

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

1. Apologies

Councillors Edwards, Hunt and J R Parrish.

2. Minutes

The minutes of the meeting held on 18 December 2002 were taken as read and were signed.

3. Public Question Time

Mr P Knott of the Wyndham Road Residents Association asked why he had not been notified of the withdrawal of Agenda Item No 5 relating to the proposed residential development of land to the north of Greenway Road, Taunton?

In reply, the Chief Planning Officer (Tom Noall) informed Mr Knott that the application had only been withdrawn yesterday and, although every effort had been made to contact those who had made representations either for or against the application, it was unfortunate that sometimes the short timescale meant the message did not reach everyone it should.

4. Planning (Listed Buildings and Conservation Areas) Act 1990 - Applications for grant aid towards repairs to Historic Buildings

Considered report previously circulated, which informed members of the situation in respect of grant aid towards repairs to historic buildings in accordance with the approved officer delegation agreement.

From a budget of £28,080.95, a total of £23,749 had been allocated in the current financial year towards 10 grant aid applications. Submitted details of the individual schemes and the amount of grant awarded. A balance of £4,331.95 remained in the budget.

Due to the number of grants offered, and with outturn costs uncertain, formal consideration of the 13 new applications so far received, had been deferred until the 2003/2004 financial year.

Further reported details of the repairs that had satisfactorily been completed since the last report to the Committee.

RESOLVED that the report be noted.

5. 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:-

23/2002/027

Erection of agricultural workers dwelling on land to the south of Lower Park Farm, Wiveliscombe, to serve Fernicaps Park Farm.

Conditions

- (a) C006 - outline - reserved matters;
- (b) C009 - outline - time limit;
- (c) C010A - drainage - not commenced until percolation tests approved;
- (d) C014 - time limit;
- (e) C101 - materials;
- (f) C201A - landscaping/landscape bunding;
- (g) C205 - hard landscaping;
- (h) C215 - walls and fences;
- (i) C321B - parking;
- (j) C401 - agricultural tying condition;
- (k) C416 - details of size, position and materials of meter boxes;
- (l) C917 - services - underground;
- (m) POO1A - no extensions;
- (n) C307 - access - gates set back;
- (o) C327 - turning space;
- (p) C013 - site levels;
- (q) The proposed dwelling shall be constructed as a one and a half storey dwelling.

(Notes to applicant:- (1) N111 - disabled access; (2) N112 - energy conservation; (3) N115 - water conservation; (4) N031 - design; (5) With regard to condition (f)(i), applicant was advised that the submitted scheme should include a hedgerow around the curtilage comprising native hedge plants for example, hawthorn, dogwood, guelder rose or buckthorn and should be planted in two staggered rows 450 mm apart with each plant separated a distance of 600 mm; (6) Applicant was advised that the property is served by a private water supply and any increased usage should be notified to the Environmental Health Department; (7) Applicant was advised that the Environment Agency's Consent to Discharge to an underground

strata would be required; (8) N114 - design - meter boxes; (9) N119 - Design Guide; (10) Applicant was encouraged to dig the site of the new dwelling into the slope to minimise its impact; (11) With regard to condition (q), applicant was advised that a single storey dwelling would be considered out of keeping with the rural locality and that a two storey dwelling would create a dominant visual impact on this sloping site. Hence it is considered that a storey and a half dwelling is the most appropriate; (12) Applicant was advised that the size of the dwelling should be commensurate to an agricultural workers dwelling).

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

38/2002/487

Erection of two dwellings on land adjacent to 40 Bindon Road, Taunton.

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) C201 - landscaping;
- (h) C205 - hard landscaping;
- (i) C207 - existing trees to be retained;
- (j) C208A - protection of trees to be retained;
- (k) C215 - walls and fences;
- (l) Before works commence on the construction of the dwellings, the footpath fronting the site shall be widened to a depth of 2.4 m, in accordance with a design and specification to be approved in writing by the County Highway Authority. The footpath shall be dedicated to the County Highway Authority prior to works commencing on the construction of the dwellings;
- (m) C304 - access point;
- (n) The access hereby permitted shall not be brought into use until drop curbs have been installed at the carriageway edge, and a vehicle crossover constructed across the footway fronting the site for the width of the access;
- (o) Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 4.5 m from the carriageway edge;
- (p) C306 - access - gradient;
- (q) There shall be no obstruction to visibility greater than 900 mm above adjoining road level forward of a line drawn 2.4 m back and parallel to the near side carriageway edge over the entire site frontage. Such visibility shall be fully provided before works commence on the erection of the dwellings hereby permitted and shall thereafter be maintained at all times;

- (r) Before the dwellings hereby permitted are occupied, a properly constructed and surfaced turning space for vehicles shall be constructed within the curtilage, in accordance with the details shown on the submitted plan and thereafter kept unobstructed;
- (s) C324 - parking;
- (t) C331 - provision of cycle parking;
- (u) The existing conifer trees which run along the rear boundary of the site shall be retained to the satisfaction of the Local Planning Authority.

(Notes to applicant:- (1) N111 - disabled access; (2) N112 - energy conservation; (3) N114 - design - meter boxes; (4) N115 - water conservation; (5) N116 - disabled access; (6) 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; (7) N119 - Design Guide; (8) N037 - drainage/water; (9) Applicant was advised that the formation of the access will involve construction works within the existing highway limits. These works must be agreed in advance with the County Highway Services Officer who will also be able to advise upon and to provide the relevant licences; (10) Applicant was advised that the proposal involves the construction of a footway/road widening which should be dedicated to form part of the public highway. The applicant is therefore advised to contact the Transport Development Group at Somerset County Council for details of the dedication procedure. The applicant will be expected to pay the legal fees incurred in drawing up the dedication agreement; (11) Applicant's 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 of access will be required for your proposed buildings. An early assessment of site levels will avoid expensive alterations at a later date. Please contact the Council's Access Surveyor for further advice; (12) Applicant was advised to contact Wessex Water prior to the commencement of any works to agree connection points onto the Wessex Water system; (13) Applicant was advised of the need to protect the integrity of Wessex Water systems and any arrangements for the protection of infrastructure crossing the site should be agreed as early as possible, certainly before the developer submits any Building Regulations Application; (14) Applicant was advised that there is a public combined sewer crossing close to the boundary of the site. Wessex Water normally requires a minimum 3 m easement width on either side of its apparatus, for the purpose of maintenance and repair. You are further advised that diversion or protection works may need to be agreed with Wessex Water).

38/2002/488

Erection of dwelling on land to the rear of 3 Ashley Road, Taunton.

