

Planning Committee – 18 April 2007

Present:- Councillor Mrs Marie Hill (Chairman)
Councillor Mrs Marcia Hill (Vice-Chairman)
Councillors Mrs Allgrove, Bowrah, Miss Cavill, Croad, Denington,
House, Lisgo, Phillips, Stuart-Thorn and Wedderkopp

Officers:- Mr T Burton (Development Control Manager), Mr J Hamer
(Development Control Area Manager – West), Mr G Clifford
(Development Control Area Manager – East), Mrs J Moore
(Development Control Principal Officer – East), Mrs J M Jackson
(Senior Solicitor) and Mr G P Dyke (Democratic Services Manager)

Also present:- Councillor Bishop.

(The meeting commenced at 5.00 pm)

51. Apologies

Councillors Floyd, Henley, C Hill and Hindley.

52. Minutes

The minutes of the meeting held on 28 March 2007 were taken as read and were signed.

53. 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:-

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:-

06/2007/002LB

Conversion of, and alterations to, Chapel to form public house, restaurant, take-away and managers flat and associated works, St Lukes Chapel, Graham Way, Cotford St Luke.

Conditions

- (a) C002B – time limit – listed building;
- (b) C106 – second hand materials;
- (c) Repairs to the building shall be strictly and fully carried out in accordance with the submitted schedule before the building is brought into use;
- (d) C677 – listed building – repairs – approach – workmanship;

- (e) Extant figures and fittings (including screens and pews) shall be re-used in the building in accordance with a detailed schedule and annotated plan, which shall first be agreed in writing by the Local Planning Authority and therefore retained and maintained in the agreed locations, unless any variation thereto is first approved in writing by the Local Planning Authority;
- (f) The apostle wall paintings shall be consolidated/repared by a suitably qualified conservator approved by the Local Planning Authority with such work being undertaken prior to the building being brought into use;
- (g) New plaques to replace those stolen or beyond repair shall be commissioned and installed, prior to the building being brought into use, in accordance with details which shall first be approved in writing by the Local Planning Authority. Such plaques shall thereafter be maintained in the agreed locations;
- (h) Prior to the works for which consent is hereby granted are commenced, specific details of the physical junction/construction arrangement for the first and second floors shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter implemented strictly in accordance with the approved details;
- (i) C679 – listed building – new works – damp proofing – heating, lighting, plumbing;
- (j) Prior to commissioning, specific details of the following shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter implemented and maintained strictly in accordance with the approved details:- temporary refuse store; extraction equipment including terminal locations/details; means of ventilation including terminal locations/details; doors/linings/architraves/skirtings; bar fittings; staircases and location of meter boxes.

(Note to applicant:- Applicants attention is drawn to the planning permission No 06/2007/003 relating to this site/these premises.)

Reason for granting listed building consent:-

The proposed development would secure a beneficial future use for this Grade II listed building in accordance with Taunton Deane Local Plan Policy EN17.

06/2007/003

Conversion of, an alterations to, Chapel to form public house, restaurant, take-away and managers flat, including provision of car parking areas, vehicular access and associated works, St Lukes Chapel, Graham Way, Cotford St Luke.

Conditions

- (a) C001A – time limit;
- (b) C106 – second hand materials;
- (c) C201 – landscaping;
- (d) C208E – protection of trees to be retained;

- (e) C208C – trenching works within the canopy spread of trees;
- (f) C210 – no felling or lopping;
- (g) C215 – walls and fences;
- (h) Prior to commencement of works on site, an emergence survey for bats undertaken between 1 May and 31 August shall be undertaken by a qualified Environmental Consultant 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 bats in accordance with the law. Once these measures are approved, the works shall take place in accordance with the agreed scheme to protect bats and their roosts and thereafter the scheme shall be permanently maintained. The development shall not be occupied until the scheme for the provision of the bat roosts and related accesses has been fully developed;
- (i) C304 – access point;
- (j) C314 – visibility splays;
- (k) C324 – parking;
- (l) C331 – provision of cycle parking;
- (m) Prior to commissioning, details of the materials to be used for footpaths, car parking, marking out of parking bays and details of associated bollards shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter strictly implemented and maintained in accordance with the approved details;
- (n) P009 – entrance gates set back;
- (o) C416 – details of size, position and materials of meter boxes;
- (p) C927 – contaminated land – small sites;
- (q) Prior to commissioning, specific details and the location of a permanent refuse store shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter strictly implemented and maintained in accordance with the approved details;
- (r) Equipment that will effectively suppress and disperse fumes and/or smells produced by cooking and food preparation as impacting upon neighbouring residential properties shall be installed and be in full working order in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the use hereby permitted. The equipment shall be effectively operated for as long as the use continues. The extraction equipment shall be regularly maintained to ensure its continued satisfactory operation;
- (s) Noise from any air extraction system shall not exceed background noise levels by more than 3 dB (A) for a two minute Leq at any time when measured at the façade of residential or other noise sensitive premises;
- (t) Full details of the proposed temporary refuse store shall be submitted to, and approved in writing by, the Local Planning Authority prior to the use hereby permitted being commenced;
- (u) Full details of the proposed low wall and railings around the perimeter of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the use hereby permitted being commenced;

