

Present: Councillor Mrs Hill (Chairman)  
Councillor Bishop (Vice-Chairman)  
Councillors Mrs Allgrove, Mrs Angus, Debenham, Denington, Eckhart, Edwards, Escott,  
Floyd, Guerrier, House, Mrs Lippiatt and Mrs Parrish

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

(The meeting commenced at 5.00pm.)

(Councillors Denington and Escott arrived at the meeting at 5.05pm and 5.45pm respectively.)

199. Minutes

The Minutes of the meeting held on 11 September 2002 were taken as read and were signed.

200. Apologies

Councillors Hunt, R Parrish and Vail.

(Noted that Councillor R Parrish had replaced Councillor Mrs Miller on the Planning Committee.)

201. Applications for Planning Permission

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

- (1) That **outline planning permission be granted** for the undermentioned 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:-

**12/2002/003**

Erection of dwelling on land adjacent to agricultural contractors depot, land opposite Gibbs Farm, Adcombe Lane, Corfe.

Conditions

- (a) C005 - outline - reserved matters;
- (b) C009 - outline - time limit;
- (c) C014 - time limit;
- (d) C101 - materials;
- (e) C206A - existing and proposed levels;
- (f) C215 - walls and fences;
- (g) C327 - turning space;
- (h) The occupation of the dwelling shall be limited to a person solely or mainly working in the operation of Brian Lenthall Farm Contract Services or a widow or widower of such person and to any resident dependent, or to a

person solely or mainly working or last working in the locality in agriculture or forestry, or a widow or widower of such a person and to any resident dependents;

(Note to applicant:- Applicant was advised that the Local Planning Authority would expect the dwelling to be of a size commensurate with the special needs expressed; that is “ an affordable family dwelling”.)

Reason for granting permission contrary to the recommendation of the Chief Planning Officer:- It was considered that the needs of the applicant overrode the recommendation. Due to the special circumstances of this case, the decision would not be treated as a precedent by the Committee.

### **31/2002/013**

Erection of bungalow and garage on land to rear of Highcroft, Henlade.

#### Conditions

- (a) C005 - outline - reserved matters;
- (b) C009 - outline - time limit;
- (c) C014 - time limit;
- (d) (i) Before any part of the permitted development is commenced, a scheme of planting of trees and shrubs which shall include details of the species, siting and numbers to be planted for the 3.9m wide landscape buffer running along the western boundary of the site shall be submitted to, and approved in writing by, the Local Planning Authority;
- (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development or as otherwise extended with the agreement in writing of the Local Planning Authority;
- (iii) For a period of five years after the completion of the planting scheme, the trees and shrubs shall be protected and maintained to the satisfaction of the Local Planning Authority and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority;
- (e) The 3.9m wide landscape strip as shown on the illustrative drawing shall be maintained on site following the implementation of the permission hereby granted;
- (f) C215 - walls and fences;
- (g) C306 - access - gradient;
- (h) Before the dwelling hereby permitted is occupied, a properly constructed and surfaced turning space for vehicles, to serve both the existing and proposed dwelling, shall be constructed within the curtilage in accordance with the details shown on the submitted plan and thereafter kept unobstructed;
- (i) Sufficient space for one garage and one parking space, together with a vehicular access thereto shall be provided for the dwelling. The said garage (or garage space), parking space and access shall be constructed or hard surfaced before the dwelling hereby permitted is occupied and shall not be used other than for the parking of domestic vehicles or for the purposes of access;
- (j) C402 - single storey dwelling;