Conditions

- (a) C005 - outline - reserved matters;
- (b) C009 - outline - time limit;
- (c) C014 - time limit;
- (d) C101 - materials;
- (e) C305 - access and driveway to be hard surfaced;
- (f) C307 - access - gates set back;
- (g) C414 - No increase in site level;
- (h) There shall be no obstruction to visibility greater than 900 mm above adjoining footway level forward of the lines drawn from points 2.4 m back from the rear of the footway on either edge of the access drive and extending to points at the rear of the footway 2.4 m either side of the edges of the access drive. Such visibility should be fully provided before the new access hereby permitted is first brought into use and shall thereafter be maintained at all times;
- (i) The new access onto Ashley Road shall be completed to the satisfaction of the Local Planning Authority before the dwelling hereby approved is first brought into use.
(Notes to applicant:- (1) N030 - design; (2) N110 - design; (3) N114 - design - meter boxes; (4) N119 - Design Guide; (5) Applicant was advised to agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure).

- (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:-

07/2002/028

Change of use and conversion of farm buildings to B1 (light industry), B2 (general industry) and B8 (distribution) and barn to office suite, Ford Farm, Bradford on Tone.

Conditions

- (a) C001 - time limit;
- (b) C102 - materials;
- (c) C324 - parking;
- (d) C708 - restricted use - no storage except where stated;
- (e) Noise emissions arising from any part of the land or premises to which this permission relates, shall not exceed background levels at any time by more than three decibels, expressed in terms of an A-Weighted two minute Leq between the hours of 0800 to 1800 Monday - Friday and 0800 to 1300 hours on Saturdays when measured at any point 1 m from any residential or other noise sensitive boundary. Noise emissions having tonal characteristics such as hum, drone or whine shall not exceed background levels at any time when measured as above. At all other times including Sundays and Bank Holidays, noise emissions shall not exceed background levels when measured as above. For the purposes of this

permission “background levels” shall be those levels of noise which occur in the absence of noise from the development to which this permission relates, expressed in terms of an A-Weighted ninetieth percentile level, measured at an appropriate time of day and for a suitable period of not less than 10 minutes;

- (f) C010A- drainage - not commenced until percolation tests approved;
- (g) C601 - schedule of works to ensure safety and stability of structure;
- (h) Before the office suite hereby permitted is occupied, the other agricultural buildings shown on the approved plan shall be demolished and all materials resulting from the demolition shall be removed from the site;
- (i) Prior to the development hereby approved being occupied, a sign at the exit from the site advising lorries to turn left to avoid the width and weight restriction at Bradford Bridge shall be erected, in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.
(Notes to applicant:- (1) N111 - disabled access; (2) N112 - energy conservation; (3) N115 - water conservation; (4) N051B - health and safety; (5) Applicant was advised that you may need a Consent to Discharge from the Environment Agency).

14/2002/042

Change of use from A1 retail to health and beauty salon at the Corner Shop, Hyde Lane, Creech St Michael.

Condition

- (a) C001 - time limit;
(Notes to applicant:- (1) Applicant was advised that the alterations to the shop front will need planning permission; (2) N020 - change of use).

14/2002/044

Erection of two dwellings and garage with drainage and access thereto at land to the south of The Crown Inn, Creech Heathfield (amended scheme).

Conditions

- (a) C001 - time limit;
- (b) C010A - drainage - not commenced until percolation tests approved;
- (c) C101 - materials;
- (d) C203 - landscaping;
- (e) The wall shown to the north of unit B shall be constructed prior to the occupation of unit B;
- (f) C314 - visibility splays;
- (g) C324 - parking;
- (h) The garages hereby permitted shall be constructed only in accordance with the approved plans, and shall remain available in perpetuity for the parking of a motor vehicle (s) for domestic purposes only;
- (i) P010 - no further windows;

- (j) The bathroom windows on the south and west elevations of both units A and B shall be glazed with obscure glass and such glazing shall thereafter be maintained;
- (k) P001A - no extensions;
- (l) The new access shall maintain a level connection with the remaining access lane;
- (m) Notwithstanding the submitted surface water drainage details, satisfactory details of the surface water drainage shall be submitted to, and approved in writing by, the Local Planning Authority.
(Notes to applicant:- (1) Applicant was advised to contact Wessex Water in connection with the attached letter; (2) Applicant was advised that Crown Lane adjacent to the application site is a public right of way and should not be obstructed in any way by vehicles. The access is maintained by local residents and they request any subsequent owners/occupiers of the dwellings hereby approved to contribute to its upkeep/maintenance; (3) Applicant was advised that the drainage channel to the east of the site is in private ownership and the application site has no right to drain into it; (4) N112 - energy conservation; (5) N114 - design - meter boxes; (6) N045 - encroachment; (7) Applicant was advised to contact the Rights of Way Section of the Environment and Property Department, Somerset County Council; (8) Applicant was advised that level access is required to the dwellings; (9) Applicant was advised that private drainage ditches may cross the site. Matters relating to these ditches are private legal matters and the granting of this permission does not override the need to reach any other agreements; (10) With regard to condition (m), applicant was advised that the proposed drainage is considered unacceptable; (11) Applicant was advised that the site lies very close to a known archaeological site recognised by aerial photography. The site is a large trapezoid enclosure, possibly Iron Age in date (based on its morphology). Therefore, it is likely that remains are located on this proposed site. You are requested to contact the County Archaeologist to discuss the possibility of the archaeological monitoring of the site).

18/2002/017

Retention of hardstanding and track on land to the north of Lower Stoford, Halse.

Condition

- (a) C201 - landscaping/protection from horses using the paddock;
(Note to applicant:- Applicant was advised that a native hedge is required along the eastern and southern extremity of the stoned area to screen the proposal from Ash Common and Templars).

24/2002/006

Conversion of barn to form dwelling and erection of garage to serve farmhouse at Higher Huntham Farm, Broad Lane, North Curry.

Conditions

- (a) C001 - time limit;
- (b) C101 - materials;
- (c) C601 - schedule of works to ensure safety and stability of structure;
- (d) C215 - walls and fences;
- (e) Prior to the occupation of the dwelling hereby permitted, the parking/garaging shown on the submitted plans for both the existing and proposed dwellings shall be provided on site;
- (f) Before the dwelling hereby permitted is occupied, a properly constructed and surfaced turning space for vehicles for both the existing and proposed dwellings shall be constructed within the curtilage, in accordance with the details shown on the submitted plan and thereafter kept unobstructed;
- (g) C326 - garage - domestic use only;
- (h) Before any part of the permitted development is commenced, details of a new hedge along the north-east/south boundaries of the site (except at the point of access) shall be submitted to, and approved in writing by, the Local Planning Authority. Such a scheme shall be carried out within the first available planting season from the date of commencement of the development;
- (i) C926 and C926A - remediation investigation/certificate.

24/2002/010LB

Conversion of barn to form dwelling and erection of garage to serve farmhouse at Higher Huntham Farmhouse, at Higher Huntham Farm, Broad Lane, North Curry.

Conditions

- (a) C002 - time limit - listed building;
- (b) C601 - schedule of works to ensure safety and stability of structure;
- (c) Prior to the commencement of works on site, full details of the proposed windows (including blinds), internal and external doors, timber boarding, staircase, skirtings and finishing treatment for the external timberwork shall be submitted to, and approved in writing by, the Local Planning Authority;
- (d) Other than as approved, there shall be no horizontal ceilings inserted into the barn/dwelling unless prior details have been submitted to, and approved in writing by, the Local Planning Authority;
- (e) Prior to the commencement of works on site, details of the rooflights shall be submitted to, and approved in writing by, the Local Planning Authority. Such details shall ensure the use of flush fitting 'conservation' style windows only.

