceptable. The proposal was considered to be in compliance with Somerset and Exmoor National Park Structure Plan Policy 49 and Taunton Deane Local Plan Revised Deposit Policies S1, S2 and H19.

100. Demolition of existing buildings and erection of 6 No houses and 6 No flats and alteration to access and parking, Wardleworth House, Wardleworth Way, Wellington (43/2004/088)

Reported this application.

RESOLVED that subject to the applicants entering into a Section 106 Agreement by the 24 September 2004 to provide a total of £20,922 towards off-site local recreational facilities, the Development Control Manager 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) C201A – landscaping;
- (d) C205 – hard landscaping;
- (e) C208A – protection of trees to be retained;

- (f) C208B – protection of trees – service trenches;
- (g) C210 – no felling or lopping;
- (h) 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, carriageway gradients, drive gradients, car parking and street furniture 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;
- (i) C302 – highways – roads, footpaths and turning spaces to be surfaced;
- (j) The development hereby approved shall not be brought into use until that part of the service road, that provides access to it, has been constructed in accordance with the approved plans.
- (k) C324 – parking;
- (l) C416 – details of size, position and materials of meter boxes;
- (m) Before any of the dwellings hereby permitted are occupied, the existing buildings, as shown on the approved plan, shall be demolished and all materials resulting from the demolition shall be removed from the site or salvaged for re-use on the new development;
- (n) P005 – no garages;
- (o) Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any subsequent Order amending or revoking and re-enacting that Order), no gate, fence, wall or other means of enclosure shall be erected on the site beyond the forward-most part of the front of the dwellinghouses or on the exposed flank wall of any corner dwelling unless an application for planning permission in that behalf is first submitted to, and approved in writing by, the Local Planning Authority;
- (p) Details of the position of any site huts and storage areas shall be submitted to, and approved in writing by, the Local Planning Authority before any development commences, including demolition work.  
 (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) N075 – Section 106 Agreement; (7) N095A – owls and bats; (8) Applicant was advised that noise emissions from the site, during the construction phase, should be limited to the following hours, if nuisance is likely at neighbouring premises:- Monday to Friday 0800 to 1800 hours; Saturday 0800 to 1300 hours. At all other times, including Public Holidays, no noisy working; (9) Having 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 Highways Services Manager, Taunton Deane Area. Application for such a permit should be made at least three weeks before access works are intended to commence; (10) Applicant was advised to contact Wessex Water with regard to connections onto their systems; (11) Applicant was reminded of the need to prevent mud being spread onto the public highway during construction and (12) Applicant was requested to use temporary traffic controls along Milverton Road and ensure that access to existing dwellings in Wardleworth Way is not disrupted during the construction phase of the development.)

Reason for planning permission, if granted:-

The proposed development made effective use of a brownfield site within the urban area and was therefore in compliance with Policies S1 and H1 of the Taunton Deane Local Plan Revised Deposit.

Also RESOLVED that in the event that the Section 106 Agreement was not concluded by 24 September 2004, planning permission be refused for the reason that the proposal did not make adequate provision for the delivery of appropriate local recreation facilities and was therefore contrary to Taunton Deane Local Plan Revised Deposit Policy C4.

101. Erection of stable block in field OS Plot 9312, Sawyers Hill, West Buckland, Wellington (46/2004/026)

Reported this application.

RESOLVED that subject to the receipt of no adverse views from the Drainage Officer, the Development Control Manager 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) The stables hereby approved shall be used for domestic purposes only and shall at no time be used for any commercial purposes whatsoever, including a riding school and/or livery stables;
- (c) C102A – materials;
- (d) C201 – landscaping;
- (e) Before the development hereby permitted is commenced, details of the surface water, land and foul drainage shall be submitted to, and approved in writing by, the Local Planning Authority;
- (f) Before the development hereby permitted is commenced, details of the positioning and design of any manure/dung heaps shall be submitted to, and approved in writing by, the Local Planning Authority.

(Notes to applicant:-

(1) Applicant was advised that:-

(i) the stable site should be drained on a separate system with all clean and surface water being kept separate from foul drainage; (ii) 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; (iii) 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; and (iv) the subsequent disposal of collected wastes should be undertaken in accordance with the MAFF Code of Good Practice for the Protection of Water.