- (k) Prior to the commencement of the works on site, details showing the driveway to the site shall be submitted to, and approved in writing by, the Local Planning Authority. The driveway shall be located approximately 3.9m away from the western boundary with Falcon Lodge;
- (l) P002 - no extensions;
- (m) Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any subsequent order amending or revoking and re-enacting that Order), there shall be no further building, structure or other enclosure constructed or placed on the landscaped strip on the western boundary of the site unless an application for planning permission in that behalf is first submitted to, and approved in writing by, the Local Planning Authority;
- (n) P010 - no further windows;
- (o) C010A - drainage - not commenced until percolation tests approved;  
(Notes to applicant:- (1) Applicant was advised that the land to the north and east of the site is a registered small-holding where ducks and geese are kept. These animals can create a lot of noise; (2) NO41B - drainage/water; (3) N111 - disabled access; (4) N112 - energy conservation; (5) N114 - design - meter boxes; (6) N116 - disabled access; (7) N117 - crime prevention; (8) Applicant was advised that the dwelling should be designed as a single storey dwelling and any high-level windows should avoid overlooking of the neighbouring domestic cartilages.)

### **38/2001/284**

Redevelopment of 7A - 11B (inclusive) Staplegrove Road, to form retail/commercial units at ground floor level fronting Staplegrove Road, with flats above, and the residential development of the remainder of the site, land at Staplegrove Road, Taunton.

#### Conditions

- (a) C005 - outline - reserved matters;
- (b) C009 - outline - time limit;
- (c) C014 - time limit;
- (d) Within a period of three years from the date of this permission, details of the arrangements to be made for the disposal of the surface water drainage from the proposed development shall be submitted to, and approved in writing by, the Local Planning Authority before any work hereby permitted is commenced;
- (e) Prior to the submission of a reserved matters application, the applicant shall submit a development brief for the site which pays attention to the scale, form, materials and parking associated with any development of the site. Such a development brief shall be approved in writing prior to the submission of a reserved matters application;
- (f) C403 - two storey dwellings;
- (g) C101 - materials;
- (h) C112 - details of guttering, downpipes and disposal of rainwater;
- (i) C113 - details of structure and colour of mortar;
- (j) Details and samples of the materials to be used for the surfaces of the courtyard, access and drive 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;

- (k) Plans showing a parking area providing for vehicles and cycles shall be submitted to, and approved in writing by, the Local Planning Authority before the development is commenced. This area shall be properly consolidated, surfaced and drained before the use commences or the building(s) are occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (l) The building(s) shall not be demolished before reserved matters planning permission has been granted for the redevelopment of the site and a contract has been let for the redevelopment work;
- (m) C215 - walls and fences;
- (n) A replacement boundary wall shall be erected on the eastern and western boundaries of the site to a total height of 3m and this shall include the provision of crime prevention measures as part of the wall. Prior to the commencement of works on the site, details of the wall shall be submitted to, and approved in writing by, the Local Planning Authority. The walls shall be fully constructed in accordance with the plans prior to the commencement of the use of any of the development hereby permitted and shall be maintained as such thereafter;
- (o) There shall be no first floor windows on the western or eastern boundaries of the site;
- (p) The applicant shall investigate the history of this site and determine the likelihood of the existence of any contamination resulting from previous use. Should any ground works be carried out, the developer must inform the Local Planning Authority of the likelihood or the presence of any contamination on site.
- (q) Noise and vibration arising from any proposed ground floor commercial unit shall be imperceptible at any neighbouring residential flat above or other residential premises. Dwellings created by the permission hereby granted must comply in full with the requirements of the Building Regulations in respect of airborne and impact sound transmission;
- (r) The ground floor of the buildings fronting Staplegrove Road shall be A1/A2 uses only;
- (s) C013 - site levels;
- (t) Prior to the commencement of works on site, details of any proposed external lighting shall be submitted to, and approved in writing by, the Local Planning Authority. No other external lights shall be installed on site without the prior written consent of the Local Planning Authority.