(Notes to applicant:- (1) Applicant was advised that the barn is a listed building. Unauthorised works are a criminal offence and you are advised to obtain authorisation for any variations from this consent).

26/2002/007

Erection of 2 No houses and garages, together with vehicular and pedestrian access thereto and double garage to 2 Roundoak Cottages (formally Roundalls), land adjoining 2 Roundoak Cottages, Nynehead.

Conditions

- (a) C001 - time limit;
- (b) C101 - materials;
- (c) C112 - details of guttering, downpipes and disposal of rainwater;
- (d) C201A - landscaping;
- (e) C215 - walls and fences;
- (f) Sufficient space for one garage and one parking space, together with a vehicular access thereto shall be provided for each dwelling. The said garage (or garage space), parking space and access shall be constructed or hard surfaced before the dwellings hereby permitted are occupied and shall not be used other than for the parking of domestic vehicles or for the purposes of access;
- (g) A waiting bay for vehicles shall be formed at the point of access in accordance with the approved plan. Such bay shall be completed before either of the dwellings are occupied and shall at no time thereafter be obstructed;
- (h) Prior to the new accesses and drives being brought into use, they shall be hard surfaced in tarmacadam or such other material as shall be agreed in writing by the Local Planning Authority for a distance of 6 m back from the edge of the carriageway;
- (i) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (j) C414 - no increase in site level;
- (k) C416 - details of size, position and materials of meter boxes;
- (l) P007 - no fencing in front of dwelling;

(Notes to applicant:- (1) 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; (2) N112 - energy conservation; (3) N115 - water conservation; (4) N114 - design - meter boxes; (5) N051B - health and safety; (6) Having regard to the powers of the Highways Act 1980, applicant was advised that a Section 184 Permit must be obtained from the Highway Services Manager, Taunton Deane area. Applications for such a permit should be made at least three weeks before access works are intended to commence; (7) Applicant was advised that there is Wessex Water infrastructure crossing the site and they normally require a minimum 3 m easement width on either side of its apparatus for the purposes of maintenance and repair. Diversion or protection works may need to be agreed. It will be necessary for the developer to agree on arrangements for the satisfactory disposal of foul flowing and surface water flowing generated by the proposal; (8) Applicant was advised that with regard to water supply, you should agree with Wessex Water a point of

connection onto their systems prior to the commencement of any works on site; (9) Applicant was reminded of the need to ensure that the proposed development can be accommodated on the site in accordance with the approved plans and to ensure that the development is carried out strictly in accordance with those approved plans. Any variance thereto may result in enforcement action being taken by the Local Planning Authority).

27/2002/023

Construction of flood embankments, road ramp and throttle structures on the Hillfarrance Brook and Village Stream, flood diversion channel linking the Village Stream and Allerford Brook and minor improvements to the Allerford Brook, land to the west, north and east of Hillfarrance, Taunton.

Conditions

- (a) C001 - time limit;
- (b) Before the commencement of any works hereby permitted, details or samples of the materials to be used for all the external surfaces of the structures and bridges shall be submitted to, and approved in writing by, the Local Planning Authority and no other materials shall be used without the written consent of the Local Planning Authority;
- (c) (i) Before any part of the permitted development is commenced, a scheme of planting of trees, shrubs and hedges 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. Such a scheme shall be in general accordance with drawing No 2456-SK122;
(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) Before any part of the development hereby permitted is commenced, detailed drawings showing which hedges and trees are to be retained on the site shall be submitted to, and approved in writing by, the Local Planning Authority and none of the trees so shown shall be felled, lopped, topped, lifted or disturbed without the prior written consent of the Local Planning Authority;
- (e) C209 - protection of hedges to be retained;
- (f) No development hereby approved shall take place until the applicant, or their agents or successors in title, has 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;

- (g) The proposed development shall be carried out in accordance with the project appraisal report submitted with the application.

(Notes to applicant:- (1) Applicant was advised that any imported soil for construction of flood embankments should be either of 'green field' origin or, if of unknown or 'brown field' origin, should be tested for contamination by a laboratory for substances as specified in the appropriate guidance and achieve levels of substance suitable to the end use; (2) Applicant was advised that the proposal may have an effect on a number of 11 kilovolt and 33 kilovolt poles and the 132 kilovolt tower line at Hillfarrance. All costs to deviate these lines would be chargeable to the developer; (3) Applicant was advised that all new and existing Western Power Distribution equipment on site should be assumed to be live until proved otherwise and confirmed in writing; (4) Applicant was reminded of the need to comply with the requirements of the Health and Safety Executive Guidance laid down in HS(G)47 'Avoiding Danger from Underground Services'; (5) Applicant was advised that work taking place in the vicinity of Western Power Distribution equipment is regulated under the Electricity at Work Regulations 1989, the Health and Safety Act 1974 and the CDM Regulations 1994. Safe working procedures should be defined and practiced. If there are overhead lines crossing the site, the developer must comply with the requirements of the Health and Safety Executive Guidance laid down in GS6 'Avoidance of Danger from Overhead Electric Lines').

38/2002/523

Dropped kerbs at Nos 247, 249, 253, 255, 257, 259 and 261 Cheddon Road, Taunton.

Condition

- (a) C001 - time limit.

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

The Committee was of the view that the proposed dropped kerbs would not create any greater hazard than the current on-street parking situation.

38/2002/526

Change of use of retail store (currently under construction) to Class A3 (food and drink) use at former Whites Garage, Taunton.

Conditions

- (a) C001 - time limit;
(b) Noise emissions arising from any part of the land or from any premises to which this permission relates shall not exceed

background levels at any time by more than three decibels, expressed in terms of an A-Weighted two minute Leq when measured at any point 1 m from any residential or other noise sensitive boundary. Noise emissions having tonal characteristics such as hum, drone or whine shall not exceed background levels at any time, when measured as above. For the purposes of this permission, 'background levels' shall be those levels of noise which occur in the absence of noise from the development to which this permission relates, expressed in terms of an A-Weighted, ninetieth percentile level, measured at an appropriate time of day and for a suitable period of not less than 10 minutes;

- (c) Odours arising from cooking should not be detectable at the façade of any residential or other odour sensitive premises. (This potential problem could be overcome by the fitting of a suitably filtered air extraction system);
- (d) Noise from any air extraction system should not exceed background noise levels by more than three dB(A) for a two minute Leq at any time when measured at the façade of residential or other noise sensitive premises.

(Notes to applicant:- (1) N021 - conditions; (2) Applicant's 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 building. An early assessment of site levels will avoid expensive alterations at a later date. If you would like to discuss your proposal please contact the Council's Access Surveyor).