- (v) C917 – services – underground;
- (w) The café/take-away food outlet shall not open other than between 07:30 and 21:30 hours;
- (x) Prior to the commencement of use of the proposed take-away, a Code of Practice addressing the issue of litter from the premises shall be submitted to, and approved in writing by, the Local Planning Authority. There shall be no variation to the code unless otherwise agreed in writing by the Local Planning Authority.

(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) Applicants attention is drawn to the listed building consent relating to this property No 06/2007/002LB; (7) Applicant was advised that the section of Graham Way that provides access to the site is currently not a publicly maintained highway but falls under the ownership of Cofton Limited; (8) Applicant was advised that the proposal may result in the need for a street lighting column to be relocated. The applicant must approach the Highway Lighting Manager and seek approval as to where the lighting column is to be re-located. No works on lighting columns can take place without the agreement of the Highway Lighting Manager; (9) Applicant was advised that there may be an existing carriageway gully located within the entrance to the customer car park. Should this be the case then the gully will need to be fitted with a pedestrian friendly frame; (10) Dependent upon finished ground levels, applicant was advised to ensure that no surface water from private areas, including parking bays, will discharge across the respective publicly maintained highway. Separate private drainage measures will need to be installed; (11) N126 – potential ground contamination; (12) N049A – environmental health; (13) N049B – environmental health; (14) Applicant was advised that 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 Regulation stage. Access for fire appliances should comply with Approved Document B5 of the Building Regulations 2000. All new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards; (15) Applicant was advised that condition (h) requires the submission of further survey work to inform a strategy to protect bats through the development stage and to provide future roosting opportunities. It should be noted that the protection afforded to species under UK and EU Legislation is irrespective of the planning system and the applicant should ensure that any activities they undertake on the application site must comply with the appropriate wildlife legislation.)

Reason for granting planning permission:-

The proposed development would secure a beneficial future use for this Grade II listed building and would bring additional community facilities to the village in accordance with Taunton Deane Local Plan Policies S1, EC11 and EN17.

38/2007/084

Erection of two storey and single storey extensions to rear of 31 William Street, Taunton.

Conditions

- (a) C001A – time limit;
- (b) C102A – materials;
- (c) P011 – no windows on the south or north elevations.

Reason for granting planning permission:-

The scale and design of the extensions was considered to be acceptable and it was not thought that they would harm the appearance of the street scene or neighbouring amenity. Therefore, the scheme accorded with Taunton Deane Local Plan Policies S1, S2 and H17.

46/2007/002

Proposed barn conversion to residential and single storey extension to create an office at Higher Ruggin Farm, West Buckland.

Conditions

- (a) C001A – time limit;
- (b) C102 – materials;
- (c) Prior to the commencement of works for which consent is hereby granted, specific details of the following shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter implemented strictly in accordance with the approved details:- schedule of structural works; schedule of repairs; means of venting new and re-covered roofs; means of compliance with upgrading thermal elements of the structure in accordance with Part L1B of the Building Regulations;
- (d) Prior to the works of construction for which consent is hereby granted are commenced, a sample panel of stonework shall be erected on site for the approval of the Local Planning Authority and, thereafter, stonework shall be constructed strictly in accordance with the approved sample panel;
- (e) C201 – landscaping;
- (f) C205 – hard landscaping;
- (g) C215 – walls and fences;
- (h) C416 – details of size, position and materials of meter boxes;
- (i) P001A – no extensions;
- (j) P003 – no ancillary buildings;
- (k) The new windows and doors 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;

- (l) Before any part of the development hereby permitted is occupied, the existing dutch barn and the modern garage in the south-west corner of the site shall be removed from the site;
- (m) C1103 – bats – where survey work showed significant numbers and where possibly more survey work and a DEFRA licence would be needed;
- (n) C1112 – Swifts and Hirundelles, Swallows or House Martins – development affecting buildings where one of these species is known to nest.