(2) Applicant was further advised that:-

(i) any surface water discharges to watercourses should be limited to that which occurs naturally from the catchment and as calculated from a 1 in 1 year storm using 10% impermeability. Any excess flows should be dealt with by on site attenuation; (ii) the design storm for any attenuation system should be

for a 1 in 25 year return period storm; (iii) the Environment Agency should be approached for Consent to Discharge and for their requirements regarding oil interceptors and headwall design; (iv) details are required of the proposed point of discharge to watercourse together with details of the headwall; (v) the poor quality of water discharging from surface water outfalls can seriously affect the receiving watercourse. Techniques to reduce the impact of these discharges have been developed and collectively form a range of Sustainable Urban Drainage Systems (SUDs) for dealing with urban run off. It is strongly recommended that some form of SUD be used at this proposed development.)

Reason for planning permission, if granted:-

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 and S2.

102. Erection of 16 No bungalows and provision of community hall car park, land to north of Wiveliscombe Primary School, North Street, Wiveliscombe (49/2004/033)

Reported this application.

RESOLVED that subject to:-

- (1) The applicant entering into a Section 106 Agreement by the 30 September 2004 in respect of:-
  - (i) The properties being allocated to address local housing needs to people over the age of 55;
  - (ii) The provision of appropriate highway works; and
  - (iii) The provision of a financial contribution of £32,896 towards off-site recreational facilities, and
- (2) The receipt of no adverse views from the County Highway Authority, the Development Control Manager 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) C201A – landscaping;
  - (d) C207 – existing trees to be retained;
  - (e) C208A – protection of trees to be retained;
  - (f) C208B – protection of trees – service trenches;
  - (g) C209 – protection of hedges to be retained;
  - (h) C210 – no felling or lopping;
  - (i) C215 – walls and fences;
  - (j) The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients,

drive gradients, car parking and street furniture 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;

- (k) 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;
- (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;
- (m) No work shall commence on the development site until the footway works have been carried out in accordance with a design and specification to be approved in writing by the Local Planning Authority, and to be fully implemented to the satisfaction of the said Authority and a contribution towards the implementation of the 20 mph speed limit has been paid;
- (n) C324A – parking;
- (o) C416 – details of size, position and materials of meter boxes;
- (p) C917 – services – underground;
- (q) P005 – no garages;
- (r) P007 – no fencing in front of dwellings;
- (s) C910B – archaeological access;
- (t) The surface water drainage works shall be provided as indicated in the e-mail from Halcrow dated 11 August 2004 unless otherwise agreed in writing by the Local Planning Authority.

(Notes to Applicant:- (1) With regard to condition (s), applicant was advised that the County Archaeologist would be happy to provide a specification for the work and a list of suitable archaeologists to undertake it; (2) N118 – disabled access; (3) N112 – energy conservation; (4) N114 – meter boxes; (5) N115 – water conservation; (6) N051B – health and safety; (7) N075 – Section 106 Agreement; (8) Applicant was advised to contact Wessex Water with regard to connections to their infrastructure and the possible need to divert the public water main crossing the site.)

Reason for planning permission, if granted:-

The proposed development provided for a small affordable housing scheme in an area outside the limits of the settlement which met the local community's needs and met the criterion for such developments as set out in Policy H13 of the Taunton Deane Local Plan Revised Deposit.

Reason for granting planning permission contrary to the recommendations of the Development Control Manager:-

The Committee was of the view that the need for the proposed development outweighed the concerns of the Conservation Officer and the Landscape Officer.

103. Demolition of existing buildings and erection of two number holiday units, builder's yard at Blackwater Lane, Langley Marsh, Wiveliscombe (49/2004/037)

Reported this application

RESOLVED that subject to the receipt of:-

- (1) The views of the Tourism Officer on the need for the proposed development; and
- (2) Satisfactory amended plans and no further representations raising new issues thereon, the Development Control Manager 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) C010A – drainage – not commenced until percolation test approved;
  - (c) C102A – materials;
  - (d) C201A – landscaping;
  - (e) C207 – existing trees to be retained;
  - (f) C208A – protection of trees to be retained;
  - (g) C208B – protection of trees – service trenches;
  - (h) C210 – no felling or lopping;
  - (i) C324 – parking;
  - (j) C413 – restriction of occupation for holiday lets in permanent buildings;
  - (k) C416 – details of size, position and materials of meter boxes;
  - (l) Before the dwellings hereby approved are occupied, the buildings as shown on the approved plan shall be demolished and all materials resulting from the demolition shall be removed from the site;
  - (m) C926B – remediation investigation/certificate;
  - (n) P002 – no extensions;
  - (o) P003 – no ancillary buildings.