48/2002/075

Siting of portacabin for children's Sunday School activities at land between Bathpool Chapel and 103 Bridgwater Road, Bathpool.

Conditions

- (a) The portacabin hereby permitted shall be removed and the land restored to its former condition on or before 31 January 2005;
- (b) Noise emissions arising from the playing of amplified music or speech on any part of the land or from any premises to which this permission relates shall not be audible at the boundary of any residential or other noise sensitive boundary;
- (c) The portacabin hereby permitted shall be used for Sunday Schools and ministerial preparation only and for no other purpose without the prior written consent of the Local Planning Authority.

(Note to applicant:- Applicant was advised that there is no record of the land on which the portacabin is sited having a change of use to enable it to be used ancillary to the church. Planning permission would be required for any such activities in the future).

- (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:-

36/2002/031

Change of use and conversion of barn to holiday accommodation, barn off Helland Lane, Huntham, North Curry.

Reasons

- (a) The barn is located outside of the defined limits of any recognised settlements in open countryside where it is the policy of the Local Planning Authority not to allow conversions to holiday accommodation unless it conforms to the following criteria:- (1) The building has a size and structure suitable for conversion without major rebuilding or significant extension and alteration; (2) Has a form, bulk and general design in keeping with its surroundings; (3) Is sited near a public road. In the opinion of the Local Planning Authority, the conversion requires significant rebuilding, extension and alteration and is not sited near a public road. It is therefore considered to be contrary to Policy EC3 of the Taunton Deane Local Plan Revised Deposit.
- (b) The barn is located in an isolated position in the open countryside within the Levels Landscape Character Area and a Special Landscape Area where its accessibility is poor and necessary improvements to the infrastructure to provide access are likely to have a detrimental impact on the appearance and character of the area. Therefore, the proposal is considered to be contrary to Policy 5 of the Somerset and Exmoor National Park Joint Structure Plan Review, Policy ED/EC/7 of the East Deane Local Plan and Policies S1(B) and (D) and EN13 of the Taunton Deane Local Plan Revised Deposit.

51/2002/006

Erection of an agricultural storage building at Samways Farm, Burrowbridge.

Reasons

- (a) The site lies within a Special Landscape Area as identified by the East Deane Local Plan and a Landscape Character Area as identified in the Taunton Deane Local Plan Revised Deposit. It is the policy of the Local Planning Authority to carefully control all development that might damage those features which give such areas their special character. In the opinion of the Local Planning Authority, the proposal would constitute a visual intrusion which would be detrimental to the amenity of the Special Landscape Area and Landscape Character Area and would therefore be contrary to Policy ED/EC/7 of the East Deane Local Plan, Policy EN13 of the Taunton Deane Local Plan Revised Deposit and Policy 5 of the Somerset and Exmoor National Park Joint Structure Plan Review.

- (b) It is considered that the proposal would adversely affect the visual setting of the adjacent Baptist Church which is a Grade II listed building, by reason of its size, siting, design and appearance. Therefore, it is considered to be contrary to Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policy EN17 of the Taunton Deane Local Plan Revised Deposit;
- (c) The proposed development would not be in the interests of the safety and convenience of road users or pedestrians by reason of the sub-standard access to the site and the additional traffic that would be generated along narrow access roads. Therefore, the proposal is considered to be contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

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

The Committee had concerns about the access to the proposed storage building and, as before, with its likely impact on the nearby listed Chapel and the surrounding landscape.

- (4) That the following application be withdrawn:-

38/2002/484

Residential development with revised access and landscaping, two floodlit astroturf all-weather pitches, drainage attenuation areas, changing room and equipment/grounds store plus the provision of a car park at land to the north of Greenway Road, Taunton School, Taunton.

- 6. Erection of extensions to nursing home, retention of store, bin store and 2 m high screen wall and formation of vehicular access and car parking area, Frethay House Nursing Home, Frethay Lane, Bishops Hull (05/2002/051)

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues by 4 February 2003, 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;
- (c) C201A - landscaping;
- (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) The proposed access over the first 10 m of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority;

- (g) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (h) Before the access hereby permitted is first brought into use, the turning space shown on the submitted plan shall be properly consolidated and surfaced to the satisfaction of the Local Planning Authority. Such turning space shall be kept free of obstruction at all times;
- (i) C314 - visibility splays;
- (j) C309 - access - existing access to be closed;
- (k) The area allocated for parking on the submitted plan shall be properly consolidated, surfaced and drained and marked out before the extensions hereby permitted are occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (l) Provision shall be made for the parking of 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;
- (m) No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to, and approved in writing by, the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed;
- (n) Prior to being discharged into any watercourse, surface water sewer or soakaway system all surface water drainage from impermeable parking areas, roadways and hardstandings for vehicles shall be passed through trapped gullies with an overall capacity compatible with the site being drained.
(Notes to applicant:- (1) Applicant was advised to contact the Environment Agency in respect of the capacity of the private treatment works; (2) Applicant was advised that soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (3) Applicant was advised that all foul drainage must be kept separate from clean surface and roof water; (4) Applicant was recommended to investigate the use of Best Management Practices for surface water drainage on this site, in order to reduce the rate of run-off and to reduce pollution. These methods consist of controlling the sources of surface water and include infiltration techniques, detention/attention, porous paving/surfaces and wetland; (5) Applicant was advised that the site is considered to fall within the flood risk of the adjacent river and may be prone to flooding during more extreme conditions in the river. Further information can be obtained from the Environment Agency's Flood Defence Section; (6) Applicant was advised that the planting required under condition (c) should include a copse on the north-east part of the garden and a hedge bank on the southern boundary).

7. Erection of 43 No dwellings, shop with 6 No flats above and licensed to premises, together with associated parking and site works, land to north of former hospital buildings, Cotford St Luke (06/2002/062)

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues on the amended plans, 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) Prior to the occupation of the shop or licensed premises, details of any external lighting shall be submitted to, and approved in writing by, the Local Planning Authority.
- (Notes to applicant:- (1) 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; (2) N112 - energy conservation; (3) N113 - street names; (4) N114 - design - meter boxes; (5) N115 - water conservation; (6) Applicant's attention is drawn to conditions 05, 07, 09, 11(i), 13, 16, 20, 21, 22, 24, 25, 28 and 32 of planning permission No 06/1994/018 which must be complied with before development commences; (7) N051B - health and safety; (8) N075 - Section 106 Agreement; (9) 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; (10) Applicant was advised that means of escape in case of fire should comply with Approved Document B, Part 1 of the Building Regulations 2000. Detailed recommendations concerning other fire safety matters will be made at the Building Regulations stage; (11) Applicant was advised that access for fire appliances should comply with Approved Document, Part B5 of the Building Regulations 2000. Additionally, it is recommended the standards detailed in Guidance Note 10 are adopted where they are higher; (12) Applicant was advised that all new water mains with the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards; (13) Applicant was advised that the Local Planning Authority will be expecting the site for the licensed premises to be reserved for such use, or other appropriate commercial use in the community interest, until at least 2011).