(Notes to applicant:- (1) Applicant was advised that dwellings created by the permission hereby granted must comply in full with the requirements of the Building Regulations in respect of airborne and impact sound transmission; (2) Applicant was advised that the layout of the site, materials and the design of the dwellings should be of a high standard in view of the location of the site within a Conservation Area; (3) Applicant was advised that any future redevelopment scheme will need to take full account of the surrounding land uses and the location of residential windows to ensure the buildings are not detrimental to their existing amenity; (4) N111 - disabled access; (5) N112 - energy conservation; (6) N117 - crime prevention; (7) N045 - encroachment; (8) Applicant was advised that the walls, parapet walls and drainage gutters on the boundary of 7 and 7A Staplegrove Road, are in joint ownership. No works should take place that affect these structures without the prior permission of the joint owners; (9) N041B - drainage/water; (10) Applicant was asked to take account of the hot food use

adjacent to the site when designing the new building especially their need for light and ventilation as exists on the site at the current time; (11) With regard to condition (e), applicant was requested to consult with the Local Planning Authority when compiling the development brief for the site.)

- (2) That **planning permission be granted** for the undermentioned 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:-

**20/2002/021**

Erection of extension and entrance porch at Parsonage Farm, Parsonage Lane, Kingston St Mary (amended scheme).

Conditions

- (a) C001 - time limit;  
(b) C102A - materials;  
(Notes to applicant:- (1) N033 - drainage/water; (2) N115 - water conservation; (3) N112 - energy conservation.)

**28/2002/005**

Erection of two storey extension and alterations to access at Orchard Portman Nursing Home, Orchard Portman, Taunton (revised scheme).

Conditions

- (a) C001 - time limit;  
(b) C102 - materials;  
(c) (i) Before any part of the permitted development is commenced, a scheme of planting of trees, shrubs and hedges along the northern boundary of the site which shall include details of the species, siting and numbers to be planted shall be submitted to, and approved in writing by, the Local Planning Authority;  
(ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development or as otherwise extended with the agreement in writing of the Local Planning Authority;  
(iii) For a period of five years after the completion of the planting scheme, the trees, shrubs and hedges shall be protected and maintained to the satisfaction of the Local Planning Authority and any trees, shrubs or hedges that cease to grow shall be replaced by trees, shrubs or hedges of similar size and species, or the appropriate trees, shrubs or hedges as may be approved in writing by the Local Planning Authority;  
(d) C314 - visibility splays;  
(Notes to applicant:- (1) N051B - health and safety; (2) N051C - workplace legislation; (3) N041A - drainage/water; (4) N052 - fire safety; (5) N091 - trees; (6) N093 - trees; (7) N037 - drainage/water.)

### **38/2002/253**

Erection of two storey building incorporating accommodation in roof space comprising nine flats on land at corner of St Augustine Street and Priory Avenue, Taunton.

#### Conditions

- (a) C001 - time limit;
- (b) C101 - materials;
- (c) C110 - materials - for hard surfacing;
- (d) C113 - details of structure and colour of mortar;
- (e) C201 - landscaping;
- (f) C926 and C926A - remediation investigation/certificate;
- (g) C307 - access - gates set back;
- (h) C324 - parking;
- (i) C331 - provision of cycle parking;
- (j) C408 - flats - completion of development;
- (k) C414 - no increase in site level
- (l) C416 - details of size, position and materials of meter boxes
- (m) No development hereby approved shall take place until the applicants, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority;
- (n) C906 - removal of all other buildings from the site;
- (o) The obscured glazed balcony shall be installed before the building is occupied and shall not be removed without the prior permission of the Local Planning Authority;
- (p) Detailed drawings indicating height, intensity of light and manufacturer's specification of any external lighting shall be submitted to, and approved in writing by, the Local Planning Authority before any works are commenced;  
(Notes to applicant:- (1) With regard to condition to (m), applicant was advised that the County Archaeologist would be willing to provide a specification for this work and a list of suitable contractors to undertake it; (2) N037 - drainage/water; (3) N040A - drainage/water; (4) N058 - footway crossing; (5) N051B - health and safety.)

