

Planning Committee –19 April 2006

Present: Councillor Mrs Marie Hill (Chairman)
Councillor Mrs Marcia Hill (Vice-Chairman)
Councillors Mrs Allgrove, Clark, Croad, Denington, Floyd, Guerrier,
Henley, C Hill, Hindley, House, Lisgo, Stuart-Thorn and Wedderkopp

Officers: Mr T Burton (Development Control Manager), Mr G Clifford (Area
Planning Officer (East)), Mr R Upton (Area Planning Officer),
Mrs J Moore (Development Control Principal Officer (East)),
Mrs K Marlow (Development Control Principal Officer (West)),
Mrs J M Jackson (Senior Solicitor) and Mr R Bryant (Review Support
Manager)

(The meeting commenced at 5.00 pm.)

44. Apologies

Councillors Miss Cavill, Phillips and Mrs Smith.

45. Minutes

The minutes of the meeting held on 29 March 2006 were taken as read and
were signed.

46. 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 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:-

38/2006/072

Erection of single storey dwelling, 38 Eastwick Road, Taunton

Conditions

- (a) C005 – outline – reserved matters;
- (b) C009 – outline – time limit;
- (c) C010 – drainage;
- (d) C014A – time limit;
- (e) C201 – landscaping;
- (f) C215 – walls and fences;
- (g) C305 – access and driveway to be hard-surfaced;
- (h) 2 No on-site parking facilities shall be provided for the existing
dwelling, in accordance with a detailed drawing which shall be

submitted to, and approved in writing by, the Local Planning Authority before development commences;

- (i) P001A – no extensions;
- (j) P003 – no ancillary buildings;
- (k) P005 – no garages;
- (l) P006 – no fencing;
- (m) No gates shall be provided to the new access.

Reason for granting outline planning permission:-

The proposal was considered to comply with Taunton Deane Local Plan Policies S1, S2, H2 and M4 and material considerations did not indicate otherwise.

- (2) 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:-

27/2006/002

Conversion of barn to single dwelling with demolition of Dutch Barn, parlour and part of adjoining covered yard at Knapp Farm, Hillfarrance

Conditions

- (a) C001A – time limit;
- (b) C010 – drainage;
- (c) C010A – drainage – not commenced until percolation test approved;
- (d) C103 – materials;
- (e) C106 – second-hand materials;
- (f) C201 – landscaping;
- (g) C205 – hard landscaping;
- (h) Before occupation of the converted building, details of all boundary walls, fences or hedges forming part of the development shall be submitted to, and approved in writing by, the Local Planning Authority and any such wall, fence or hedge so approved shall be erected/planted before any such part of the development to which it relates takes place;
- (i) Work shall not commence until details of a scheme for the provision of a bats' roost within the roof void of the development hereby permitted, together with the provision of access to that roof space for bats has been submitted to, and approved in writing by, the Local Planning Authority. Once approved, the works shall take place in accordance with the agreed scheme and thereafter the loft space and agreed openings shall be permanently maintained. The development shall not be occupied until the scheme for the provision of the bats' roost and related accesses has been fully implemented;

- (j) Development shall not commence until details of a scheme for the retention of a Swallows' nesting site (or the provision of a new nesting site) has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a programme for the implementation of the development which avoids any building, engineering or other operations likely to affect the nesting site or replacement site being undertaken between 1 April and 31 October inclusive. The development shall be carried out in accordance with the approved scheme or any amendment to the scheme as approved in writing by the Local Planning Authority;
- (k) There shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2m back from the carriageway edge on the centre line of the access, and extending to points on the nearside carriageway edge 60m either side of the access. Such visibility splays shall be fully provided before the access hereby permitted is first brought into use and shall thereafter be maintained at all times;
- (l) The proposed access over the first 6m 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;
- (m) The area allocated for parking and turning 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;
- (n) Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 5m from the carriageway edge;
- (o) The gradient of the proposed access shall not be steeper than 1:10;
- (p) 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;
- (q) The existing vehicular access to the north-west (which is shown as being stopped up on the submitted plan) shall be stopped up, its use permanently abandoned and the verge/footway crossing reinstated in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority. Such works shall be completed within three months of the dwelling being occupied;
- (r) C416 – details of size, position and materials of meter boxes;
- (s) C651 – schedule of works to ensure safety and stability of structure following partial demolition;
- (t) C654A – windows;
- (u) C927 – remediation investigation/certificate;
- (v) P001A – no extensions;
- (w) C917 – services – underground;

- (x) P006 – no fencing;
- (y) P003 – no ancillary buildings;
- (z) The front wall shall be repaired with stone to match the existing as shown on the plan received on 5 April 2006.

(Notes to applicant:- (1) Applicant was advised that whilst some landscaping is shown on the plans, full details are required and the area adjacent to the roadside should be trees rather than a hedge (or 'plantation') and a hedgerow with trees should be planted on the northern boundary; (2) Applicant was advised that whilst the Wildlife Survey includes several possible types of provision for bats, full details of a proposed access/egress and roost area is required; (3) Regarding condition (j), applicant was advised that this relates to new provision rather than retention of nesting sites; (4) Applicant was advised of the following by the Drainage Officer:- (i) Foul drainage – it is noted that a septic tank is to be used to dispose of foul sewage. Percolation tests should be carried out to ascertain the required lengths of sub-surface irrigation drainage. The Environment Agency's Consent to Discharge to an underground strata is also required; (ii) You are further advised that surface water soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (5) Applicant was advised that commercial/agricultural buildings are often used for the storage of material and fuels that could have led to contamination of the ground in and around the buildings. There is also a potential risk from areas of filled ground (for example old ditches/ponds or slurry pits) as the fill could contain hazardous materials, or could generate gases as any waste breaks down. If a detailed site investigation is required, this should be carried out in line with the latest guidance; (6) Applicant was advised to contact the Highways Services Manager, Taunton Deane Area, with regard to the required reinstatement of the verge/footway crossing at the access which is to be closed; (7) Applicant was advised that bats and nesting birds may be present on site and all operatives on site must be appropriately briefed on their potential presence. If bats are found on site then work must stop and English Nature must be informed. All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and, if discovered, must not be disturbed; (8) Applicant was advised that the front wall should be repaired as shown on the plan and as discussed in order to present a finished development; (9) With regard to condition (v), applicant was advised that permission has been granted solely to retain a former agricultural building as part of the rural scene. It is therefore unlikely that future extensions would be allowed to this dwelling; (10) N025 – conversion.)

