

PLANNING COMMITTEE - 18 December 2002

MINUTES

Present: Councillor Mrs Hill (Chairman)
Councillor Bishop (Vice-Chairman)
Councillors Debenham, Denington, Eckhart, Escott, Floyd, House, Hunt, Mrs Lippiatt,
J R Parrish, Mrs Parrish and Vail

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).

223. Apologies

Councillors Mrs Allgrove, Mrs Angus, Edwards and Guerrier.

224. Minutes

The minutes of the meeting held on 13 November 2002 were taken as read and were signed.

225. Public Question Time

Mr Baddeley, the Chairman of the Stoke St Mary Parish Council, referred to the decision made at the last Committee to agree planning permission for three new houses on land at The Orchard, Stoke St Mary.

The Parish Council had raised strong objection to the application which was still maintained. He requested members of the Committee to attend a site meeting in an attempt to mitigate the current circumstances.

The Chief Planning Officer, Tom Noall, reminded members that whilst they had not had the comments of the Parish Council at the time of the last meeting, a number of objections from local residents were considered before the decision to grant permission, subject to no further representations raising new issues by 14 November 2002, was taken.

Subsequently, the views of the Parish Council had been received but as these had raised no new issues to those already considered, planning permission for the development had been granted.

Mr Noall added that he had received further correspondence from the Parish Council complaining about the decision taken. In his replies, he had tried to explain why it was felt the application was acceptable and the procedure leading to the grant of permission.

226. 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 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:-

02/2002/006

Erection of dwelling to the rear of Highland Court Farmhouse, Ash Priors.

Conditions

- (a) C005 - outline - reserved matters;
- (b) C009 - outline - time limit;
- (c) C010 - drainage;
- (d) C013 - site levels;
- (e) C014 - time limit;
- (f) C101 - materials;
- (g) C327 - turning space;
- (h) C321B - parking;
- (i) C201A - landscaping;
- (j) C207 - existing trees to be retained;
- (k) C305 - access and driveway to be hard surfaced;
- (l) C416 - details of size, position and materials of meter boxes;
- (m) C917 - services - underground;
- (n) P001A - no extensions;
- (o) P003 - no ancillary buildings.

(Notes to Applicant:- (1) N114 - design - meter boxes; (2) N115 - water conservation; (3) N116 - disabled access; (4) Applicant's attention is drawn to the needs of the disabled in respect of new housing and the requirements under Part M of the Building Regulations; (5) N119 - Design Guide; (6) Applicant was advised that the dwelling should be designed so as to minimise any overlooking or loss of privacy to Bryants Cottage, Yscolen and Highland Court Farmhouse; (7) N112 - energy conservation; (8) Applicant was advised that the dwelling to be erected should be designed to a high standard in view of the site being adjacent to the Conservation Area; (9) N037 - drainage/water).

- (2) That the **detailed plans be approved** in respect of the undermentioned 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:-

31/2002/020

Erection of bungalow on land to the rear of Highcroft, Henlade (reserved matters).

Note to applicant:- Applicant was reminded of the outstanding conditions that require the submission of details prior to the commencement of work on site. In particular, details of the brick and tile colours/make, landscaping and proposed fences/hedges.

- (3) 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:-

05/2002/032

Erection of two storey extension, link extension, single storey extension, car park extension, demolition of ground floor linen room and garden terrace, alterations to hotel at new link entry, minor internal alterations, new raised garden terrace, service access and yard at Rumwell Manor Hotel, Rumwell.

Conditions

- (a) C001 - time limit;
- (b) C102 - materials;
- (c) C201 - landscaping;
- (d) C206A - existing and proposed levels;
- (e) C208A - protection of trees to be retained;
- (f) 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;
- (g) The area allocated for parking on the submitted plan 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;
- (h) Details of the surfacing of the parking area and service area shall be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of any works on site and thereafter implemented.

