

**Planning Committee - 13 November 2002**

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 5.00 pm).

216. Apologies

Councillors Hunt, J R Parrish and Vail.

217. Minutes

The minutes of the meeting held on 30 October 2002 were taken as read and were signed.

218. 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 **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:-

**19/2001/023TEL**

Erection of 20m monopole with 3 No directional antennae to top of pole, equipment cabin in secure compound at land at Belmont Farm, Hatch Beauchamp.

Conditions

- (a) C001 - time limit;
- (b) C201 - landscaping;
- (c) C207 - existing trees to be retained;
- (d) C208A - protection of trees to be retained;
- (e) 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;
- (f) C209 - protection of hedges to be retained;
- (g) Notwithstanding the details of the point of access shown on plan reference WX00983/02/07, details of the surfacing of the access track shall be submitted to, and approved in writing by, the Local Planning

- Authority prior to commencement of the works on site and the approved scheme shall thereafter be implemented;
- (h) There shall be no surface water discharge onto the highway from the reopened point of vehicular access. Details of the drainage arrangements for disposal of surface water at the point of access shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter constructed to the approved details;
  - (i) (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 shall be submitted to, and approved in writing by, the Local Planning Authority. This planting shall take place in an area not less than 3m wide on the southern and eastern sides of the compound hereby permitted;
    - (ii) The scheme shall be completed in the current planting season and comprise of several semi-mature native trees;
    - (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.
  - (j) There shall be no obstruction to visibility greater than 900 mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge, in the centre line of the access and extending to points on the nearside carriageway edge 25m either side of 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;
 

(Note to Applicant:- Applicant was advised that conditions (c) and (f) relate to the hedgerow/trees beside the lane).

**27/2002/016**

Conversion of barn to holiday let at Pitlands Barn, Pitlands Farm, Hillfarrance.

Conditions

- (a) C001 - time limit;
- (b) C106 - second hand materials;
- (c) C112 - details of guttering, downpipes and disposal of rain-water;
- (d) C215 - walls and fences;
- (e) C413 - restriction of occupation for holiday lets in permanent buildings;
- (f) P002 - no extensions;
- (g) P006 - no fencing;
- (h) P010 - no further windows;
- (i) C926 and C926A - remediation investigation/certificate.
 

(Notes to Applicant:- (1) NO25 - conversion; (2) N25A - conversion; (3) NO41 - drainage/water; (4) N115 - water conservation; (5) NO48A - remediation strategy; (6) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (7) Applicant's attention is drawn to the fact that the conversion of this property in

this location is contrary to the policy of the Local Planning Authority).

**38/2002/375**

Erection of three storey building containing three self-contained office units at Dellers Mews, Bridge Street, Taunton.

Conditions

- (a) C001 - time limit;
- (b) C102B - materials;
- (c) The guttering and downpipes as shown on submitted drawing No. PL200 shall be installed on site and thereafter maintained, unless an alternative is agreed in writing by the Local Planning Authority before their installation on site;
- (d) C203 - landscaping;
- (e) Provision shall be made for the parking of eight cycles in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority. Such provision shall be made before the development hereby permitted is occupied/use hereby permitted is commenced;
- (f) Prior to its installation on site, full details of any external lighting shall be submitted to, and approved in writing by, the Local Planning Authority;
- (g) No additional openings for windows or doors shall be inserted into the building without the prior written permission of the Local Planning Authority;
- (h) 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 be 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 water-course, land or underground strata. Associated pipe-work 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;
- (i) Prior to the commencement of works on site, details of foul and surface water arrangements shall be submitted to, and approved in writing by, the Local Planning Authority;
- (j) There must be a continuous flood defence link up to a level of 15.90m AOD between the Haines Wharf defences and the Dellers Nightclub building along the river frontage to prevent the outflanking of the flood defences, and such a line shall be maintained thereafter;
- (k) There shall be no openings on the riverside elevation of the Mews building below 15.90m AOD;

- (l) There shall be no pedestrian or other access to the site from the adjacent Haines Wharf site;
- (m) The new walls and fences shown on the submitted drawing No PL202A shall be erected to a height of 2m before the development hereby permitted is occupied or the use commences. Such fences and walls shall thereafter be maintained at that height unless previously agreed in writing by the Local Planning Authority.