### **38/2002/313**

Erection of two storey extension to the rear of 8 Broadlands Way, Taunton

#### Conditions

- (a) C001 - time limit;
  - (b) C102A - materials;
  - (c) P011 - no windows on the east and west elevations;
  - (d) No balcony shall be formed on the flat roof of the ground floor extension hereby permitted;  
(Note to applicant:- N040A - drainage/water)
- (3) That **planning permission be refused** for the undermentioned 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:-

**06/2000/027**

Residential development of approximately 0.75 acres to the north-west of Lydeard Mead, Bishops Lydeard.

Reason

- (a) The site lies outside the settlement limits of Bishops Lydeard as defined in the adopted West Deane Local Plan in an area to be protected from development and is therefore contrary to Policies WD/SP/2 and WD/BL/7 of the Plan. To grant permission for this development prior to the consideration of objections to its allocation for residential development in the Taunton Deane Local Plan Revised Deposit would be premature and prejudicial to the plan and any decisions thereon where, in particular, the consideration of residential development in an area liable to flood needs to be thoroughly considered by the Local Plan Inspector in the light of Policy EN30 of the Taunton Deane Local Plan Revised Deposit, and advice to Local Planning Authorities contained in Planning Policy Guidance Note 25.

Reason for refusing permission contrary to the recommendation of the Chief Planning Officer:- It was considered that granting the application could prejudice the future flood alleviation measures which could be recommended by the Local Plan Inspector.

**35/2002/008**

Erection of single storey dwelling, land at Rose Cottage, Appley, Wellington.

Reasons

- (a) The application is outside a town, rural centre or village where development is strictly controlled. Development is restricted to that which benefits economic activity, maintains or enhances the environment and does not foster growth in the need to travel. The Local Planning Authority is of the opinion that the proposal does not satisfy all of the above criteria and is therefore contrary to Policy STR6 of the adopted Somerset and Exmoor National Park Joint Structure Plan Review, Policy WD/SP/2 of the adopted West Deane Local Plan and Policy S8 of the Taunton Deane Local Plan Revised Deposit;
- (b) The site is located outside the confines of any major settlement in an area that has very limited public transport services. The development, if approved, will increase the reliance on the private motor car and comprises unsustainable development which is contrary to advice given in Planning Policy Guidance Note 13, Regional Planning Policy Guidance Note 13, Policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policy S1 of the Taunton Deane Local Plan Revised Deposit;
- (Note to applicant:- N035 - drainage/water.)

**38/2002/339**

Partial refurbishment/redevelopment and extension of existing shopping mall to form three retail units incorporating closure of through pedestrian access at Crown Walk, Taunton.

## Reasons

- (a) The proposal involves the loss of a heavily used pedestrian link to the town, resulting in reduced accessibility for pedestrians, in conflict with Policy 42 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policy T34 (Criterion A) of the Taunton Deane Local Plan Revised Deposit, and also in conflict with advice on such matters in Planning Policy Guidance Notes Nos 6 and 13 and Regional Planning Guidance 10;
- (b) The proposal would be prejudicial to the attractiveness and viability of the proposed Crescent Car Park Redevelopment Scheme, in that it would deny an important pedestrian link to the High Street and frustrate the comprehensive and co-ordinated development of the wider site in conflict with Policy E34 of the Taunton Deane Local Plan Revised Deposit;
- (c) The loss of the pedestrian link would encourage the use of the other potentially less secure links. The proposal will therefore increase fear of crime and disorder contrary of the requirements of Section 17 of the Crime and Disorder Act 1998.

### 202. Erection of a dwelling for a stud manager adjacent to Triscombe Racing Stables, Westwood, Bishops Lydeard (45/2002/006)

Reported this application.