(Notes to applicant:- (1) Applicant was advised to retain the route of the public right of way in an unobstructed form throughout the development works and thereafter; (2) Applicant was advised that any changes in areas used for food preparation or storage must comply with the relevant parts of the Food Safety Act and Food Safety (General Food Hygiene) Regulations 1995 (as amended). You are advised to contact the Council's Environmental Health Department for further details; (3) Applicant was advised that all trenching should be outside the existing tree canopy; (4) Applicant was advised to contact Wessex Water in respect of the following information:- "The developer has indicated that the disposal of foul drainage will be to an "on-site sewerage treatment plant". The developer has proposed to dispose of surface water to existing soakaways and land drain. There are public sewers located approximately 70 m to the north of the proposal. Advice is given under the DETR Circular 03/99 that the first presumption for any new development must always be to provide a system of foul drainage discharging into a public sewer. This should be done in consultation with the sewerage undertaker. Only where it is shown that connection to a public sewer is not feasible or practicable should a sewerage treatment package plant be provided. Turning to water

supply, there is a water main in the vicinity of the proposal. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory supply of water from the proposal. This can be agreed at the detailed design stage. It is recommended that the developer should agree this with Wessex Water prior to the commencement of any works on site"; (5) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (6) N034A - drainage/water; (7) N040A - drainage/water).

05/2002/033LB

Erection of two storey extension, link extension, single storey extension, car park extension, demolition of ground floor linen room and garden terrace, alterations to hotel at new link entry, minor internal alterations, new raised garden terrace, service access and yard at Rumwell Manor Hotel, Rumwell.

Conditions

- (a) C002 - time limit - listed building;
- (b) C103 - materials - listed building;
- (c) A sample slate shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of works on site and shall thereafter be used;
- (d) Prior to commissioning, specific details of all windows, doors (internal and external), fan lights, glazed link, railing to terrace, cills, hips and ridges shall be submitted to, and approved in writing by, the Local Planning Authority;
- (e) No bellcasts shall be formed in the render over door or window heads;
- (f) C664 - windows recessed;
- (g) Prior to the works for which consent is hereby granted are commenced, sections of the pillars shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter implemented.

(The Senior Solicitor (Mrs J M Jackson) declared a prejudicial interest in the following application and left the room during its consideration).

11/2002/007

Change of use of two holiday lets to a single dwelling at Quantock Cottage, Seven Ash.

Conditions

- (a) C001 - time limit;
 - (b) C106 - second hand materials;
 - (c) C323 - parking;
 - (d) C409 - fenestration - no additional windows;
- (Notes to applicant:- (1) N114 - design - meter boxes; (2) N033 - drainage/water).

38/2002/435

Erection of replacement boundary wall incorporating land outside of the existing wall at 45 Farm View, Taunton.

Conditions

- (a) C001 - time limit;
- (b) C102A - materials;
- (c) C201 - landscaping;

(Notes to applicant:- (1) With regard to Condition (c), applicant was advised that the Council's Landscape Officer has devised an appropriate planting scheme. A copy of this attached for your information; (2) Applicant was advised to refer to the deeds of the property to ensure that you comply with any covenants/restrictions that may be in place).

38/2002/445

Erection of building accommodating warehouse/storage, office space and five flats at The Depository, Upper Wood Street, Taunton.

Conditions

- (a) C001 - time limit;
- (b) C101 - materials;
- (c) C112 - details of guttering, downpipes and disposal of rainwater;
- (d) The cycle parking provision shown on the submitted plans shall be provided in full prior to the occupation of any of the residential units or the commencement of the uses, and thereafter maintained for use solely in association with the development hereby permitted;
- (e) 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 the proposed warehouse/storage and office will not cause nuisance to the occupants of the proposed flats and to existing neighbouring residential properties. 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. Such report shall be agreed in writing by the Local Planning Authority prior to the commencement of development works.
- (f) C926 and C926A - remediation investigation/certificate;
- (g) The warehouse/storage use hereby permitted shall be used for purposes as defined in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any Statutory Instrument revoking and re-enacting that Order;
- (h) P011 - no windows on the northern elevation;
- (i) (i) No development shall commence until a survey of the buildings has been undertaken, to assess whether swifts or other protected

species nest within the existing building and the survey report shall be submitted to, and approved in writing by, the Local Planning Authority;

(ii) In the event that such a survey indicates that a protected bird species does nest in the building, then development shall not commence until details of a scheme for the retention of the identified 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 or other operations likely to affect the nesting site or the replacement site being undertaken between April and September inclusive. The development shall be carried out in accordance with the approved scheme or any amendment to the scheme approved in writing by the Local Planning Authority.