Reason for granting planning permission:-

The proposal was considered to accord with Taunton Deane Local Plan Policies S1, H7 and EN4 and did not have any detrimental effects

on local character or the nearby listed building and the conversion was acceptable subject to conditions.

(The Chairman (Councillor Mrs Marie Hill) and Councillor C Hill declared personal interests in the following application and left the meeting during its consideration. Councillor Mrs Marcia Hill (Vice-Chairman) took the Chair for this application.)

35/2006/002

Erection of replacement dwelling at Meadow Farm, Greenham, Wellington

Conditions

- (a) C001A – time limit;
- (b) C010 – drainage;
- (c) C102 – materials;
- (d) C111 – materials – for drives;
- (e) C201 – landscaping;
- (f) C205 – hard landscaping;
- (g) Full details of all boundary treatment forming the application site shall be submitted to, and approved in writing by, the Local Planning Authority and the treatment approved shall be erected prior to occupation of the dwelling hereby permitted;
- (h) Work shall not commence until details of a scheme for the provision of a bats' roost within the roof void of the development hereby permitted, together with the provision of access to that roof space for bats has been submitted to, and approved in writing, by the Local Planning Authority. Once approved, the works shall take place in accordance with the agreed scheme and thereafter the loft space and agreed openings shall be permanently maintained. The development shall not be occupied until the scheme for the provision of the bats' roost and related accesses has been fully implemented;
- (i) C326 – garage – domestic use only;
- (j) The use of Meadow Farmhouse (dwelling) as a dwelling house shall be discontinued and all the buildings shown to be demolished on Plan No r2388/05, received 27 March 2006, shall be demolished prior to commencement of construction works on the site;
- (k) C927 – remediation investigation/certificate;
- (l) There shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2m back from the carriageway edge on the centre line of the existing access, and extending to points on the nearside carriageway edge 45m either side of the access. Such visibility splays shall be fully provided before the access hereby permitted is first brought into use and shall thereafter be maintained at all times on the land edged red and blue;
- (m) The existing access over the first 5m 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;
- (n) Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 4.5m from the carriageway edge;
 - (o) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority. Such drainage shall be provided prior to the dwelling first being brought into use;
 - (p) P001A – no extensions;
 - (q) Provision shall be made within the retained buildings or new buildings for Swallows to nest details of which shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter implemented prior to occupation of the replacement dwelling hereby permitted.

(Notes to applicant:- (1) Applicant was advised of a number of requirements requested by the Environment Agency; (2) With regard to potential ground contamination, applicant was advised that commercial/agricultural buildings are often used for the storage of materials and fuel that could have led to contamination of the ground in and around the buildings. There is also a potential risk from areas of filled ground (for example old ditches/ponds or slurry pits) as the fill could contain hazardous materials or could generate gases as any waste breaks down. If a detailed site investigation is required, this should be carried out in line with the latest guidance; (3) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (4) N112 – meter boxes; (5) N118 – disabled access; (6) N095A – owls and bats; (7) Applicant was advised that whilst your Wildlife Survey indicates an illustration of a bat roost, this detail needs to be incorporated within one of the new permitted buildings; (8) Applicant was advised to take into account the first two paragraphs of the recommendations of the Wildlife Survey; (9) Applicant was advised to be aware that the property is served by a private water supply and any increased usage from the proposed building should be notified to the Environmental Health Department; (10) Applicant was advised that there should be no tree planting within the visibility splays; (11) Applicant was advised that there has been a history of localised flooding on the adjacent highway. You are therefore advised to contact the Drainage Officer at Taunton Deane Borough Council.)

Reason for granting planning permission:-

The proposal was considered to accord with Taunton Deane Local Plan Policies S1, S2, H7, H8 and EN4 subject to conditions as there was no adverse impact on the local character of the area.

38/2006/019

Erection of rear extension and provision of disabled facilities at 26 Wellesley Street, Taunton

Conditions

- (a) C001A – time limit;
- (b) C102A – materials.

Reason for granting planning permission:-

The proposal by reason of its size, scale and materials, respected the character of the dwelling and the locality and caused no demonstrable harm to residential amenity in accordance with Taunton Deane Local Plan Policies S1, S2 and H17.

42/2005/045

Retention of farm buildings without complying with Condition 06 of Permission 42/2004/036, Mill Lane, Trull

Conditions

- (a) C001A – time limit;
- (b) This permission shall enure for the benefit of Mrs Criddle only whilst engaged in training, exercising and schooling of her own horses and not for the benefit of the land;
- (c) The equestrian facilities hereby permitted shall be used solely for private use by Mrs Criddle and shall at all times remain ancillary to Haygrove Barn, the adjacent barn conversion.

Reason for granting planning permission:-

The barns were required for the personal and specific needs of Mrs Criddle (a Paralympian) and it was considered that such facilities could not easily be provided elsewhere. The retention of existing buildings would not result in a loss of the open character of the Green Wedge, nor an increase in highway danger. The proposal would result in the reinstatement of the setting of the listed barn in the longer term. The proposal was considered to be in accordance with the requirements of Somerset and Exmoor National Park Structure Plan Policy 49 and Taunton Deane Local Plan Policies EN13, EN16 and S1(A).