8. Extensions, internal and external alterations, new garage and change of use from existing public house to two residential units at The Kingfisher Inn, Taunton Road, Bishops Lydeard (06/2002/068)

Reported this application.

RESOLVED that subject to receipt of no further representations raising new issues by 31 January 2003, 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) C102 - materials;
- (c) C323 - parking;
- (d) Before the dwellings hereby permitted are occupied, a properly constructed and surfaced turning space for vehicles shall be constructed within the curtilage in accordance with the details shown on the submitted plan and thereafter kept unobstructed;
- (e) C917 - services - underground;

- (f) C010A - drainage - not commenced until percolation tests approved;
- (g) C215 - walls and fences;
- (h) P001A - no extensions;
- (i) The fire escape as shown on the approved plan shall be used only for emergency escape purposes and for no other purpose.
(Notes to applicant:- (1) Applicant was reminded of the need to ensure that the proposed development can be accommodated on the site in accordance with the approved plans and to ensure that the development is carried out strictly in accordance with those approved plans. Any variance thereto may result in enforcement action being taken by the Local Planning Authority; (2) N112 - energy conservation; (3) N114 - design - meter boxes; (4) N116 - disabled access; (5) 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; (6) N041 - drainage/water; (7) N041A - drainage/ water; (8) N115 - water conservation).

9. Erection of garages and formation of access, Gardeners Hall, Bradford on Tone (07/2002/031)

Reported this application.

RESOLVED that subject to the receipt of no further representations by 31 January 2003, 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) C102 - materials;
(Note to applicant:- N040A - drainage/water).

10. Erection of 4 No dwellings with associated garaging and formation of access, Combe Down Farm, Combe Florey (11/2002/009)

Reported this application.

RESOLVED that subject to the receipt of no further representations on the amended plans by 5 February 2003, 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) Details of the arrangements to be made for the disposal of foul and 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;
- (c) C101 - materials;
- (d) Details of the structure and colour of the mortar to be used in the stonework shall be submitted to, and approved in writing by, the Local Planning Authority before the development commences;

- (e) Prior to the commencement of the development hereby permitted, sample panels shall be erected on site for the approval in writing of the Local Planning Authority of stonework, sets and render;
- (f) All external windows and doors shall be constructed of timber in accordance with specific details which shall first be submitted to, and approved in writing by, the Local Planning Authority and thereafter be so maintained;
- (g) All windows and doors shall be recessed in accordance with details which shall first be approved in writing by the Local Planning Authority;
- (h) The rooflights hereby permitted shall be flush fitting;
- (i) No bell casts to window or door heads shall be formed in the rendered areas hereby approved;
- (j) The means of venting roofs shall first be approved in writing by the Local Planning Authority;
- (k) C112 - details of guttering, downpipes and disposal of rainwater;
- (l) C203 - landscaping;
- (m) C205 - hard landscaping;
- (n) C208A - protection of trees to be retained;
- (o) No service trenches shall be dug within the canopy of any existing tree within the curtilage of the site without the prior approval the Local Planning Authority;
- (p) C210 - no felling or lopping;
- (q) The proposed estate roads, footways, footpaths, tactile paving, 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;
- (r) C314 - visibility splays;
- (s) C321B - parking;
- (t) C416 - details of size, position and materials of meter boxes;
- (u) C926 and C926A - remediation investigation/certificate;
- (v) Before any of the dwellings hereby approved are occupied, the agricultural buildings as shown on the approved plan shall be demolished and all materials resulting from the demolition shall be removed from the site;
- (w) C917 - services - underground;
- (x) P001A - no extensions;
- (y) P003 - no ancillary buildings;
- (z) P006 - no fencing;
- (aa) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-inacting that Order with or without modification), no doors and windows/dormer windows (other than those expressly authorised by this planning permission) shall be constructed.
 (Notes to applicant:- (1) 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; (2) N112 - energy conservation; (3) N114 - design - meter boxes; (4) N115 - water conservation; (5) N051B - health and safety; (6)

N048A - remediation strategy; (7) Applicant was advised to contact Wessex Water with regard to agreeing points of connection to the foul sewers and water supply; (8) Applicant was advised to ensure that the proposed development can be accommodated on the site in accordance with the approved plans and to ensure that the development is carried out strictly in accordance with those approved plans. Any variance thereto may result in enforcement action being taken by the Local Planning Authority).

11. Demolition and erection of replacement buildings together with servicing, car parking and landscaping at Priory Fields Retail Park, Taunton (38/2002/489)

Reported this application.

RESOLVED that subject to the receipt of satisfactory details of floor levels, revised entrance details, rear elevations and landscaping (to possibly include tree planting off site along the adjacent river bank), 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) C110 - materials - for hard surfacing;
 - (d) C201 - landscaping;
 - (e) C207 - existing trees to be retained;
 - (f) C208A - protection of trees to be retained;
 - (g) 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;
 - (h) C314 - visibility splays;
 - (i) C324 - parking;
 - (j) C331 - provision of cycle parking;
 - (k) C918 - floodlighting;
 - (l) C920 - no amplified music;
 - (m) C917 - services - underground;
 - (n) C013 - site levels;
 - (o) C926 and C926A - remediation investigation/certificate;
 - (p) Minimum ground levels must be set at 14.81 m AOD and minimum finished floor levels must be set at 15.1 m AOD;
 - (q) No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to, and approved in writing by, the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed;
 - (r) Details of the entrance barrier shall be submitted to, and approved in writing by, the Local Planning Authority before any works commence;
 - (s) Prior to the occupation of the buildings, details of any external lighting shall be submitted to, and approved in writing by, the Local Planning Authority.
- (Notes to applicant:- (1) Applicant was advised that under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 m of the top of the River Tone,

designated as a 'main river'; (2) Applicant was advised that the proposed development is situated within 250 m of a known landfill site. Before commencement of the development, the applicant must ensure that all reasonable steps have been taken to investigate and, where appropriate, remediate against the possibility of gas migration affecting the development site; (3) Applicant was advised that much of the site is made ground of unknown quality which was once a domestic landfill site. Given the above, prior to any construction work commencing, details regarding the site surface water system needs to be provided. In addition, an assessment of the extent of any contamination needs to be ascertained and discussed with the Environment Agency and the risk this development may pose to the adjacent River Tone; (4) Applicant was advised that the terms of the Section 106 Agreement relating to this site dated 29 March 1985 which restricts the type of goods sold remains valid; (5) N040A - drainage/water; (6) Applicant was advised to protect the integrity of Wessex systems and agree prior to the commencement of works on site, any arrangements for the protection of infrastructure crossing the site. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory disposal of foul flows generated by the disposal. This can be agreed at the detailed design stage; (7) N041B - drainage/water; (8) NO48A - remediation strategy; (9) N005 - advertisements).

(Councillor Mrs Allgrove declared a personal interest in the applications covered by Minutes 12, 13, 14 and 15 below).

12. Conversion of outbuildings to form 8 No dwellings, Chelston Manor, Chelston, Wellington (46/2002/031)

Reported this application.