RESOLVED that subject to the incorporation of any conditions requested by the County Highway Authority, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if outline planning permission were granted, the following conditions be imposed:-

- (a) C007 - outline - reserved matters;
- (b) C009 - outline - time limit;
- (c) C014 - time limit;
- (d) C101 - materials;
- (e) C201A - landscaping;
- (f) C215 - walls and fences;
- (g) Sufficient space for one garage and one parking space, together with a vehicular access thereto and associated turning space shall be provided for the dwelling. The said garage (or garage space), parking space, turning area and access shall be constructed or hard surfaced before the dwelling hereby permitted is occupied and shall not be used other than for the parking of domestic vehicles or for the purposes of access;
- (h) The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed at Triscombe Racing Stables or in the locality in agriculture, as defined in Section 336 (1) of the Town and Country Planning Act 1990, or in forestry or a dependent of such a person residing with him or her or a widow or widower of such a person;
- (i) C416 - detail of size, position and materials of meter boxes;
- (j) C917 - services - underground;
- (k) P001A - no extensions;
- (l) P006 - no fencing;
- (m) C010A - drainage/not commenced until percolation tests approved;

(Notes to applicant:- (1) Applicants attention is drawn to the needs of the disabled in respect of new housing and the requirements under Part M of the Building Regulations; (2) Applicant was advised that the proposed dwelling is sited in a rural area where the size, scale and design of new buildings is of the utmost importance. The Local Planning Authority will be seeking a building which is in keeping with the local vernacular style and materials and you are advised to contact the Chief Planning Officer at an early date for discussions; (3) N112 - energy conservation; (4) N115 - water conservation; (5) N114 - drainage - meter boxes; (6) N051B - health and safety; (7) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (8) Applicant was advised that there is a water main in the vicinity of the proposal. You should contact Wessex Water with a view to agreement on a point of connection. You are further advised that the Smokeham Private Water Association now operate a closed system and are unable to accept any further additional residences on line.)

203. Erection of 5 No dwellings on site of existing building (to be demolished) at former RGB premises, Taunton Road, Wiveliscombe (49/2002/054)

Reported this application.

RESOLVED that subject to the applicants entering into a Section 106 Agreement to secure a contribution (£1000 per dwelling) towards local off site sports and community facilities, 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) The external surfaces of the development hereby permitted shall be of materials as indicated in the design statement, and no other materials shall be used without the written consent of the Local Planning Authority;
- (c) C201 - landscaping;
- (d) The proposed estate roads, footways, footpaths, cycleways, bus-stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose plans and sections, indicating as appropriate the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority;
- (e) C302 - highways - roads, footpaths and turning spaces to be surfaced;
- (f) C314 - visibility splays;
- (g) C324 - parking;
- (h) C416 - details of size, position and materials of meter boxes;
- (i) Before any of the dwellings hereby permitted are occupied, all the existing buildings shall be demolished and all materials resulting from the demolition shall be removed from the site;
- (j) C926 and C926A - remediation investigation/certificate;
- (l) P005 - no garages;
- (m) P007 - no fencing in front of dwellings;

(Notes to applicant:- (1) Applicants attention is drawn to the needs of the disabled in respect of new housing and the requirements under Part M of the Building Regulations; (2) N112 - energy conservation; (3) N114 - design - meter boxes; (4) N113 - street names; (5) N115 - water conservation; (6) N051B - health and safety; (7) N048A - remediation strategy; (8) N075 - Section 106 Agreement; (9) Applicant was advised that there are services crossing the site serving 5, 7 and 9 Taunton Road.)

204. Construction of earth-dam to impound flood water from Halse Water and formation of temporary pond/wetland under flood conditions on land west of Montys Lane, Norton Fitzwarren (25/2001/036)

Reference Minute No 138/2002, reported that this application had been approved by the Planning Committee subject to various matters, two of which were still outstanding:-

- (1) The applicants entering into a Section 106 Agreement to secure the widening to 6m of Montys Lane to the south of the site, and
- (2) The receipt of amendments to take account of outstanding Environment Agency concerns.