42/2005/046

Construction of dressage area and change of use of farm buildings to stables, equestrian use and hay store at Haygrove Barn, Trull

Conditions

- (a) C001A – time limit;

- (b) This permission shall enure for the benefit of Mrs Criddle only whilst engaged in training, exercising and schooling of her own horses and not for the benefit of the land;
- (c) The equestrian facilities hereby permitted shall be used solely for private use by Mrs Criddle and shall at all times remain ancillary to Haygrove Barn, the adjacent barn conversion.

Reason for granting planning permission:-

The barns were required for the personal and specific needs of Mrs Criddle (a Paralympian) and it was considered that such facilities could not easily be provided elsewhere. The retention of existing buildings would not result in a loss of the open character of the Green Wedge, nor an increase in highway danger. The proposal would result in the reinstatement of the setting of the listed barn in the longer term. The proposal was considered to be in accordance with the requirements of Somerset and Exmoor National Park Structure Plan Policy 49 and Taunton Deane Local Plan Policies EN13, EN16 and S1(A).

44/2006/004

Erection of 50 bed elderly, mentally infirm home together with associated parking, landscaping and upgraded drainage system, Chelston Park Residential and Nursing Home, West Buckland Road, Wellington

Conditions

- (a) C001A – time limit;
- (b) C102A – materials;
- (c) C201 – landscaping;
- (d) C208A – protection of trees to be retained;
- (e) C208B – protection of trees – service trenches;
- (f) C210 – no felling or lopping;
- (g) The area allocated for parking on the submitted plan, Drawing No 278805/L02D, shall be marked out in accordance with the details of the submitted plan prior to the development being brought into use and shall, thereafter, be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (h) The development hereby approved shall not be occupied until a covered cycle rack facility has been provided within the site capable of accommodating 10 bicycles in accordance with a design specification to be submitted to, and approved in writing by, the Local Planning Authority.
- (i) Mitigation measures for protected species and other wildlife, set out in the recommendations of the submitted 'Habitat Survey' shall be carried out as part of the development'
- (j) The development hereby permitted shall not be commenced until details of the proposed surface water attenuation, including calculations, sizing of tanks and hydrobrake details have been

- submitted to, and approved in writing by, the Local Planning Authority;
- (k) The existing access which is to be widened over the first 15m of its length as measured from the edge of the public highway, 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;
 - (l) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority. Such drainage shall be provided prior to the access first being brought into use;
 - (m) Prior to the commencement of any development works, the applicant shall at his own expense appoint a Drainage Consultant to advise on the most suitable method for the drainage of foul waste from the property. The applicant shall also investigate the feasibility of connecting to the public sewer. The consultant shall submit a written report to the Local Planning Authority which shall detail the proposed drainage method and capacity. Such report shall be agreed in writing by the Local Planning Authority prior to the commencement of development works.
(Notes to applicant:- (1) N118A – disabled access; (2) N112 – energy conservation; (3) N115 – water conservation; (4) Applicant was advised to obtain general advice prepared by the Environment Agency on the assessment of site conditions and proposed foul drainage systems and guidance provided by the Construction Industry Research and Information Association (CIRIA) about on-site sewage disposal and septic tank systems; (5) Applicant was advised to contact the Chief Fire Officer with regard to means of escape, access for appliances and fire hydrants; (6) Applicant was advised that the Environment Agency's Consent is required for the proposed reed bed drainage system.)

Reason for granting planning permission:-

The proposal was considered not to have a detrimental impact upon visual or residential amenity and was therefore considered acceptable and, accordingly, did not conflict with Taunton Deane Local Plan Policies S1 and S2.

49/2006/006

Demolition of dwelling and erection of replacement dwelling and change of use of land from agricultural to domestic at Higher Grants, Ford, Wiveliscombe

Conditions

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) C201 – landscaping;
- (d) C215 – walls and fences;
- (e) C917 – services – underground;
- (f) P001A – no extensions;
- (g) 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 shall not be used other than for the parking of vehicles or the purpose of access;
- (h) Before the development hereby permitted is occupied, unobstructed visibility shall be provided above a height of 900mm from adjoining carriageway level for a minimum distance of 45m on both sides of the point of vehicular access for a depth of 2m measured from the nearside edge of the adjoining carriageway. Such visibility shall thereafter be maintained to the satisfaction of the Local Planning Authority;
- (i) Demolition work on the existing dwelling shall not commence until an emergence survey of bats, undertaken by a qualified Environmental Consultant between 1 May and 30 September in any one year has been submitted to, and approved in writing by, the Local Planning Authority. The survey and report shall include an identification of species present and a strategy for the protection of bats. Once approved, the works shall take place in accordance with the agreed scheme and thereafter roosting places and agreed openings shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the bats' roosts and related accesses has been fully implemented;
- (j) Prior to commencement of works on site, a copy of a valid DEFRA Development Licence shall be submitted to, and approved in writing by, the Local Planning Authority.
(Notes to applicant:- (1) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (2) Applicant was advised that the Environment Agency should be consulted about a licence for the installation of the sewage treatment plant; (3) With regard to condition (b), applicant was advised that the use of slates would be preferred to concrete tiles; (4) With regard to conditions (b) and (c), applicant was advised that a native species hedge should be planted to create the new southern garden boundary; (5) Applicant was advised that bats and nesting birds may be present on site and all operatives on site must be appropriately briefed on their potential presence. If bats are found on site, then work must stop and English Nature must be informed. All nesting birds are protected under the Wildlife

and Countryside Act 1981 (as amended) and if discovered, must not be disturbed.)

Reason for granting planning permission:-

The replacement dwelling was a one-for-one replacement which was not substantially larger than the existing dwelling and the scale, design and layout was compatible with the rural character of the area. As such, the proposal accorded with Taunton Deane Local Plan Policies S1, S2, H8 and EN5.