(Notes to applicant:- (1) N112 - energy conservation; (2) N115 - water conservation; (3) Applicant's attention is drawn to the requirements of the Building Regulations 2000, Part M, Access and Facilities for Disabled People, the advice in BS 8300 and the Disability Discrimination Act. Generally speaking, a level access will be required for your proposed building(s). An early assessment of site levels will avoid expensive alterations at a later date. You are advised to discuss your proposal with the Council's Access Surveyor; (4) N117 - crime prevention; (5) N041B - drainage/water; (6) N045 - encroachment; (7) With regard to Condition (i), applicant was advised that there is verbal evidence that swifts nest in the existing warehouse. Nesting swifts are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended). You are advised to contact English Nature in order to establish if this is the case and the correct procedure in such circumstances; (8) Applicant was advised that pedestrian access exists to the west of the proposal serving North Town Community Primary School and numbers 1 and 2 Portland Place. You are further advised of the need to maintain safe access to these properties from Upper Wood Street at all times including during the construction period; (9) Applicant was requested to ensure there is no damage to the adjacent property during the demolition and redevelopment of this site).

42/2002/040

Erection of single storey extension to front and side of 7 Ladylawn, Trull.

Conditions

- (a) C001 - time limit;
 - (b) C102 - materials.
- (Note to applicant:- N040A - drainage/water).

- (4) **That planning permission be refused** for the undermentioned development, subject to the standard reasons adopted by Minute No 86/1987 of the former Planning and Development Committee and such further reasons as stated:-

43/2002/138T

Application to fell one Lime tree the subject of a Tree Preservation Order at 12 Millstream Gardens, Wellington.

Reason

- (a) The tree has amenity value and is not dangerous;
(Note to applicant:- Applicant was advised that the Council certifies that the tree has an outstanding or special amenity value).
- (5) That the following applications be withdrawn:-

25/2002/034

Residential development to provide 72 No. dwellings and formation of access to B3227, Prings Caravan Site, Norton Fitzwarren.

27/2002/017

Change of use and recladding of agricultural buildings for the wholesale storage and distribution of packaging materials, Allerford Farm, Norton Fitzwarren.

227. Change of use and conversion of Health Club to seven dwellings, conversion of outbuildings to two dwellings and sub-division of owners house into two dwellings at President's Health Club, Stoke Hill, Henlade (37/2002/016)

Reported this application.

RESOLVED that subject to:-

- (1) the applicant's entering into a Section 106 Agreement to provide a contribution of £12,500 towards off-site play equipment provision and agreement to maintain the two existing tennis courts for the use of the residents; and
- (2) the submission of satisfactory revised roofing details, 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) C201A - landscaping;
 - (c) C215 - walls and fences;
 - (d) C325 - parking;
 - (e) C416 - details of size, position and materials of meter boxes;
 - (f) C654A - windows;
 - (g) C664 - windows recessed;
 - (h) P001A - no extensions;
 - (i) P003 - no ancillary buildings.(Notes to applicant:- (1) Applicant was advised that soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (2) Applicant was advised that as a septic

tank is to be used to dispose of foul sewerage, percolation tests should be carried out to ascertain the required lengths of sub-surface irrigation drainage; (3) Applicant was advised that prior to the commencement of any development works, he should, 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 the depot to the west of the site will not cause nuisance to the occupants of the premises on the completed development. The consultant should submit a written report to the Planning Authority which should 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. Such report should be agreed, in writing, by the Local Planning Authority prior to the commencement of development works; (4) N25A - conversions; (5) N075 - Section 106 Agreement; (6) N051B - health and safety; (7) Applicants attention is drawn to the requirements of the Building Regulations 2000, Part M, Access and Facilities for Disabled People, the advice in BS8300 and the Disability Discrimination Act. Generally speaking, a level access will be required for your proposed buildings. An early assessment of site levels will avoid expensive alterations at a later date. You are advised to discuss your proposals with the Council's Access Surveyor).