RESOLVED that subject to:-

- (1) the receipt of no representations raising new issues on the amended plans;
- (2) the receipt of a satisfactory structural engineer's report;
- (3) the applicant entering into a Section 106 Agreement to contribute the sum of £2050 per dwelling towards off site play and activity provisions; and
- (4) the removal of the Direction imposed by the Highways Agency under Article 14 of the Town and Country Planning (General Development Procedure) Order 1995, 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) C106 - second-hand materials;
 - (c) C112 - details of guttering, downpipes and disposal of rainwater;
 - (d) C201A - landscaping;
 - (e) C205 - hard landscaping;
 - (f) C207 - existing trees to be retained;

- (g) C208A - protection of trees to be retained;
- (h) 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;
- (i) C210 - no felling or lopping;
- (j) C215 - walls and fences;
- (k) No work shall commence on the development until such time as the junction of the lane adjacent to the site with the B3187 at its north-west junction is widened to a minimum width of 5 m, and its north-east junction is realigned to remove the switchback kerb alignment, easing the junction radius, in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority;
- (l) The area allocated for parking on the submitted plan shall be properly consolidated, surfaced, drained and marked out before any of the dwellings hereby approved are occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (m) C416 - details of size, position and materials of meter boxes;
- (n) The new doors and windows indicated on the approved plans shall be made of timber only and no other materials, unless the written consent of the Local Planning Authority is obtained to any variation thereto;
- (o) Before the dwellings hereby permitted are occupied, the agricultural buildings as shown on the approved plan shall be demolished and all materials resulting from the demolition shall be removed from the site;
- (p) C917 - services - underground;
- (q) P001A - no extensions;
- (r) P003 - no ancillary buildings;
- (s) P006 - no fencing;
- (t) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-inacting that Order with or without modification), no doors and windows/dormer windows (other than those expressly authorised by this planning permission) shall be constructed.
- (u) C926 and C926A - remediation investigation/certificate;
- (v) 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 inter-connected 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;
- (w) No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to, and approved in writing by, the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed;
 - (x) No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details;
 - (y) 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 proposed industrial sources will not cause nuisance to the occupants of premises on the completed development. The consultant shall submit a written report to the Local Planning Authority 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;
 - (z) C601- schedule of works to ensure safety and stability of structure.
(Notes to applicant:- (1) N025 - conversion; (2) N025A - conversion; (3) N111 - disabled access; (4) N112 - energy conservation; (5) N114 - design - meter boxes; (6) N115 water conservation; (7) N051B - health and safety; (8) N066 - listed building; (9) N095A - owls and bats; (10) Applicant was advised that Haywards Water currently floods out of bank in this area and the development must not contribute to the problems of flooding. It is suggested that a Sustainable Urban Drainage Scheme be used for the site to improve the flooding and water quality situation; (11) Applicant was recommended to investigate the use of Best Management Practices for drainage on this site, in order to reduce the rate of run-off and to reduce pollution. These methods consist of controlling the sources of surface water and include:- (a) infiltration techniques; (b) detention/attenuation; (c) porous paving/surfaces; and (d) wetlands; (12) Applicant was advised to refer to the Environment Agency's leaflet on Sustainable Urban Drainage Systems; (13) Applicant was advised that any surface water discharges to watercourses should be limited to that which occurs naturally from the catchment and as calculated from a one in one year storm using 10% impermeability. Any excess flows should be dealt with by on site attenuation; (14) Applicant was advised that the design storm for any attenuation system should be for a one in 25 year return period storm; (15) Applicant was advised that the Environment Agency should be approached for Consent to Discharge and for their requirements regarding oil interceptors and

headwall design; (16) Applicant was advised that details would be required of the proposed point of discharge to watercourse together with details of the headwall; (17) Applicant was advised that the poor quality of water discharging from surface water outfalls can seriously affect the receiving watercourse. Techniques to reduce the impact of these discharges have been developed and collectively form a range of Sustainable Urban Drainage Systems (SUDS) for dealing with urban run-off. It is strongly recommended that some form of SUDS be used at this proposed development; (18) Applicant was advised that if there is regular tanker traffic to the site, the Environment Agency would recommend the use of a sluice which may be closed at the end of the ditch to allow a spill to be retained. All the buildings, roads and the surface water system itself must be located outside of the predicted flood plain of Haywards Water; (19) Applicant was advised that the future maintenance and management of the surface water drainage system should be arranged in advance with parties taking responsibility for that maintenance. Commuted sums may be required to be paid for such maintenance. In order to allow for maintenance, machine access to the ditch should be preserved; (20) Applicant was advised that under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 m of the top of the bank of the Haywards Water, designated a 'main river'; (21) Applicant was advised that any works that would affect the flow of water in any stream or watercourse on the site would require the prior consent of the Environment Agency. There is another existing ditch adjacent to Unit C in Zone C. Any culverting or restriction of flow would require the Environment Agency's prior permission; (22) Applicant was recommended to use this opportunity to improve access to and the working strip along the bankside. Efforts should also be made to improve the habitat of the riverbank by producing a sensitive planting and landscaping scheme; (23) Applicant was advised that in the interests of pollution prevention, appropriate measures must be taken at the construction stage to ensure that surface and groundwater are not polluted. Practical guidance is outlined in the attached pollution prevention notes however, the Environment Agency's Area Environment Management Officer would be pleased to advise further regarding this matter; (24) N048A - remediation strategy; (25) Applicant was advised of the need to enter into an agreement with the County Highway Authority under Section 278 of the Highways Act 1980 with regard to the requirements of Condition (k.)

13. Erection of 12 No industrial craft units and formation of access, land adjacent to Chelston Manor, Chelston, Wellington (46/2002/032)

Reported this application.

RESOLVED that subject to:-

- (1) the receipt of no representations raising new issues on the amended plans;
- (2) the views of the first Secretary of State under the Departure Procedures; and
- (3) the removal of the Direction imposed by the Highways Agency under Article 14 of the Town and Country Planning (General Development Procedure) Order 1995, 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) C102 - materials;
 - (c) C201A - landscaping;
 - (d) C207 - existing trees to be retained;
 - (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) C209 - protection of hedges to be retained;
 - (h) C210 - no felling or lopping;
 - (i) C215 - walls and fences;
 - (j) 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, street furniture and tactile paving 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;
 - (k) The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted;
 - (l) The development hereby approved shall not be brought into use until that part of the service road which provides access to it has been constructed in accordance with the approved plans;
 - (m) In the interest of sustainable development, none of the units hereby permitted shall be occupied until a network of cycleway and footpath has been constructed within the development site in accordance with a scheme to be approved in writing by the Local Planning Authority. Each individual unit within the site should demonstrate adequate visibility in accordance with DB32 - Places, Streets and Movements;
 - (n) C708 - restricted use - no storage except where stated;
 - (o) 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 arising

from the proposed industrial units will not cause nuisance to neighbouring premises. 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;

- (p) 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 inter-connected 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;
- (q) No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to, and approved in writing by, the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed;
- (r) No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details;
- (s) There shall be no access from the lane to the south-west of the site other than for pedestrians and cyclists.