In order to expedite the release of the planning certificate, the Chief Planning Officer considered that instead of concluding the Section 106 Agreement, the requirement to widen Montys Lane could be met by the imposition of a "Grampian" style condition.

RESOLVED that subject to the receipt of amendments to take account of outstanding Environment Agency concerns, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if planning permission was granted, the conditions and notes set out in Minute No 138/2002 from the meeting of the 19 June 2002 be imposed together with the additional condition:-

"(m) no work shall commence on the proposed development until such time as Montys Lane has been widened to 6m in width in accordance with the approved plans."

205. Erection of a two storey extension to the front of Bracondale, Honiton Road, Staplehay, Trull (42/2001/026)

Reported that planning permission had been granted for this development in July 2001.

Amended plans had recently been received in respect of the proposal which reduced the ridge height of the extension by 200mm and altered the shape of the garage doors. Although the proposed conservatory would be enlarged, this would now be built before the extension as permitted development.

Reported that Trull Parish Council had objected to the amended plans and details of their representations were submitted. However, in the view of the Chief Planning Officer the reduction in height of the extension would have no further impact to that already approved.

RESOLVED that the amended plans be approved as a minor amendment to the original planning permission.

206. Erection of extension to Whiteball Gate Cottage, to form an annexe and alterations to the vehicular access (44/2002/005)

Reference Minute No 76/2002, reported that this application had been approved by the Planning Committee subject to the applicants entering into a Section 106 Agreement tying the annexe to the main house.

To speed up the process in this particular case, the Chief Planning Officer was of the view that instead of a Section 106 Agreement the annexe could be tied to the main house by way of the imposition of a Planning Condition.

RESOLVED that permission be granted subject to the conditions and note set out in Minute No 76 from the meeting of 3 April 2002, together with a single family occupancy condition.

(Councillor Mrs Allgrove declared a personal interest in the matter covered by Minute No 207 below.)

207. Erection of extension to Blackdown Nursery and Garden Centre, Piccadilly, Wellington (46/2002/010)

Reference Minute No 124/2002, reported that this application had been approved by the Planning Committee subject to the applicants entering into a Section 106 Agreement to secure the provision of a lit right turning lane and improvements to the access. This agreement had not yet been concluded.

In order to expedite the release of Planning Certificate the Chief Planning Officer considered that the requirements of the Section 106 Agreement could be met by the imposition of a "Grampian" style condition.

RESOLVED that planning permission be granted subject to the conditions and notes set out in Minute No 124/2002 from the meeting of 22 May 2002 together with the additional condition and note to applicant as follows:-

"(i) no work shall commence on the proposed development until such time as a lit right turning lane and improvements to the access have been provided to the satisfaction of the Local Planning Authority in accordance with details to be submitted to, and approved in writing, the Local Planning Authority, or in default by the Secretary of State"; and

"(7) Applicant was advised of the need to enter in to an agreement with the County Highway Authority under Section 278 of the Highways Act 1980 with regard to the right turn lane and improvements to the access".

208. Unauthorised engineering operations and other works on land at The Ranch, Church Lane, Tolland

Reported that complaints had been received by the Council concerning works which were being undertaken on land at The Ranch, Church Lane, Tolland.

Investigations had revealed that extensive engineering works had been carried out, a large dog kennel had been erected and a touring caravan stationed on the land all without planning permission.

Furthermore, there was evidence that further unauthorised works were due to take place.

In the circumstances the Chief Planning Officer, in consultation with the Chairman, had authorised the service of enforcement notices and a stop notice in relation to the unauthorised works carried out and to prevent further works taking place.

RESOLVED that:-

- (1) the action taken by the Chief Planning Officer in consultation with the Chairman of the Committee be endorsed; and
- (2) subject being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the notices not be complied with;

(Councillors Eckhart and Mrs Parrish left the meeting at 7.27pm and 7.58pm respectively.)

(The meeting ended at 8.20pm.)