

Planning Committee - 21 April 2004

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

Officers: Mr N T Noall (Chief Planning Officer), Mr T Burton (Area Planning Officer (East)), Mr J Hamer (Area Planning Officer (West)), Mrs J M Jackson (Senior Solicitor) and Mr R Bryant (Review Support Manager).

(The meeting commenced at 5.00 pm).

37. Apologies

The Mayor (Councillor Govier) and Councillors Guerrier and Miss Peppard.

38. Welcome/Chairman

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

Councillor Henley reminded Members present that the meeting was the last one before the Chairman stood down to become Mayor of Taunton Deane. On behalf of the Committee, he thanked Mrs Allgrove for the way in which she had undertaken the role of Chairman and wished her a successful year as Mayor.

39. Minutes

The minutes of the meeting held on 31 March 2004 were taken as read and were signed.

40. Public Question Time

Mr John Lucas brought to the attention of the Committee the fact that an increasing number of businesses were now using the site at Foxmoor Nurseries. He was aware that BT were proposing to lay a larger cable to the site because of the extra demand. He also reported that vacant business space was openly being advertised.

In reply, Mrs Jackson (Senior Solicitor) thanked Mr Lucas for his information. She reported that mediation between the Council and Foxmoor Nurseries was due to take place on 27 April 2004. The outcome of this mediation would determine what action the Council could take to stop the unauthorised business uses taking place at the nursery site.

41. Applications for Planning Permission

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

- (1) That the **detailed plans be approved** 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:-

38/2004/135

Erection of bungalow and garage on land to rear of 36/38 Greenway Crescent and erection of garages for numbers 36 and 38 Greenway Crescent, Taunton.

Condition

- (a) C001- materials.
(Note to applicant:- N021 - conditions).

Reason for approving detailed plans:-

The proposed bungalow was of an acceptable design and would not result in any material adverse impact upon adjoining properties. The proposal therefore accorded with Taunton Deane Local Plan Revised Deposit Policy H1.

- (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:-

34/2004/013LB

Re-roof, new floor, internal walls lined, external walls rendered and change of use to retail, barn at Yarde Farm, Norton Fitzwarren.

Conditions

- (a) All works the subject of this application shall be started and completed within one year of the date of this permission. No alteration to this time period shall take place other than as agreed in writing by the Local Planning Authority;
- (b) Within one calendar month of the completion of the conversion works hereby permitted, the unauthorised extension shall be demolished and the farmhouse walls shall be made good, and any variation in this timetable shall be agreed in writing by the Local Planning Authority;
- (c) C103 - materials - listed building;
- (d) Prior to commissioning, specific details of all new windows and doors, balustrade to ramp and enclosure to playground shall be submitted to, and approved in writing by, the Local Planning Authority.
- (e) No bell casts shall be formed in the render over window or door heads;

- (f) The finished colour for the render and external joinery shall first be approved in writing by the Local Planning Authority;
- (g) A breathable felt such as Tyvek shall be used in the re-roofing.

Reason for granting listed building consent:-

It was considered that the proposal was in line with Taunton Deane Local Plan Revised Deposit Policy EN17 in respect of proposals relating to listed buildings.

42/2004/005

Enlargement of existing garage with first floor extension at 8 Orchard Close, Trull.

Conditions

- (a) C001 - time limit;
- (b) C102A - materials;
- (c) The proposed garage shall be used for residential purposes only and shall not be used for commercial/industrial purposes.

Reason for granting planning permission:-

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

42/2004/008

Erection of rear extension to Ferring Lodge, 20 Trull Green Drive, Taunton.

Conditions

- (a) C001 - time limit;
- (b) C102 - materials.

Reason for granting planning permission:-

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

(Councillor Floyd declared a personal interest in the following application and left the meeting during its consideration).

46/2004/006

Use of premises (existing and recent barn conversion) as children's home with attendant education, independence training accommodation support, associated administration office and staff training associated with these uses, Talavera (formerly Manleys Farm/House), West Buckland.

Conditions

- (a) C001 - time limit.

(Notes to applicant:- (1) Applicant was advised to request that staff and visitors park in the designated parking area in the courtyard, rather than on the highway; (2) Applicant's attention is drawn to the need to provide an adequate means of escape from fire and other fire precautions in line with the requirements of the Fire Precautions Act 1971 and the Fire Precautions (Workplace) Regulations 1997 (as amended) for a property of the proposed usage; (3) Applicant was advised that in planning, designing and operating this establishment, you will need to have regard to the requirements of:- The Food Safety (General Food Hygiene) Regulations 1995 (as amended) and The Food Safety (Temperature Control) Regulations 1995 (as amended). Failure to comply with these regulations is a criminal offence. It is strongly recommended that the applicant contacts the Food Safety Team of the Environmental Health Department once plans showing the proposed layout and work flow are available. This is to discuss any details which may need amending to ensure the premises will comply with the current legislation. Applicant was strongly urged to obtain a copy of the relevant Industry Guide, which provides detailed guidance on compliance with these regulations; (4) In view of the close relationship with adjacent dwellings, applicant was requested to install acoustic glazing and insulation on and adjacent to the boundary with those residential properties).