(Notes to applicant:- (1) Applicant was advised that bats are known to use the building as identified in Kestrel's report dated December 2006. It should also be noted that the protection afforded to bats under UK and EU legislation is irrespective of the planning system and the applicant should ensure that any activities they undertake on the application site must comply with the appropriate wildlife legislation. Where any aspect of the proposal directly affects bats or their roosting sites, work must be taken under licence which must be obtained from Natural England; (2) Applicant was advised that condition (m) requires the submission of a strategy to protect bats through the development stage and to provide future roosting opportunities in line with the report recommendations. Further survey work to meet the requirements of a European Protected Species Licence may be necessary; (3) Applicant was advised that house sparrows have nested in the buildings to be demolished and converted. This species is of conservation concern and consideration should be given to the provision of suitable nest sites in the future for this species; (4) Applicant was advised to contact the Environment Agency with regard to a licence for the proposed private septic tank; (5) Applicant was advised that the soakaway should be constructed in accordance with Building Research Digest 365 (September 1991).)

Reason for granting planning permission:-

The proposed development was considered to comply with Taunton Deane Local Plan Policies S1, S2, H7, M4, EN4, EN5, EN6, EN12, EN16, EN17 and EN18 and material considerations did not indicate otherwise.

46/2007/003LB

Proposed barn conversion to residential and single storey extension to create an office at Higher Ruggin Farm, West Buckland.

Conditions

- (a) C002B – time limit – listed building;
- (b) C103 – materials – listed building;
- (c) Prior to the commencement of works for which consent is hereby granted, specific details of the following shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter implemented strictly in accordance with the approved details:- schedule of structural works; schedule of repairs; means of venting new and re-covered roofs; means of compliance with upgrading thermal elements of the structure in accordance with Part L1B of the Building Regulations;

- (d) Prior to commissioning, specific details of the following shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter implemented strictly in accordance with the approved details:- sample slate; weatherboarding; windows; doors – external and internal; architraves; skirtings; floors; staircases; roof lights; glazing to the south elevation; finish of corrugated cladding; new cruck posts, cast iron guttering, hoppers and downpipes for new rainwater goods and to replace existing UPVC and finished treatment for all joinery;
- (e) Prior to the works of construction for which consent is hereby granted are commenced, a sample panel of stonework shall be erected on site for the approval of the Local Planning Authority and, thereafter, stonework shall be constructed strictly in accordance with the approved sample panel;
- (f) C416 – details of size, position and materials of meter boxes;
- (g) No bell casts shall be formed over door or window heads;
- (h) The new windows and doors 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;
- (i) The flat roof to the store, for which consent is hereby granted, shall be constructed of lead unless any variation is agreed in writing by the Local Planning Authority.

Reason for granting listed building consent:-

The proposed development was considered to comply with Taunton Deane Local Plan Policies S1, S2, EN16, EN17 and EN18 and Somerset and Exmoor National Park Joint Structure Plan Review Policy 9 in relation to works affecting a listed building and material considerations did not indicate otherwise.

54. Flats not built in accordance with the approved plans at the former British Red Cross Centre, Wilton Street, Taunton.

Reported that it had come to the Council's attention that flats being constructed on the former British Red Cross Centre site at Wilton Street, Taunton, were not being built in accordance with the approved plans. As such, the flats caused unacceptable overlooking of the rear garden of the adjacent residential property.

In addition, none of the conditions listed in the report which had been applied to the existing planning permission and which were considered necessary to enable an acceptable development had been complied with. This could result in future alterations to the development that would result in unacceptable access onto the highway, unacceptable internal roadway conditions, unacceptable parking and turning facilities, bike storage, bin storage, landscaping and additional overlooking windows with an unacceptable impact on the surrounding residential amenity.

RESOLVED that:-

- (1) Enforcement action be authorised to secure the demolition of the unauthorised development unless a legal agreement was provided within six weeks from the date of the meeting, that secured the conditions as applied to the planning permission with the addition of a requirement for the first and second floor kitchen windows on the northern elevation to be restricted to a maximum opening of 300 mm, obscured glazed and maintained as such thereafter; and
- (2) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should any enforcement notice issued not be complied with.

55. Unauthorised externally illuminated signs at The Cricketers, 78 Station Road, Taunton.

Reported that despite an application for advertisement consent being refused under delegated powers, an externally illuminated fascia sign, wall sign and hanging sign together with external lighting currently remained in position.

RESOLVED that subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings in respect of the unauthorised signs advertising The Cricketers, 78 Station Road, Taunton unless they were removed within one month.

56. 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 57 below should be dealt with as an urgent matter.

57. Authority to deal with planning applications delegated to the Chairman by the Committee.

The Chairman reported that she would not be standing at the forthcoming Borough Council elections on 3 May 2007. It was therefore necessary to put in place arrangements to enable planning applications which had been delegated by the Committee to the Chairman to be cleared until a new Chairman had been appointed.

RESOLVED that Councillors Mrs Marcia Hill, Mrs Allgrove and Bishop be all authorised to determine applications which had been delegated by the Planning Committee to the Chairman.

58. Chairmans Thanks

The Chairman thanked the Committee and the Officers for their support over the past four years. She also wished the retiring members all the very best for the future.

(The meeting ended at 5.50 pm)