(Notes to applicant:- (1) N111 - disabled access; (2) N112 - energy conservation; (3) N115 - water conservation; (4) N051B - health and safety; (5) Having regard to the powers of the Highway Authority under the Highways Act 1980, applicant was advised that a Section 184 permit must be obtained from the Highway Services Manager, Taunton Deane area. Applications for such a permit should be made at least three weeks before access works are intended to commence; (6) Applicant was advised that Haywards Water currently floods out of bank in this area and the development must not contribute to the problems of flooding. It is suggested that a Sustainable Urban Drainage Scheme be used for the site to improve the flooding and water quality situation; (7) Applicant was recommended to investigate the use of Best Management Practices for drainage on this site, in order to reduce the rate of run-off and to reduce pollution.

These methods consist of controlling the sources of surface water and include:- (a) infiltration techniques; (b) detention/attenuation; (c) porous paving/surfaces; (d) wetlands; (8) Applicant was advised to refer to the Environment Agency's leaflet on Sustainable Urban Drainage Systems; (9) Applicant was advised that any surface water discharges to watercourses should be limited to that which occurs naturally from the catchment and as calculated from a one in one year storm using 10% impermeability. Any excess flows should be dealt with by on site attenuation; (10) Applicant was advised that the design storm for any attenuation system should be for a one in 25 year return period storm; (11) Applicant was advised to approach the Environment Agency for Consent to Discharge and for their requirements regarding oil interceptors and headwall design; (12) Applicant was advised that details would be required of the proposed point of discharge to watercourse together with details of the headwall; (13) Applicant was advised that the poor quality of water discharging from surface water outfalls can seriously affect the receiving watercourse. Techniques to reduce the impact of these discharges have been developed and collectively form a range of Sustainable Urban Drainage Systems (SUDS) for dealing with urban run-off. It is strongly recommended that some form of SUDS be used at this proposed development; (14) Applicant was advised that if there is regular tanker traffic to the site, the Environment Agency would recommend the use of a sluice, which may be closed at the end of the ditch to allow a spill to be retained. All the buildings, roads and the surface water system itself must be located outside of the predicted flood plain of Haywards Water; (15) Applicant was advised that the future maintenance and management of the surface water drainage system should be arranged in advance with parties taking responsibility for that maintenance. Commuted sums may be required to be paid for such maintenance. In order to allow for maintenance, machine access to the ditch should be preserved; (16) Applicant was advised that under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 m of the top of the bank of the Haywards Water, designated a 'main river'; (17) Applicant was advised that any works that would affect the flow of water in any stream or watercourse on the site would require the prior consent of the Environment Agency. There is another existing ditch adjacent to Unit C in Zone C. Any culverting or restriction of flow would require the Environment Agency's prior permission; (18) Applicant was recommended to use this opportunity to improve access to and the working strip along the bankside. Efforts should also be made to improve the habitat of the riverbank by producing a sensitive planting and landscaping scheme; (19) Applicant was advised that in the interests of pollution prevention, appropriate measures must be taken at the construction stage to ensure that surface and groundwater are not polluted. Practical guidance is outlined in the attached pollution prevention notes however, the Environment Agency's Area

Environment Management Officer would be pleased to advise further regarding this matter).

14. Erection of 10 No industrial units and formation of access, land adjacent to Chelston Manor, Chelston, Wellington (46/2002/033)

Reported this application.

RESOLVED that subject to:-

- (1) the receipt of no representations raising new issues on the amended plans;
- (2) the views of the First Secretary of State under the Departure Procedures; and
- (3) the removal of the Direction imposed by the Highways Agency under Article 14 of the Town and Country Planning (General Development Procedure) Order 1995, 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) C102 - materials;
 - (c) C201A - landscaping;
 - (d) C207 - existing trees to be retained;
 - (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) C209 - protection of hedges to be retained;
 - (h) C210 - no felling or lopping;
 - (i) C215 - walls and fences;
 - (j) The proposed estate roads, footways, footpaths and 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, street furniture and tactile paving 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;
 - (k) The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted;
 - (l) The development hereby approved shall not be brought into use until that part of the service road which provides access to it has been constructed in accordance with the approved plans;
 - (m) In the interests of sustainable development, none of the units hereby permitted shall be occupied until a network of cycleway and footpath

- has been constructed within the development site in accordance with a scheme to be approved in writing by the Local Planning Authority. Each individual unit within the site shall demonstrate adequate visibility in accordance with DB32 - Places, Streets and Movements;
- (n) No work shall commence on the development site until a pedestrian footway measuring 1.8 m is provided between the development site and the existing footway on Summerfield Avenue in accordance with a design and specification to be approved in writing by the Local Planning Authority and to be fully implemented to the satisfaction of the said Authority;
 - (o) C708 - restricted use - no storage except where stated;
 - (p) 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 arising from the proposed industrial units will not cause nuisance to neighbouring premises. 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;
 - (q) 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 inter-connected 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;
 - (r) No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to, and approved in writing by, the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed;
 - (s) No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

(Notes to applicant:- (1) N111 - disabled access; (2) N112 - energy conservation; (3) N115 - water conservation; (4) N051B - health and safety; (5) Having regard to the powers of the Highway Authority under the Highways Act 1980, applicant was advised that a Section 184 permit must be obtained from the Highway Services Manager, Taunton Deane area. Applications for such a permit should be made at least three weeks before access works are intended to commence; (6) Applicant was advised that Haywards Water currently floods out of bank in this area and the development must not contribute to the problems of flooding. It is suggested that a Sustainable Urban Drainage Scheme be used for the site to improve the flooding and water quality situation; (7) Applicant was recommended to investigate the use of Best Management Practices for drainage on this site, in order to reduce the rate of run-off and to reduce pollution. These methods consist of controlling the sources of surface water and include:- (a) infiltration techniques; (b) detention/attenuations; (c) porous paving/surfaces; (d) wetlands; (8) Applicant was advised to refer to the Environment Agency's leaflet on Sustainable Urban Drainage Systems; (9) Applicant was advised that any surface water discharges to watercourses should be limited to that which occurs naturally from the catchment and as calculated from a one in one year storm using 10% impermeability. Any excess flows should be dealt with by on site attenuation; (10) Applicant was advised that the design storm for any attenuation system should be for a one in 25 year return period storm; (11) Applicant was advised that the Environment Agency should be approached for Consent to Discharge and for their requirements regarding oil interceptors and headwall design; (12) Applicant was advised that details will be required of the proposed point of discharge to the watercourse together with details of the headwall; (13) Applicant was advised that the poor quality of water discharging from surface water outfalls can seriously affect the receiving watercourse. Techniques to reduce the impact of these discharges have been developed and collectively form a range of Sustainable Urban Drainage Systems (SUDS) for dealing with urban run-off. It is strongly recommended that some form of SUDS be used at this proposed development; (14) Applicant was advised that if there is regular tanker traffic to the site, the Environment Agency would recommend the use of a sluice, which may be closed at the end of the ditch to allow a spill to be retained. All the buildings, roads and the surface water system itself must be located outside of the predicted flood plain of Haywards Water; (15) Applicant was advised that the future maintenance and management of the surface water drainage system should be arranged in advance with parties taking responsibility for that maintenance. Commuted sums may be required to be paid for such maintenance. In order to allow for maintenance, machine access to the ditch should be preserved; (16) Applicant was advised that under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 m of the top of the bank of the