228. Erection of ten garages on existing parking area to north of Haygrove Caravan Park, Mill Lane, Trull (Revised Proposal) (42/2002/048)

Reported this application.

RESOLVED that subject to the receipt of further details of tree protection and landscaping, 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:-

Conditions

- (a) C001 - time limit;
- (b) C101 - materials;
- (c) C201 - landscaping;
- (d) C208A - protection of trees to be retained;
- (e) The proposed garages shall be used by the occupiers of the Haygrove Caravan Park only;
- (f) Floor levels shall be set at least 500 mm above existing ground level.
(Note to applicant:- Applicant was advised that due to the close proximity of the watercourse, there is always the possibility of flooding from extreme rainfall events. Care should be taken not to contaminate the stream with either washdown water from car washing activities or fuel leakage from vehicles).

229. Erection of 53 No dwellings including 12 No social housing units, roads and drainage thereto, former Weaving Shed Site, Tonedale Mills, Milverton Road, Wellington (43/2002/109)

Reported this application.

RESOLVED that subject to:-

- (1) the receipt of no further representations raising new issues on the amended plans by 20 December 2002; and
- (2) the receipt of satisfactory amended plans to meet the Landscape Officers requirements, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if the detailed plans were approved, the applicants be advised of the following notes:- (1) Applicants attention is drawn to conditions 03, 04, 06, 07, 08, 18, 20, 22, 23, 24 and 32 of planning permission numbered 43/2001/061 which must be complied with before development commences; (2) N051B - health and safety; (3) Applicant was advised that a claim for a footpath through the site under Section 53 of the Wildlife and Countryside Act has been lodged with Somerset County Council. You are advised to contact the Rights of Way Group at County Hall in this regard; (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; (5) Applicant was advised to ensure that the proposed play area includes some provision for older children.

230. Use of part of potato store building as farm shop, Rumwell, Bishops Hull (05/1997/040UD)

Reference Minute No 53/1998, reported that over the last four years regular monitoring of the goods sold from the Rumwell farm shop had shown that there was still a degree of brought in goods being offered for sale from the premises. In recent months a complaint had been received regarding this issue which had prompted a more detailed investigation and consideration of policy issues that had evolved since the Rumwell Farm Shop had first been considered in 1997.

Figures supplied by the owners of the farm shop had indicated that over the 12 months to 30 April 2002 8.73% of goods sold were brought in goods. This meant that 91.27% of goods sold were local produce. Noted that there was an agreed tolerance of 10% sales of brought in goods.

Reported that the Council's policy towards farm shops was set out in the Taunton Deane Local Plan Revised Deposit Policy EC 13. This permitted consideration of a farm shop where the scheme involved the sale of predominantly (that is more than 50%) locally grown produce direct to the public as an ancillary operation to the main function of the farm. The policy also recognised that bringing in non-local produce might be required to overcome problems of seasonality, continuity of employment and to ensure that a sufficiently wide selection of produce could be offered.

Whilst this policy was intended to apply to those farm shops requiring planning permission, it could be argued that the same level of tolerance should be applied to Rumwell Farm Shop, even though it did not require consent.

Further reported the Government's policy on farm shops set out in Planning Policy Guidance Note 7, Annex C, which recognised that a minimal quantity of "other goods" could be sold from a farm shop.

In the view of the Chief Planning Officer, it appeared that the current level of sales of brought in goods at the Rumwell Farm Shop was not such as to require a planning application or to justify enforcement action.

RESOLVED that no further action be taken regarding the amount of brought in goods at Rumwell Farm Shop providing they fell within the agreed tolerances as set out in the report.

231. Erection of nine industrial units with associated parking and turning areas at Station Road, Hatch Beauchamp (19/2000/005)

RESOLVED that this item be deferred pending the receipt of an amended plan.

232. Erection of 21 dwellings and garages together with construction of estate road, sewers and public open spaces, Plots 235-255, Part Phase Three, land off Swains Lane, Wellington (43/2000/064)

Reference Minute No 94/2000, reported that during October 2002 it had been brought to the Council's attention that the dwellings on Plots 238-242 were being built closer to the western boundary of the site than proposed on the approved plan. This would result in the window to window distance between the new and existing properties being reduced from 18.8 m to 17.5 m.