(Notes to Applicant:- (1) Applicant was advised that the Environment Agency has already granted its formal Land Drainage Consent SA2273/1 to Gadd Homes Limited for construction works within 8m of the River Tone at Dellers Mews, which are broadly in accordance with the plans now submitted. Applicant was further advised that a formal variation to the Environment Agency's Consent needs to agree to reflect the eventual consented drawing numbers under the planning application, if approved; (2) In respect of Condition (k), the riverside elevation should be reconstructed as a water retaining wall up to a level of 15.90m AOD, with the floor slab tied-in via a water bar to restrict the ingress of flood water. Furthermore, the Environment Agency advocates that the floor slab is substantially reinforced to resist hydrostatic uplift, for example buoyancy, during flood conditions causing damage to the slab. Ideally, a target ground floor slab level of 15.30m AOD to match Haines Wharf would be preferable if it is possible from other constraints; (3) Applicant was advised that in respect of Condition (j), foul and surface water drainage arrangements from the previous scheme should be retained in this alternative. That is, foul to mains, surface to river via downpipes on the riverward elevation; (4) Applicant was advised that the site adjoins the River Tone, a main river under the Environment Agency's control. Under the Water Resources Act 1991 and the Land Drainage Act 1991, both the Environment Agency and the Council have permissive powers to maintain watercourses. Their jurisdiction depends on the watercourse designation as 'main river' or 'ordinary watercourse'. However, responsibility for general maintenance of the watercourses and their banks, rest with riparian owners. The site is protected from flooding, to a degree, by a flood-bank or wall that is maintained by the property freeholder. As the site is below flood level, the applicant should be aware of the risk of flooding due to a failure or over-topping of the defence by a more severe event than designed for, or maintained against. The foul drainage must be kept separate from the clean surface and roof water, and connected to the public sewerage system. The watercourse must be adequately protected from suspended solids and toxic materials including cement. All the material to be tipped must be inert and non-biodegradable; (5) Applicant was advised that noise emissions from the site during the construction and demolition phase should be limited to the following hours if nuisance is likely at neighbouring premises:-  
Monday - Friday 0800 - 1800 hours; Saturdays - 0800 - 1300 hours;  
At all other times, including Public Holidays, no noisy working; (6) Applicant was advised to ensure that all reasonable precautions are taken to prevent dust and noise nuisance at neighbouring residential and commercial premises, arising from the demolition of the

building; (7) Applicant's attention is drawn to the requirements of the Building Regulations 2000, Part M, access and facilities for disabled people, the advise in BS8300 and the Disability Discrimination Act. Generally speaking, a level access will be required for the proposed building. An early assessment of site levels will avoid expensive alterations at a later date. Please contact the Council's Access Surveyor for further details; (8) N112 - energy conservation; (9) N114 - design-meter boxes; (10) N115 - water conservation; (11) N045 - encroachment; (12) Applicant was advised that as there are no existing separate public surface water sewers in the vicinity of the site, you should investigate alternative methods for the satisfactory disposal of surface water from the site (for example, soakaways or discharging to the River Tone). Surface water should not be discharged to the foul sewer. If it is proposed to discharge surface water flows to the river, the Environment Agency should be contacted).

### **38/2002/423**

Erection of two storey extension to boarding house (currently under construction) at Kings College, South Road, Taunton.

#### Conditions

- (a) C001 - time limit;
- (b) C102A - materials;
- (c) C208A - protection of trees to be retained;
- (d) All windows in the boarding house that face Holway Avenue and Holway Road shall be double glazed to an appropriate acoustic standard. Suitable and sufficient ventilation shall be provided to ensure adequate air changes in each room.
- (e) All digging within the tree canopy shall be carried out by hand.  
(Notes to Applicant:- (1) NO52 - fire safety; (2) NO54 - fire safety; (3) NO80 - soundproofing; (4) NO51B - health and safety; (5) NO51C - workplace legislation; (6) NO40A - drainage/water).

### **52/2002/O37**

Retention of 1.48m high timber fence to front of Litton House, Trull Road, Taunton.

#### Conditions

- (a) The fence hereby permitted shall be removed on or before 30 November 2005;
- (b) A scheme of planting of trailing/climbing shrubs to screen the fence, which shall include details of species, siting and numbers to be planted shall be submitted to the Local Planning Authority within three months of the date of this permission. Once approved by the Local Planning Authority, this planting scheme shall be carried out in the first available planting season.  
(Note to Applicant:- Applicant was advised that if the laurel hedgerow behind the fence matures in less than three years, it would be beneficial if the fence was removed earlier).

- (2) **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:-

**06/2002/050**

Erection of single storey extension to swimming pool, Cedar Falls Health Farm, Bishops Lydeard.

Reasons

- (a) The proposed extension, close to the boundary with adjoining residential properties, represents a seriously unneighbourly form of development which will be overbearing in relation to the adjoining properties, thereby causing loss of light and outlook to its occupiers, in particular the occupants of 6 and 9 Cedar Falls;
- (b) The proposed extension incorporating a lightwell will result in an unacceptable loss of light and outlook from the kitchen/breakfast room to the occupiers of 6 Cedar Falls;
- (c) It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed development will not result in unacceptable noise levels from the swimming pool adjoining residential flats.

(Note to Applicant:- Applicant was advised that the Local Planning Authority would be happy to discuss the possibility of alternative locations for the swimming pool. You should contact the Area Planning Manager (West) in this regard).

Reason for refusing permission contrary to the recommendation of the Chief Planning Officer:-

Whilst recognising the needs of the Heath Farm, the Committee was concerned about the impact of the development on adjacent residential properties.