Haywards Water, designated a 'main river'; (17) Applicant was advised that any works that would affect the flow of water in any stream or watercourse on the site would require the prior consent of the Environment Agency. There is another existing ditch adjacent to Unit C in Zone C. Any culverting or restriction of flow would require the Environment Agency's prior permission; (18) Applicant is recommended to use this opportunity to improve access to and the working strip along the bankside. Efforts should also be made to improve the habitat of the riverbank by producing a sensitive planting and landscaping scheme; (19) Applicant was advised that in the interests of pollution prevention, appropriate measures must be taken at the construction stage to ensure that surface and groundwater are not polluted. Practical guidance is outlined in the attached pollution prevention notes however, the Environment Agency's Area Environment Management Officer would be pleased to advise further regarding this matter; (20) With regard to Condition (n), applicant was advised of the need to enter into an agreement with the County Highway Authority).

15 Conversion and extension of outbuildings to form 8 No dwellings, Chelston Manor, Chelston, Wellington (46/2002/035LB)

Reported this application.

RESOLVED that subject to:-

- (1) the receipt of no representations raising new issues on the amended plans;
- (2) the receipt of a satisfactory structural engineer's report; and
- (3) the removal of the Direction imposed by the Highways Agency under Article 14 of the Town and Country Planning (General Development Procedure) Order 1995, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if listed building consent were granted, the following conditions be imposed:-
 - (a) C002 - time limit - listed buildings;
 - (b) C103 - materials - listed buildings;
 - (c) The new doors and windows indicated on the approved plans shall be made of timber only and no other materials, unless the written consent of the Local Planning Authority is obtained to any variation thereto;
 - (d) C601 - schedule of works to ensure safety and stability of structure;
 - (e) C676 - listed buildings - schedule of proposed structural works;
 - (f) Prior to the works for which consent is hereby granted are commenced, a schedule of repairs to the existing buildings shall be submitted to, and approved in writing by, the Local Planning Authority;
 - (g) Prior to the works for which consent is hereby granted are commenced, specific details of the following shall be submitted to,

and approved in writing by, the Local Planning Authority:- all new windows and doors (internal and external), staircases, skirtings, means of venting enclosed bathrooms/WCs, means of venting recovered roofs, finished treatment for joinery, external stairs and handrails and glazed screens;

- (h) No horizontal ceilings at first floor level shall be provided unless such is first agreed in writing by the Local Planning Authority;
- (i) The rooflights for which consent is hereby granted shall be flush fitting.

(Note to applicant:- N067 - listed building).

16. Proposed variation of Section 106 Agreement - Dairy House Farm, Henlade

Reported that in 1983, planning permission was granted for the use of land at Dairy House Farm, Henlade, for the storage and distribution of gas cylinders. This permission was subject to a Section 52 Agreement restricting the area to be used and limiting the permission to the applicant and his descendants.

In subsequent years, two further applications for a single storey building to be used in conjunction with the business, and for the continued use of land for lorry parking and open storage were approved, both extending the original provisions of the Section 52 Agreement, the latter by way of the current Section 106 Agreement.

However, in 1991 permission was granted for the erection of an office building but this had not been limited to personal use.

The owner was therefore in a situation where he had an established business with a permanent office building but where part of the business was expected to cease if the business went outside of the family. In the circumstances, the owner had requested that the Section 106 Agreement be varied to remove the personal limitations.

Although it appeared that the original restriction to personal use was included to secure the cessation of use once the owner ceased trading, this was not consistent with granting an unrestricted permission for a permanent building in connection with the business in 1991.

Noted that the Ruishton and Thornfalcon and Stoke St Mary Parish Councils had been consulted on the request to remove the personal limitation on the business and neither had raised any objection.

RESOLVED that the Section 106 Agreement between Taunton Deane Borough Council and MG and OL Ake be varied such that the personal limitation on parts of the business carried on at Dairy House Farm, Henlade, be lifted.

17. Unauthorised erection of garage/shed at Fordbridge, Dairy House Lane, Bickenhall

Reported that despite planning permission to retain a garage/shed on land at Fordbridge, Dairy House Lane, Bickenhall being refused, no action had been taken to date to remove the unauthorised structure.

RESOLVED that:-

- (a) enforcement action be taken seeking the removal of the unauthorised garage/shed at Fordbridge, Dairy House Lane, Bickenhall; 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.

18. Conversion of barn to dwelling not in accordance with the approved plans - land to the rear of the White Hart Public House, Milverton

Reported that planning permission to convert a barn at the rear of the White Hart Public House, Milverton, into a dwelling had been granted in April 2001.

The approved plans had shown the removal of an external staircase rising to the first floor of the barn and the provision of a new stone wall being constructed between the dwelling and the public house. Currently the staircase remained in position and a wooden fence had been erected instead of the stone wall.

RESOLVED that:-

- (1) enforcement action be taken seeking full compliance with the plans approved in respect of the conversion of a barn to a dwelling on land to the rear of the White Hart Public House, Milverton; and
- (2) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the enforcement notice not be complied with.

19. Unauthorised display of non-illuminated sign on flank wall of 11 Silver Street, Taunton

Reported that it had come to the Council's attention that a non-illuminated sign advertising 'All Wood Country Kitchens' had been positioned on the flank wall of 11 Silver Street, Taunton, without listed building consent.

RESOLVED that:-

- (1) listed building enforcement action be taken seeking the removal of the unauthorised non-illuminated sign which had been positioned on the flank wall of 11 Silver Street, Taunton; and
- (2) subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the listed building enforcement notice not be complied with.

20. Unauthorised erection of three satellite dishes on the façade of No 2 High Street, Wiveliscombe

Reported that a complaint had been received concerning the erection of satellite dishes serving flats 1, 2 and 3 at 2 High Street, Wiveliscombe, which was a listed building.

Although the owners of the flats had been notified that listed building consent was required to retain the satellite dishes, no application had been received to date to regularise the situation.

RESOLVED that:-

- (a) listed building enforcement action be taken seeking the removal of the three unauthorised satellite dishes that had been erected at 2 High Street, Wiveliscombe; and
- (b) subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the listed building enforcement notice not be complied with.

(Councillors Mrs Parrish, Debenham, Bishop, Mrs Lippiatt, Escott and Mrs Angus left the meeting respectively at 7.57 pm, 9.20 pm, 9.41 pm, 9.48 pm, 9.51 pm and 9.52 pm).

(The meeting ended at 10.04 pm).