49/2006/007

Conversion of barn to dwelling, Higher Grants, Ford, Wiveliscombe

Conditions

- (a) C001A – time limit;
- (b) C102 – materials;
- (c) C601 – schedule of works to ensure safety and stability of structure;
- (d) Prior to the works for which consent is hereby granted are commenced, a schedule of repairs and structural work shall be submitted to, and approved in writing by, the Local Planning Authority;
- (e) C106 – second-hand materials;
- (f) C112 – details of guttering, downpipes and disposal of rainwater;
- (g) C201 – landscaping;
- (h) C205 – hard landscaping;
- (i) C215 – walls and fences;
- (j) P001A – no extensions;
- (k) P003 – no ancillary buildings;
- (l) P006 – no fencing;
- (m) P010 – no further windows;
- (n) C927 – remediation investigation/certificate;
- (o) 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 shall not be used other than for the parking of vehicles or the purpose of access;
- (p) Before the development hereby permitted is occupied, unobstructed visibility shall be provided above a height of 900mm from adjoining carriageway level for a minimum distance of 45m on both sides of the points of vehicular access for a depth of 2m measured from the nearside edge of the adjoining carriageway. Such visibility shall thereafter be maintained to the satisfaction of the Local Planning Authority;
- (q) Prior to commencement of works on site, a copy of a valid DEFRA Development Licence shall be submitted to, and approved in writing by, the Local Planning Authority;

- (r) Prior to commencement of works to convert the barn and associated buildings, an emergence survey of bats undertaken by a qualified Environmental Consultant between 1 May and 30 September in any one year, shall be submitted to, and approved in writing by, the Local Planning Authority. The survey and report shall include an identification of species present and a strategy for the protection of bats. Once approved, the works shall take place in accordance with the agreed scheme and thereafter the roosting places and agreed openings shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the bats' roosts and related accesses has been fully implemented;
- (s) Development shall not commence on the barn to be converted until a survey for nesting Barn Owls is 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 and an Impact Assessment and mitigation/avoidance measures in order to safeguard Barn Owls and their nest site in accordance with the law. Once approved, the works shall take place in accordance with the agreed scheme and thereafter the nesting site and agreed openings in the building shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance of the nesting site and related accesses has been fully implemented.

(Notes to applicant:- (1) Applicant was advised that bats and nesting birds may be present on site and all operatives on site must be appropriately briefed on their potential presence. If bats are found on site then work must stop and English Nature must be informed. All nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered, must not be disturbed; (2) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (3) Applicant was advised that the Environment Agency should be consulted about a licence for the installation of the sewage treatment plant.)

Reason for granting planning permission:-

The building was worthy of retention and the approved scheme satisfactorily respected the traditional character of the building and would not harm visual or residential amenity and, accordingly, did not conflict with Taunton Deane Local Plan Policies S1, S2 and H7.

49/2006/009CA

Demolition of old brewery buildings, the Old Hancock Brewery, Golden Hill, Wiveliscombe

Conditions

- (a) C002B – time limit;
- (b) C681 – record of excavation and deposit of finds;
- (c) C673 – photographic record;
- (d) C653 – no demolition before planning permission granted and contract let.

Reason for granting Conservation Area consent:-

The removal of these buildings would enable the development of the main former brewery to take place in accordance with Taunton Deane Local Plan Policy EN15.

- (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:-

(The Chairman (Councillor Mrs Marie Hill) and Councillor C Hill declared personal interests in the following application and left the meeting during its consideration. Councillor Mrs Marcia Hill (Vice-Chairman) took the Chair for this application.)

23/2006/001

Retention of change of use of land from agricultural to use for storage of timber, retention of earth bund, retention of bridge and retention of roadside fence at Fouracre Sawmills at Station Road, Milverton

Reasons

- (a) The application site is within a Flood Zone 3 Area and a Flood Risk Assessment is required by Planning Policy Guidance Note No 25. In the absence of such a document, it is impossible to assess the impact of development on flood flows, flood plain storage and thus potential impact on adverse flood risk to third parties from the loss of flood plain storage due to the bund and timber material, or the potential scenario for timber material entering the channel and creating a blockage contrary to Planning Policy Guidance No 25 and Taunton Deane Local Plan Policy EN28.
- (b) The retention of the bund and materials to the existing height are considered to be contrary to Taunton Deane Local Plan Policies EN6, EN8 and EN12 on the basis that the bund is too close to existing trees and has the potential to cause harm to those trees and the bund is out of character with the surrounding landscape which is low lying and visible from the nearby public footpath;
- (c) The existing fencing, as part of the current application, does not incorporate the necessary visibility splays which are essential in

the interests of highway safety contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

Also RESOLVED that:-

- (1) Enforcement action be taken to secure the removal of the unauthorised roadside fence; and
- (2) Further enforcement action be taken to stop the unauthorised use of the land for the storage of timber, to seek the removal of the earth bunds and the bridge, subject to such action being deferred for a period of six months from the date of the meeting.

38/2006/033

Redevelopment comprising 74 apartments in three blocks, conversion of two listed buildings to three dwellings, provision of associated parking and facilities and alterations to access, former SCAT Annexe, Staplegrove Road, Taunton

Reason

The proposed development results in the loss of an existing building which makes a positive contribution to the Staplegrove Conservation Area. The design, bulk and height of the proposed development is out of keeping with, and detrimental to, the Staplegrove Conservation Area and represents an overdevelopment of the site contrary to the visual amenity and character of the area and provides an inappropriate setting for the existing listed buildings. The proposal is therefore contrary to Taunton Deane Local Plan Policies H2, EN14 and EN15.

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

38/2006/031CA

Demolition of non-listed buildings at former SCAT Annexe, Staplegrove Road, Taunton

52/2006/004

Erection of two storey and single storey extension at 37 Scaffell Close, Taunton

(Councillor Denington declared a personal interest in the application covered by Minute No 47 below.)