An amended plan had since been submitted by the developers and this had been circulated to the Wellington Town Council and adjacent residents. Further reported that an amended plan had also been received indicating revised window arrangements to Plots 238-242.

Although the Town Council had raised no objection, letters of representation had been received from occupiers of nearby dwellings, details of which were reported.

In the view of the Chief Planning Officer, in a suburban location as this development and, particularly in view of the requirements of Planning Policy Guidance Note No. 3 which positively encouraged higher densities for housing developments, the revised window to window distance between the new and existing properties was considered to be acceptable.

Members were aware that to mitigate the revised positioning of the new dwellings and the different ground levels that existed, the objectors would welcome the planting of a number of trees at the bottom of their gardens or on land in the developers ownership.

RESOLVED that subject to the developers planting a number of trees along the boundary of the existing and the new dwellings, the revised position and fenestration of Plots 238-242 be approved as minor amendments

233. Proposed amendment to Section 52 Agreement - Dairy House Farm, Henlade

RESOLVED that this item be deferred to allow consultation to be undertaken with the Ruishton and Thornfalcon and the Stoke St. Mary Parish Councils.

234. Erection of garden shed between house and the highway at Improvement Place, Wellington

Reported that a complaint had been received regarding a shed that had been erected by the front door of a dwelling, between the house and the highway at Improvement Place, Wellington.

Investigation of the complaint had revealed several other examples of sheds in similar locations at numbers 2, 4, 5, 6, 14, 15 and 16 Improvement Place all without planning permission, although some had been in position for more than four years.

Further reported that as the properties in Improvement Place only had gardens to the front, in the event of an application for any subsequent shed being received it was likely this would be viewed favourably.

RESOLVED that no further action be taken regarding the unauthorised sheds at Improvement Place, Wellington.

235. Unauthorised wooden fence at 108 Hilly Park, Norton Fitzwarren

Reported that despite planning permission being refused on 30 November 2002 for the retention of a wooden fence over 1 m high adjacent to the road at 108 Hilly Park, Norton Fitzwarren no action to remove the fence or reduce its height had been taken.

RESOLVED that:-

- (a) Enforcement action be taken seeking the removal or reduction in height of the unauthorised fence that had been erected adjacent to the highway at 108 Hilly Park, Norton Fitzwarren; 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.

236. Unauthorised illuminated box sign at Riverside Place, off St James Street, Taunton

Reported that an illuminated box sign advertising the New Cross Nursing Agency had been installed without advertisement consent at premises in Riverside Place, off St James Street, Taunton.

The owners of the property had been advised that consent was required for the sign but, to date, no application had been received to regularise the situation.

RESOLVED that subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings in respect of the unauthorised illuminated box sign at Riverside Place, off St James Street, Taunton, unless it was removed within one month.

237. Planning (Listed Buildings and Conservation Areas) Act 1990 - Building Preservation Notice - Westleigh Farmhouse, Westleigh, Lydeard St Lawrence

Reported that a recent inspection of Westleigh Farmhouse, Westleigh, Lydeard St Lawrence had revealed a property of listable quality.

The Chairman had authorised service of a Building Preservation Notice which had taken immediate effect on 12 December 2002. Noted that for a period of six months from the service of the notice, Westleigh Farmhouse would be subject to Listed Building Control, whilst the Secretary of State for Culture, Media and Sport determined whether the property should be added to the Statutory List of Buildings of Special Architectural or Historic Interest.

Noted that the owners of the property were progressing plans for the alteration of the property in anticipation of the farmhouse being formally listed.

RESOLVED that the action taken by the Chief Planning Officer, in consultation with the Chairman, with regard to the service of the Building Preservation Notice in respect of Westleigh Farmhouse, Westleigh, Lydeard St Lawrence, be endorsed.