**26/2001/005**

Erection of detached single storey close care accommodation, Nynehead Court, Nynehead.

Reason

- (a) The proposed development is of standardised appearance and materials and would seriously compromise the setting of Nynehead Court which is a Grade II\* Listed Building and would degrade the quality of the surrounding landscape which is also registered Grade II\*. It is, furthermore, considered that in the absence of supporting information to justify the proposed new building, rather than the conversion of an existing outbuilding, the proposal is considered inappropriate. (Somerset and Exmoor National Park Joint Structure Plan Review Policies 9 and 10, West Deane Local Plan Policy WD/EC/22 and Taunton Deane Local Plan Revised Deposit Policies EN17 and EN21).

**43/2002/085**

Retrospective change of use of agricultural yard for the storage of materials for road repairs and maintenance at Black Boy Farm buildings, Wellington Relief Road, Wellington.

Reasons

- (a) The use of the land for the proposed use is likely to attract significant traffic movements causing traffic to move into and out of a Class I road, on a length where traffic speeds can be at the national speed limit and at a point where visibility is restricted. The substandard access is likely to cause conflicting traffic movements and would not be in the interests of the safety and convenience of road users. It is considered that the proposal is contrary to Policies WD/IE/1 and WD/IE/3 of the West Deane Local Plan and Policies S1 and EC4 of the Taunton Deane Local Plan Revised Deposit;
- (b) The proposed open storage use would constitute an undesirable intrusion into the visual amenities of the area contrary to Policy WD/IE/1 of the West Deane Local Plan and Policies S1 and EC4 of the Taunton Deane Local Plan Revised Deposit.

219. Erection of three detached houses and garages and formation of access together with erection of garage to serve existing dwelling on land at The Orchard, Stoke St Mary (37/2002/015)

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues by 24 November 2002, 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) C101 - materials;
- (c) C111 - materials - for drives;
- (d) C201 - landscaping;
- (e) C207 - existing trees to be retained;
- (f) C208A - protection of trees to be retained;
- (g) C209 - protection of hedges to be retained;
- (h) C215 - walls and fences;
- (i) C306 - access - gradient;
- (j) C307 - access - gates set back;
- (k) C320 - waiting bay, turning space and driveway to be hard-surfaced;
- (l) C416 - details of size, position and materials of meter boxes;
- (m) C215 - walls and fences;
- (n) Before any part of the permitted development is commenced, the hedge to be retained along the road frontage of the site shall be protected by a chestnut paling fence 1.5m high, placed at a minimum distance of 2m from the edge of the hedge and the fencing shall be removed only when the development has been completed. During the period of construction of the development the existing soil levels around the boles of the hedges so retained shall not be

altered. The hedgerow shall thereafter be maintained at a minimum height of 2m at all times.

- (o) Prior to any works commencing, details of a scheme to mitigate flooding of the highway adjacent to the site shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented to the satisfaction of the Local Planning Authority prior to any dwelling hereby approved being first occupied.

(Note to Applicant:- N051B - health and safety).

220. The Taunton Deane Borough (Taunton No. 30) Tree Preservation Order 2002.

Reported that a Tree Preservation Order had been made in respect of one cherry tree in the front garden of No. 108 Churchill Way, Taunton.

The owner of the neighbouring property had objected to the Tree Preservation Order and details of his representations, together with the comments of the Chief Planning Officer were submitted.

RESOLVED that the objection be noted, but that the Order be confirmed unaltered.

221. Erection of fence panel and provision of earth bank over footpath to the side of 36 Craig Lea, Kingston Road, Taunton.

Reported that it had been brought to the Council's attention that a footpath linking the new development at the former Bishop Fox's School with a public footpath to the rear of the development had recently been closed off by the owner of No. 36 Craig Lea, Taunton. The means of closure consisted of an earth bank with hedging plants and a panel fence positioned on top of the bank.

The owner had been informed that as permitted development rights had been withdrawn on the development, planning permission was required to retain the fence panel and earth bank.

Although an application had been submitted, it had been withdrawn on the day of the last Planning Committee meeting and an indication had been received that the footpath would not be reopened.

RESOLVED that:-

- (a) enforcement action be taken seeking the removal of the unauthorised earth bank and fencing panel from the footpath link to the side of 36 Craig Lea, Kingston Road, Taunton; and
- (b) subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the enforcement notice not be complied with.

222. Unauthorised display of externally illuminated painted mural at Kiddi-Karu Day Nursery, Blackbrook Business Park, Taunton.

Reported that despite advertisement consent being refused on 16 October 2002, a large externally illuminated painted mural on the eastern elevation of the Kiddi-Karu Day Nursery at Blackbrook Business Park, Taunton, was still being displayed.



RESOLVED that subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings in respect of the unauthorised externally illuminated painted mural at the Kiddi-Karu Day Nursery, Blackbrook Business Park, Taunton, unless it was removed within one month.

(Councillor Mrs Angus left the meeting at 6.10 pm).

(The meeting ended at 7.38 pm).