47. **Change of use of land to enable car park to be used as a site for Sunday Market, including repositioning of vehicular access and alterations to parking layout, Taunton Racecourse, Orchard Portman (30/2006/007)**

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues by 21 April 2006, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if planning permission was granted, the following conditions be imposed:-

- (a) C001A – time limit;
- (b) There shall be no permanent structures or stalls placed on the site at any time;
- (c) All temporary stalls shall be removed from the site after the use ceases on a Sunday and no stalls shall be located on the site Monday to Saturday;
- (d) Notwithstanding Schedule 2, Part 4, Class B of the Town and Country Planning (General Permitted Development) Order 1995 (or any subsequent Order amending or revoking and re-enacting that Order) there shall be no other car boot sale or market held on land owned by the Racecourse;
- (e) The visibility splay on Drawing No 05.66.11A shall be provided prior to the site being brought into use for Sunday markets.
- (f) C201 – landscaping;
- (g) The access gates of the new access shall be set back a minimum of 10m from the carriageway and open inwards;
- (h) Details of the means of preventing surface water flowing onto the highway shall be submitted to, and approved in writing by, the Local Planning Authority and implemented before the use commences;
- (i) The existing access to the car park shall be permanently closed for vehicular access and exit other than for emergency vehicles.
(Notes to applicant:- (1) Applicant was advised that in addition to the roadside boundary hedge, a new hedge to the west of the existing track in each field will be required; (2) Applicant was advised that the footpath must remain open and unobstructed at all times. Any change to the surface or route must be authorised by Somerset County Council.)

Reason for planning permission, if granted:-

The proposal was considered not to detrimentally harm residential amenity or the character of the area and subject to conditions was considered to comply with Taunton Deane Local Plan Policies S1 and S2.

48. Erection of 6 No two bed flats and 2 No one bed flats with 8 No on-site parking spaces at former Service Station, Priorswood Place, Dorchester Road, Taunton (38/2005/390)

Reported this application.

RESOLVED that subject to the applicants entering into a Section 106 Agreement to provide financial contributions towards leisure and recreation provision, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if planning permission was granted, the following conditions be imposed:-

- (a) C001A – time limit;
- (b) C102A – materials;
- (c) C203 – landscaping;
- (d) C926B – remediation investigation/certificate;
- (e) No dwellings shall be occupied until space has been laid out within the site in accordance with details previously submitted to, and approved in writing by, the Local Planning Authority for eight bicycles to be parked;
- (f) Provision shall be made for the parking of 8 No cycles in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority. Such provision shall be made before each phase of the development hereby permitted is occupied/use hereby permitted is occupied;
- (g) The secure area for storing cycles shall remain available for its intended purpose and shall not be used for any other purpose;
- (h) The layout to be submitted shall make adequate provision for a temporary car park within the site to accommodate operatives' and construction operatives' vehicles during the contract period and shall indicate the eventual use of that area;
- (i) The area allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted;
- (j) No dwelling hereby permitted shall be occupied until the parking spaces and turning area shown on Drawing No 04012-102 have been provided and completed;
- (k) The proposed access shall be constructed in accordance with details shown on the submitted plan, Drawing No 04012-102, and shall be available for use before any dwelling is occupied;
- (l) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority. Such drainage shall be provided prior to the dwelling first being brought into use;
- (m) The existing vehicular access to the site shall be stopped up, its use permanently abandoned and the verge/footway crossing reinstated in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority. Such works shall be completed within six months of the new vehicular access hereby approved being first brought into use;
- (n) P011 – no windows on the north-west elevation;
- (o) C215 – walls and fences;
- (p) Prior to the commencement of works on site, details of a bin store to serve the properties shall be submitted to, and approved in writing by, the Local Planning Authority. Such a bin store shall be fully constructed and available for use by all residents prior to the occupation of any of the units hereby permitted and shall be maintained as such thereafter.

(Notes to applicant:- (1) N111 – disabled access; (2) N112 – energy conservation; (3) N114 – meter boxes; (4) N116 – disabled access; (5) N117 – crime prevention; (6) N045 – encroachment; (7) N061A –

Highways Act – Section 184 Permit; (8) N048A – environmental health.)

Reason for planning permission, if granted:-

The proposed residential development would be located within the settlement limits of Taunton where such development is considered appropriate and in compliance with the requirements of Taunton Deane Local Plan Policies S1, S2, H2 and M4.

49. Construction of new business park including formation of new roundabout, pumping station and lagoon at land adjoining Chelston House Farm, Wellington (43/2006/016)

Reported this application.

RESOLVED that subject to:-

- (i) The removal of the Article 14 Direction imposed by the Highways Agency;
- (ii) The further views of the County Highway Authority, Highways Agency, Wessex Water, Environment Agency, Drainage Officer, Somerset Wildlife Trust, Environmental Health Officer, Nature Conservation and Reserves Officer and any further conditions that they might require;
- (iii) The receipt of further traffic generation figures;
- (iv) The receipt of initial Wildlife Surveys;
- (v) The receipt of further drainage layout details, siting of the surface water attenuation facility, further details of surface water drainage and details of access for the maintenance of the attenuation pond;
- (vi) The applicants entering into a Section 106 Agreement to provide cycle and pedestrian links and on the road cycle lane and contribution towards a tendered bus service, construction of roundabout and commuted sums towards the maintenance of the lagoon by Taunton Deane Borough Council;
- (vii) The submission of additional information to justify any free-standing office floor space above 600 sq m,

the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if outline planning permission was granted, the following conditions be imposed:-

- (a) C007 – outline – reserved matters;
- (b) C010 – drainage;
- (c) C014A – time limit;
- (d) C101 – materials;