238. Appeals

(1) Reported that the following appeals had been lodged:-

- (a) Erection of industrial units, use classes B1 (Light Industry), B2 (General Industry) and B8 (Warehousing and Distribution), land adjoining Chelston Business Park, Chelston, Wellington **(46/2001/017)**;
- (b) Call-in by the First Secretary of State - Erection of extension to five screen cinema to provide an additional three screens at Odeon Cinema, Heron Gate, Taunton **(48/2001/028)**;
- (c) Change of use from A2 to A3, former Lloyds TSB premises, 25 Fore Street, Taunton **(38/2002/221)**;
- (d) Appeal against Enforcement Notice - Stationing of touring caravans on land at Knapp Lane, North Curry;
- (e) Change of use of agricultural land to domestic curtilage and formation of vehicular access at Hillmeade, Rectory Road, Staplegrove **(34/2002/017)**.

(2) Reported that the following appeal decisions had been received:-

- (a) Display of an internally illuminated sign, former SWEB site, Priorswood Road, Taunton (38/2001/384A)

Decision

The Inspector noted that the apparent height of the sign would be lessened by its siting on ground well below the level of the embanked road. He also noted that the sign would be brightly coloured and internally lit and would be seen against the back of the building to which it related. He concluded that the appeal sign would be acceptable in relation to the appeal site and its surroundings. The appeal was therefore allowed.

- (b) Conversion of barn to form holiday let and formation of residential curtilage at Higher Way, Cushuish (13/2001/005 and 13/2002/001)

Decisions

Appeal A - The Inspector felt that the suburban appearance of the building, once converted, and the use of the paddock for parking and manoeuvring combined with the intrusion of domestic paraphernalia would be harmful to the rural surroundings and incompatible with the landscape and character of the Quantock Hills Area of Outstanding Natural Beauty.

Appeal B - The Inspector acknowledged the more sympathetic conversion of the building and the reduction of the curtilage. Although of greater merit, the proposed conversion of the building would still be essentially residential and incompatible with the rural character and landscape of the Area of Outstanding Natural Beauty.

He concluded that the proposals would cause clearly identifiable harm, and both appeals were therefore dismissed.

- (c) Erection of agricultural building and formation of access land adjoining Otterford Caravan Site, Culmhead (29/2002/002)

The Inspector considered that, because of the evidently low level of traffic on the road and the location of the site in the Blackdown Hills Area of Outstanding Natural Beauty, a relaxation of the Highway Authority's requirements was justified in this case. He felt that visibility from the proposed point of access was good and that only minor improvements to achieve the appropriate radii and regular trimming back of the hedge would be necessary to provide the access which would be similar to countless others in the area. The appeal was allowed.

- (d) Erection of single storey dining room and conservatory to the rear of 3 Cedar Close, Poplar Road, Taunton (38/2002/031 and 032)

The Inspector felt the proposed rear extension was in conflict with the character of the listed building. He felt that the differing elements of the proposals would comprise an ad-hoc assembly of small scale, modern domestic architectural forms, which would detract from the simple form and large scale massing of the original building. He concluded that the proposals would be unacceptably detrimental to the character of the listed building and features of special architectural interest which it possessed. The appeals were dismissed.

- (e) Appeal against the Taunton Deane Borough (Wellington No. 3) Tree Preservation Order 2002 - Bishops Court, Wellington

Decision

The Inspector considered that the tree was a substantial specimen and its canopy was a significant feature of the immediate area providing considerable visual amenity. Whilst acknowledging that leaves and debris from the tree were a nuisance and a potential hazard, this was only to be expected. He did not think that the effect of the tree was an unreasonable burden but an acceptable part of the management of the buildings and its grounds.

He was not convinced that current light levels were so poor as to be unacceptable and not such as to provide a very sound reason to remove the tree. The Inspector concluded that the tree had a clear public amenity value and there were not sufficiently good reasons to justify the removal of the tree. The appeal was dismissed.

- (f) Appeals against refusal of planning permission and service of an Enforcement Notice - Use of land to site mobile home, Mazzelsha Farm, West Buckland Hill, Wellington (46/2001/012)

Decision

Due to the complexity of the Inspector's decision letter, a full copy was submitted for the information of Members of the Committee. The appeals were allowed and temporary planning permission was granted.

- (3) Reported that the following Public Inquiry had been arranged:-

Call-in by the Secretary of State - Odeon Cinema, Heron Gate, Taunton - The Principal Committee Room, The Deane House - 18 to 20 March 2003.

(Councillor Eckhart left the meeting at 7.12 pm).

(The meeting ended at 7.16 pm).