Reason for granting planning permission:-

The proposal was located at premises which were in existing use for the proposed uses, with the proposal consolidating those uses. It was considered that the proposal was in line with the provisions of Taunton Deane Local Plan Revised Deposit Policies S1 and EC3.

42. Change of use from barn to retail outlet at Yarde Farm, Norton Fitzwarren (34/2004/012)

Reported this application.

RESOLVED that subject to the receipt of no adverse views from the Norton Fitzwarren Parish Council by 22 April 2004, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if planning permission were granted, the following conditions be imposed:-

- (a) All works the subject of this application shall be started and completed within one year of the date of this permission. No alteration to this time period shall take place other than as agreed in writing by the Local Planning Authority;
- (b) The retail sales and display area shall be restricted to the areas shown on the submitted plans;
- (c) The existing unauthorised timber structure shall be removed within one month of the completion of the change of use works hereby authorised;
- (d) Full details of all surface and foul drainage shall be submitted to, and approved in writing by, the Local Planning Authority and the scheme shall be completed in accordance with the approved plans before use of the building commences;

- (e) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall have been submitted to the Local Planning Authority for approval. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10% or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground where possible and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.
- (f) C926B - remediation investigation/certificate;
- (g) C901 - personal permission;
- (h) The business shall only be opened to the public for a maximum of 30 hours per week excluding Sundays and Mondays, and shall not be open prior to 10.00 am or after 4.00 pm on any day the business is open;
- (i) The premises shall be used for the sale of children's clothes and equipment and for no other purpose (including any other purpose in Class A1 of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order).

(Notes to applicant:- (1) Applicant was advised that the surface water soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (2) N034 - drainage/water; (3) Applicant was advised that any oil storage facility of 200 litres or more must include a bund, and comply with the Oil Storage Regulations ("The Control of Pollution (Oil Storage) (England) Regulations 2001"); (4) The method of foul drainage is stated as existing septic tank. Applicant was advised however that it is not known whether effluent from this system is connected to a ditch/water course or whether it is directed to a suitably sized and constructed soakaway drainage system. Under normal circumstances, it is permissible to discharge septic tank effluent to an appropriately designed and constructed soakaway, provided ground conditions are suitable. However, it is an offence to discharge septic tank effluent directly to a watercourse. Consequently, when the Environment Agency encounters such discharges, especially those causing water quality/environmental health problems, they are required to cease and the necessary improvements undertaken. Accordingly, the Environment Agency requires clarification regarding this matter; (5) N048A - remediation strategy).

Reason for planning permission, if granted:-

It was considered that the proposal was in line with Taunton Deane Local Plan Revised Deposit Policies S1, S2, EC1a, EC3 and EC5 in that it would assist an existing business in a rural location with no harm to residential amenities and would make appropriate use of an existing building. It was not thought that the intensity of use would be increased significantly. These reasons were considered to outweigh the concerns in relation to traffic generation and sub-standard road junction.

43. Erection of 41 dwellings and formation of access (together with access to adjacent day nursery) on site of former Highways Depot, South Street, Taunton (38/2004/052)

Reported this application.

RESOLVED that subject to the receipt of acceptable revised landscaping proposals adjacent to the access, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if the detailed plans were approved, the following conditions be imposed:-

- (a) C208A - protection of trees to be retained;
- (b) No service trenches shall be dug within the canopy of any existing tree within the curtilage of the site without the prior approval of the Local Planning Authority;
- (c) C416 - details of size, position and materials of meter boxes;
- (d) Before any other works commence, all existing buildings on the site shall be demolished and all materials resulting from the demolition shall be removed from the site. The site boundaries shall then be secured in accordance with a scheme to be approved in writing by the Local Planning Authority before works commence. Adjoining residents shall be notified by the applicants before any such works take place;
- (e) The approved landscaping works in front of Apartment Block B shall be completed before any of the dwellings hereby approved being first occupied, unless otherwise agreed in writing by the Local Planning Authority;
- (f) The windows to be obscure glazed in Apartment Block A shall not be altered without the prior written permission of the Local Planning Authority.
(Notes to applicant:- (1) N021 - conditions; (2) N024 - development in accordance with approved plans; (3) N075 - Section 106 Agreement; (4) 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 - Friday 0800 to 1800 hours; Saturdays 0800 to 1300 hours. At all other times, including Public Holidays, no noisy working).

Reason for approval, if granted:-

The principle of development was already established. The details submitted showed a layout acceptable in terms of highway safety, amenity and design. The proposal would not result in demonstrable harm to the amenities of existing residents and therefore accorded with the requirements of Taunton Deane Local Plan Revised Deposit Policy H1.

44. Erection of single storey front extension at 39 Newbarn Park Road, Comeytrove, Taunton (52/2004/011)

Reported this application.

RESOLVED that subject to the receipt of no representations raising new issues by 23 April 2004, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if planning permission were granted, the following conditions be imposed:-

- (a) C001 - time limit;
 - (b) C102A - materials.
- (Notes to applicant:- (1) N024 - development in accordance with approved plans; (2) N040A - drainage/water).

Reason for planning permission, if granted:-

It was considered that the proposal would not harm neighbouring amenity or the appearance of the street scene. Therefore, the proposal accorded with Taunton Deane Local Plan Revised Deposit Policies S1, S2 and H19.

(The meeting ended at 6.19 pm).