- (e) C201 – landscaping;
- (f) C207 – existing trees to be retained;
- (g) C208A – protection of trees to be retained;
- (h) C208B – protection of trees – service trenches;
- (i) C209 – protection of hedges to be retained;
- (j) C210 – no felling or lopping;
- (k) The use of the buildings as described as Trade Counter/B1C use on the schedule of building uses received on 13 January 2006 shall be restricted to a trade only or other uses within Class B8 of the Town and Country Planning (Use Classes Order 1987) or in any provision equivalent to the class in any Statutory Instrument revoking or re-enacting that Order and shall not be used for the direct sale of good to the general public;
- (l) The details of the proposal shall broadly equate to the schedule of building uses received on 13 January 2006;
- (m) The proposed development shall only be accessed by a new roundabout constructed in accordance with Drawing No 9334C109 received on 13 February 2006;
- (n) Any existing vehicular accesses to the site shall be stopped-up (and the verge crossings reinstated) and their use permanently abandoned within one month of the new access first being brought into use;
- (o) C708 – restricted use – no storage except where stated;
- (p) C331 – provision of cycle parking;
- (q) The layout of the site shall be so designed as to provide for the comprehensive development of the land with the adjoining land to the east (proposed Livestock Market site at Chelston Heathfield);
- (r) C917 – services - underground;
- (s) A schedule of timing of works to existing trees and hedgerows shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of any work on site;
- (t) Before any development commences, details of lighting on the site shall be submitted to, and approved in writing by, the Local Planning Authority. Such details shall include the use of appropriate location, orientation, timing, shading and power to avoid any illumination of off-site areas;
- (u) Before the development hereby permitted is commenced, details of the appearance of any electricity sub-station shall be submitted to, and approved in writing by, the Local Planning Authority;
- (v) The mitigation measures set out in the Ecological Report submitted with the Environmental Statement shall be carried out in accordance with further details to be submitted to, and approved in writing by, the Local Planning Authority.

(Notes to applicant:- (1) N118A – disabled access; (2) N112 – energy conservation; (3) N115 – water conservation; (4) N051B – health and safety; (5) N054 – fire safety; (6) Applicant was advised that access for fire appliances should comply with Approved Document B5 of the Building Regulations 2000; (7) Applicant was advised that all new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards; (8) Applicant was advised that it had been noted that the

application site does not utilise the whole area allocated in the Local Plan. The layout of the estate, to be considered at the reserved matters stage, should not prejudice the future development of the remainder of the site identified in Policy W4 of the Taunton Deane Local Plan.)

Reason for outline planning permission, if granted:-

The proposed development was consistent with the Local Plan Strategy, given the fact that the proximity to the M5 and the use of the site for warehousing, manufacturing and related distribution was in line with Government advice in Planning Policy Guidance Note No 13. The proposal was considered to be in compliance with the criteria set out in Taunton Deane Local Plan Policy W4.

(Councillor Hindley declared a personal interest in the application covered by Minute No 50 below and left the meeting during its consideration.)

50. Change of use and conversion of barn to single dwelling, barn off Little Silver Lane, Middle Green, Wellington (44/2006/006)

Reported this application.

RESOLVED that subject to the receipt of a satisfactory amended plan, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if planning permission was granted, the following conditions be imposed:-

- (a) C001A – time limit;
- (b) Prior to the commencement of any works, details of the surfacing materials for the access track and turning areas shall be submitted to, and approved in writing by, the Local Planning Authority;
- (c) C101 – materials;
- (d) C201 – landscaping
- (e) C215 – walls and fences;
- (f) Details of the disposal of surface water run off from the access drive shall be submitted to, and approved in writing by, the Local Planning Authority before the commencement of development. The agreed details shall be fully implemented before the building is occupied;
- (g) Development shall not commence until details of a scheme for the retention of a Swallows nest site and its accesses (or the provision of an alternative new site or accesses) has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a programme for the implementation of the development which avoids any building or other operations likely to affect the Swift/Swallow/House Martin nest sites(s) being undertaken between 1 April and 30 September inclusive. The development shall be carried out in accordance with the approved scheme or any amendment to the scheme as approved in writing by the Local Planning Authority;
- (h) Prior to commencement of works to convert the barn and associated buildings, an emergence survey of bats undertaken by a qualified

Environmental Consultant between 1 May and 30 September in any one year, shall be submitted to, and approved in writing by, the Local Planning Authority. The survey and report shall include an identification of species present and a strategy for the protection of bats. Once approved, the works shall take place in accordance with the agreed scheme and thereafter the roosting places and agreed openings shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the bats' roosts and related accesses has been fully implemented;

- (i) C601 – schedule of works to ensure safety and stability of structure;
- (j) 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;
- (k) P001A – no extensions;
- (l) P003 – no ancillary buildings;
- (m) P005 – no garages;
- (n) P006 – no fencing;
- (o) C917 – services – underground.

(Note to applicant:- Applicant was advised that the building to which this proposal relates is thought to provide a roosting place for bats which is a protected species under Schedule 5 of the Wildlife and Countryside Act 1981. It is an offence to intentionally disturb bats occupying a building or structure and you are further advised to contact English Nature for advice on this matter.)

Reason for planning permission, if granted:-

The proposed development is considered sympathetic and will not harm the integrity and character of the barn or detract from the visual amenity of the area. The proposal does not therefore conflict with Taunton Deane Local Plan Policies S1, S2 and H7.

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

The Committee was of the view that due to the quality of the former barn and its contribution to the locality, it was a building worth retaining and this consequently outweighed the fact that it was not in a sustainable location.

51. Erection of 14 residential units with associated parking, garages and amenity space, demolition of old brewery buildings at the Old Hancock Brewery, Golden Hill, Wiveliscombe (49/2006/008)

Reported this application.