(Notes to applicant:- (1) N111 – disabled access; (2) N112 – energy conservation; (3) N115 – water conservation; (4) N114 – meter boxes; (5) N051B – health and safety; (6) N095A – owls and bats; (7) N048A – remediation strategy; (8) With regard to conditions (d)(i) and (f), applicant was advised that the trees on the southern boundary, next to the lane, appear healthy, but may need some reshaping management works. The other boundaries should be carefully landscaped to keep the best of the existing trees as well as providing additional. A native hedgerow is suggested with some groups of trees where existing trees cannot be kept. Service runs should be kept away from trees to be retained; (9) Applicant was advised that soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (10) Applicant was advised that the Environment Agency's Consent to Discharge to an underground strata would be required).

Reason for planning permission, if granted:-

The site was adequately screened and the proposal was not considered to be harmful to the landscape and therefore was compliant with Taunton Deane Local Plan Revised Deposit Policy EC19.

Also RESOLVED that should be Tourism Officer identify no need for additional holiday lets in this part of Taunton Deane, then planning permission be refused accordingly.

104. Storage of pallets in parking area at Hatch Mews Business Park, Station Road, Hatch Beauchamp

Reported that planning permission had been granted in April 2000 for the development of the Hatch Mews Business Park. One of the conditions attached to the permission prohibited the storage of materials any where other than within the buildings or within approved storage areas.

During 2002, a complaint was received that pallets were being stored in parking spaces close to the western boundary of the site.

At the time, the owner was contacted and the pallets were removed, but in recent months, there had been further storage of pallets in the same area of the site.

Further reported that the owner of the land had now formally requested approval for the storage of pallets within two of the available parking spaces.

Local residents, the Ward Councillor, the County Council (in respect of the nearby school) and the Hatch Beauchamp Parish Council had been consulted on this request and details of the responses received were reported. All of these replies had indicated that the proposed storage area was not supported.

In the view of the Chief Planning Officer, the site proposed was close to the boundary of the site where the storage of pallets would not only be visually prominent from nearby properties, but also might cause noise and disturbance during loading and unloading. It was considered that more appropriate locations for storage purposes existed towards the southern end of the site.

RESOLVED that:-

- (1) Enforcement action be taken to stop the land on the western boundary of the Hatch Mews Business Park, Station Road, Hatch Beauchamp being used for storage purposes;
- (2) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the Enforcement Notice not be complied with; and

- (3) Such enforcement action be deferred for one month from the date of the meeting to allow the owner to negotiate an alternative location for outside storage at the Hatch Mews Business Park.

105. Unauthorised use of land to sell and dismantle vehicles, together with the unauthorised display of various signs and flag advertisements at Riverside Car Sales, Bathpool, Taunton

Reference Minute No 92/2004, reported that following the receipt of a complaint earlier in the year, it had been found that an area of land at Bathpool, Taunton was being used without planning permission to display cars for sale. The land had previously been used to store boats.

A covered area and a further structure/fence in excess of 3m in height had also been erected without consent and a number of unauthorised signs and flag advertisements were on display. It also appeared that a number of existing domestic garages, adjacent to the site, were being altered to store dismantled parts.

The occupier of the land had been contacted about the unauthorised uses and, as a result, a planning application had been received. Noted though that it had not yet been registered as it was incomplete.

RESOLVED that:-

- (1) Enforcement action be taken to stop the land at Riverside Car Sales, Bathpool, Taunton being used to display cars for sale, to seek the removal of any unauthorised structures and to stop the unauthorised use of the adjacent domestic garages;
- (2) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the Enforcement Notices not be complied with;
- (3) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings in respect of the unauthorised signs and flag advertisements being displayed at the site unless they were removed within one month; and
- (4) Such enforcement action be deferred for three months from the date of the meeting to allow the occupier to seek the necessary consents to regularise the current situation at Riverside Car Sales, Bathpool, Taunton.

106. Erection of fence to front of 13 Hine Road, Comeytrove, Taunton

Reported that in view of a planning application being received to amend the current fence that had been erected at 13 Hine Road, Comeytrove, Taunton, the report recommending enforcement action had been withdrawn.

(Councillors Vail and Henley left the meeting at 7.09 pm and 7.54 pm respectively).  
(The meeting ended at 8.38 pm).