RESOLVED that subject to the applicants entering into a Section 106 Agreement in respect of an agreed financial contribution being made towards the provision of off-site recreational facilities, the Development Control Manager be authorised to determine the application in consultation with the

Chairman, and if planning permission was granted, the following conditions be imposed:-

- (a) C001A – time limit;
- (b) Before the commencement of any works hereby permitted, details or samples of the materials to be used for rendered areas and brick walls shall be submitted to, and approved in writing by, the Local Planning Authority and no other materials shall be used without the written consent of the Local Planning Authority;
- (c) The external surfaces of the development hereby permitted shall be of materials as indicated in the application form and plans and no other materials shall be used without the written consent of the Local Planning Authority;
- (d) C331 – provision of cycle parking;
- (e) C201 – landscaping;
- (f) C219 – screening during demolition;
- (g) Before any part of the permitted development is commenced, details of all boundary walls, fences or hedges forming part of the development shall be submitted to, and approved in writing by, the Local Planning Authority and any such wall, fence or hedge so approved shall be erected/planted before any of the units are occupied;
- (h) 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;
- (i) The proposed parking areas and spaces, manoeuvring areas, unloading areas and footpaths shall be properly consolidated, drained, surfaced in a material to be submitted to, and approved in writing by, the Local Planning Authority and thereafter maintained and marked out before the occupation of the units hereby approved, or at such time as agreed by the Local Planning Authority and shall not be used for any other purpose than the parking/manoeuvring or unloading of vehicles in association with the development hereby permitted;
- (j) The garages shown on the approved plans shall be constructed and available for use as garages at the time of occupation of the associated residential units and retained for parking of vehicles only for so long as the development remains;
- (k) C917 – services – underground;
- (l) The applicant shall at his own expense, appoint a suitably qualified consultant with a remit to examine the premises and identify what measures, if any, may be necessary to ensure that odours from existing sources will not cause nuisance to the occupants of premises on the completed development. The consultant shall submit a written report to the Local Planning Authority together with any odour reduction scheme recommended and the reasoning upon which any such scheme is based. Such report shall be agreed in writing by the Local Planning Authority prior to the commencement of development works on the northern building. The agreed works shall be carried out prior to the northern part of the building being occupied;
- (m) C926B – remediation investigation/certificate;

- (n) The Developer shall advise all prospective purchasers of the dwellings hereby permitted that the site is adjacent to existing industrial occupiers and that a degree of noise, disturbance and odour is likely to occur;
- (o) Full details of all surface water, foul water, fresh water and any other sewage systems both for the proposed development and for any other premises served by such systems in the application site shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced. The details shall provide for the commissioning of any replacement sewers or supplies prior to the decommissioning of the existing systems. The details shall include evidence that there is sufficient capacity in the existing adopted sewer system for any new or diverted foul sewage waste. Any proposed changes to the approved scheme shall be agreed in writing by the Local Planning Authority prior to implementation. The approved scheme shall be fully implemented prior to the occupation of the first dwelling unit;
- (p) The development shall not be occupied until the scheme for the maintenance and provision of the bats' roosts and related accesses has been fully developed and is in place as detailed in the Greena Ecology Consultancy Report Recommendations and Mitigation which accompanied the application;
- (q) All bathroom/toilet windows on the north elevation shall be permanently fixed shut and glazed as specified on the approved plans. If any ventilation is included in the north elevation, it shall be only in the form of outlets associated with a positive internal pressure ventilation system and inlets for such systems shall not be in the north elevation;
- (r) Before any works are carried out for the removal of any fill, the developer shall submit to the Local Planning Authority for approval full details of the proposals for the stabilisation of the adjoining land including the results of a geo-technical survey and structural calculations for any retaining structures. Any retaining structures thereby required shall be in position prior to the occupation of any of the residential units hereby approved;
- (s) P001A – no extensions;
- (t) P003 – no ancillary buildings;
- (u) P010 – no further windows;
- (v) Prior to the commencement of any development works, the applicant shall at his own expense, appoint a suitably qualified acoustics consultant with a remit to examine the premises/land and identify what measures, if any, may be necessary to ensure that noise from existing sources and in particular, noise from the Exmoor Ales and Quantock Engineering premises will not cause nuisance to the occupants of premises on the completed development. The consultant shall submit a written report to the Local Planning Authority which shall detail all measurements taken and results obtained together with any sound reduction scheme recommended and the calculations and reasoning upon which any such scheme is based. The agreed works shall be carried out prior to the dwellings hereby permitted being occupied;

- (w) Development shall not commence until details of a scheme for the retention of a Swift's nesting site (or the provision of a new nesting site) has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a programme for the implementation of the development which avoids any building, engineering or other operations likely to affect the nesting site or replacement site being undertaken between 1 May and 31 August inclusive. The development shall be carried out in accordance with the approved scheme or any amendment to the scheme as approved in writing by the Local Planning Authority;
- (x) A condition survey of the existing public highway will need to be carried out and agreed with the County Highway Authority prior to works commencing on site and once works are complete. Any damage to the existing highway as a result of this development shall be reinstated;
- (y) No development approved by this permission shall be commenced until a site investigation has been undertaken to determine the nature and extent of any contamination present. The investigation shall include the following stages:-
 - A desk study, which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information. If the potential for significant ground contamination is confirmed, this information should be used to produce:-
 - (i) A detailed water interest survey to identify all wells, boreholes, springs and watercourses within 100m of the site boundary;
 - (ii) A diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors;
 - (iii) A site investigation designed for the site, using this information and any diagrammatical representations (Conceptual Model) undertaken. The investigation must be comprehensive enough to enable:-
 - (a) a suitable Risk Assessment to be undertaken relating to groundwater and surface waters associated on and off the site that may be affected and
 - (b) refinement of the Conceptual Model and
 - (c) development of a Method Statement detailing the remediation requirements;
- (z) The development hereby permitted shall not be occupied until details of a Management Plan to maintain the favourable conservation status for the bats that are affected by this development has been submitted to, and approved in writing by, the Local Planning Authority. The plan shall include a programme that sets out details to avoid any operations likely to adversely affect the bat roost and to allow access by licensed bat workers for monitoring and maintenance purposes. Once approved, the permanent maintenance of the bat roost will take place in accordance with the agreed plan unless otherwise authorised in writing by the Local Planning Authority;

- (aa) C910B – archaeological investigation;
- (Notes to applicant:- (1) N048A – environmental health; (2) Applicant was advised that noise emissions from the site during the demolition and construction phases should be limited to the following hours if nuisance is likely at neighbouring premises:- Monday – Friday 0800 - 1800 hours; Saturday 0800 – 1300 hours. At all other times, including public holidays, no noisy working; (3) Applicant was advised that the design storm for any attenuation system should be for a 1:25 year return period storm; (4) Applicant was advised to approach the Environmental Agency for Consent to Discharge and for their requirements regarding oil interceptors and headwall design; (5) Applicant was advised that details were required of the proposed point of discharge to a watercourse or sewage system together with details of the headwall; (6) Applicant was advised that 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 SUDs be used at this proposed development; (7) Applicant was advised that whilst conditions (l) and (v) should mitigate the impact of the existing working practices from the adjacent premises, there may be occasions when noise and/or smell may be detectable to the residential properties. Therefore condition (n) has been added; (8) Applicant was advised of a number of requirements requested by the Fire and Rescue Service; (9) Applicant was advised that before any works are commenced, discussions should take place regarding any disconnections and reconnection of any services, such that all such services are protected and maintained during any demolition, construction and any other works; (10) Applicant was advised of a number of requirements requested by Wessex Water; (11) Applicant was reminded of the need to prevent mud being spread onto the public highway during construction; (12) Although it was acknowledged by the Council that much investigation has already taken place in respect of noise, odour and contamination issues, applicant was advised to contact the Environmental Health Officer to discuss the further measures required; (13) Applicant was advised that the County Highway's Authority recommend that all construction traffic should arrive at and leave the site via Old Brewery Road and that works vehicles should not attempt to access the site via Golden Hill. It was also recommended in the interests of driver/pedestrian safety that a 33m long forward visibility splay should be provided throughout the south-eastern bend of the private drive; (14) Applicant was advised that the current application states that the surface water, resulting from the development, will be drained into an existing combined system, presumably maintained by Wessex Water. This is acceptable from a highway viewpoint as no connection into a highway drainage system will be permitted due to the site remaining within private ownership. Due to the existing private drive falling towards Old Brewery Road, suitable drainage measures should be in place to prevent any surface water from the private drive

from discharging onto the existing publicly maintained highway; (15) Applicant was advised that with regard to the internal layout of the development, consideration should be given to emergency service vehicles and access to the inner sections of this development, in particular vertical clearances under archways. In addition, 6m long unobstructed aisles should be provided in front of garage doors to allow for vehicles to be parked in front of them without overhanging the adjacent private drive; (16) Drawing No 10505 shows a proposed bin store on the right-hand side of the private drive upon entry from Old Brewery Road. No other refuse collection points within the site have been identified. Applicant was advised to confirm that other refuse collection points will be made available other than the one currently shown. Due to the lack of turning areas within the application site, care will have to be taken in locating such facilities; (17) Point 2.5 of the submitted supporting statement mentions the fact that pedestrians and vehicles will be able to access the site from Golden Hill, an adopted highway, on the western site boundary. Applicant was advised that this access onto Golden Hill is private and in the interests of pedestrian safety and to avoid pedestrian/vehicular conflicts, the developer may wish to consider installing a footway linking through from the proposed site to Golden Hill; (18) Applicant was advised of a number of requirements requested by the Environment Agency; (19) Applicant was advised of a number of additional requirements requested by Wessex Water; (20) With regard to condition (aa), applicant was advised that the County Archaeologist would be happy to provide a specification for this work and a list of suitable archaeologists to undertake it.)

Reason for planning permission, if granted:-

The development accorded with Taunton Deane Local Plan Policies S1, S2, H1, EN15 and WV2 and was not considered to be detrimental to the amenities of local residents nor was it considered essential to retain the site in employment use in accordance with Policy EC6 as the benefits of the proposed development were considered to outweigh the retention of the buildings with potential for employment use. The proposed development was considered to enhance the character of the Conservation Area and involved the use of brownfield land.

52. Unauthorised display of an advance sign on land off Taunton Road, Wellington

Reported that a large non-illuminated advance sign advertising the Discount Tile Warehouse had been erected without advertisement consent, on land off Taunton Road, Wellington.

The owner of the sign had been advised that consent to retain the sign was required but, to date, an application had not been received and the sign 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 non-illuminated advance sign advertising the Discount Tile Warehouse which was sited on land off Taunton Road, Wellington, unless it was removed within one month.

53. Certificate of Lawful Use – land at the rear of Young’s Oak, Wrantage (24/2005/033LE)

Reference Minute No 126/2005, reported that since granting the Certificate of Lawful Use there had been two separate complaints that the evidence submitted in support of the application was incorrect or lacking in credibility.

The applicant had been advised of the nature of the complaints and in response had submitted a rebuttal of the facts alleged by the complainants, together with additional evidence in support of his claim.

Copies of these additional documents had been sent to the complainants who had indicated that although they remained concerned, they did not wish to pursue their complaint through the Planning Committee.

In the view of the Chief Solicitor there was sufficient evidence to support the issue of the Certificate of Lawfulness and that the information supplied by the complainants was insufficient to warrant revocation of the Certificate.

RESOLVED that the position be noted and that no further action be taken in respect of the Certificate of Lawful Use which had been granted relating to land at the rear of Young’s Oak, Wrantage.

(The meeting ended at 8.02 pm.)