

Planning Committee – 16 June 2004

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

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

(The meeting commenced at 5.00 pm).

(Councillors Hindley, Stuart-Thorn, Govier, Denington and Croad arrived at the meeting at 5.07 pm, 5.19 pm, 5.33 pm, 5.38 pm and 6.34 pm respectively)

57. Minutes

The minutes of the meeting held on the 19 May 2004 were taken as read and were signed.

58. Applications for Planning Permission

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

- (1) That **planning permission** be granted for the under mentioned developments, subject to the standard conditions adopted by Minute No 86/1987 of the former Planning and Development Committee and such further conditions as stated:-

10/2004/005

Erection of private garages as an alternative to garages approved by permissions 10/2003/005 and 10/2003/006, Trents Farm, Moor Lane, Churchinford.

Conditions

- (a) C001 – time limit;
- (b) C101 – materials;
- (c) The garages hereby permitted shall be constructed only in accordance with the approved plans and shall remain available in perpetuity for the parking of motor vehicles for domestic purposes only;
- (d) The building hereby approved shall act as an alternative to the two buildings coloured pink on drawing 1209/9F attached to the agent's letter dated the 20 April 2004. Upon commencement of the building hereby approved, permission for the alternative buildings shall lapse

and this permission shall lapse upon commencement of either of the two buildings coloured pink.

(Note to applicant:- NO24 – development in accordance with approved plans).

Reason for granting planning permission:-

The overall visual impact of this building would be less than that of the garages previously approved. The development would have no material impact upon the amenities of nearby properties. The proposal therefore accorded with Taunton Deane Local Plan Revised Deposit Policies S1(D) and EN10.

42/2004/017

Erection of conservatory at 30 Killams Green, Taunton.

Conditions

- (a) C001 – time limit;
- (b) The external surfaces of the extension hereby permitted shall be of materials to match those of the existing building.

Reason for granting planning permission:-

The proposed extension would have no material effect on neighbours and complied with the requirements of Taunton Deane Local Plan Revised Deposit Policy H19.

43/2004/040

Erection of dwelling adjacent to 2 The Waterpath, Westford, Wellington.

Conditions

- (a) C001 – time limit;
- (b) C101 – materials;
- (c) C201 – landscaping;
- (d) C206A – existing and proposed levels;
- (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) C210 – no felling or lopping;
- (i) C215 – walls and fences;
- (j) C321B – parking;
- (k) C416 – details of size, position and materials of meter boxes.

(Notes to applicant:- (1) NO24 – development in accordance with the approved plans; (2) N118 – disabled access; (3) N115 – water conservation; (4) N112 – energy conservation; (5) N114 – meter boxes; (6) N051B – health and safety; (7) N095A – owls and bats; (8) Applicant was advised that soakaways should be constructed in accordance with Building Research Digest 365 dated September 1991

or CIRIA Report 156 “Infiltration Drainage: Manual of Good Practice”; (9) Applicant was advised to agree points of connection with Wessex Water; (10) Applicant was advised that the Environment Agency recommends that finished floor levels of the proposed dwelling should be raised 600mm above existing ground levels; (11) Applicant was advised that built development should be set back a minimum of 8m from the watercourse bank top, in order to facilitate potential future maintenance/flood defence improvements to the watercourse.)

Reason for granting planning permission:-

The site was within the settlement limits and the proposed dwelling was not considered to have any adverse material impact on neighbouring properties or the street scene and was therefore in compliance with Taunton Deane Local Plan Revised Deposit Policies S1 and S2.

43/2004/048

Erection of 2 No disabled persons bungalows and car ports, land adjacent to 32 Alexandra Road, Wellington.

Conditions

- (a) C001 – time limit;
- (b) C102 – materials;
- (c) C201 – landscaping;
- (d) C215 – walls and fences;
- (e) The driveways to the property shall be properly consolidated and surfaced (not loose stone or gravel) for which details shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (f) There shall be no obstruction to visibility greater than 300mm above adjoining road level forward of a line drawn 2m back from and parallel to the nearside carriageway edge over the Alexandra Road frontage. Such visibility shall be fully provided before works commence on the erection of the dwellings hereby approved and shall thereafter be maintained at all times;
- (g) There shall be no obstruction to visibility greater than 300mm above adjoining road level forward of a line drawn 4.5m back from and parallel to the nearside carriageway edge over the Victoria Street frontage. Such visibility shall be fully provided before works commence on the erection of the dwellings hereby approved and shall thereafter be maintained at all times;
- (h) C324 – parking;
- (i) C416 – details of size, position and materials of meter boxes;
- (j) P007 – no fencing in front of dwellings;
- (k) C910A – archaeological access.

(Notes to applicant:- (1) NO61A – Section 184 permit; (2) Applicant was advised to contact Wessex Water with regard to connection to the combined sewer and the water mains; (3) Applicant was advised that there is a public combined sewer crossing the site. Wessex Water

normally requires a minimum 3m easement width on either side of the apparatus, for the purpose of maintenance or repair. Diversion or protection works may need to be agreed with Wessex Water; (4) N118 – disabled access; (5) N112 – energy conservation; (6) N114 – meter boxes; (7) N115 – water conservation; (8) N024 – development in accordance with approved plans; (9) N051B – health and safety; (10) With regard to condition (k), applicant was advised that the County Archaeologist would be happy to provide a specification for the work and a list of suitable archaeologists to undertake it).

Reason for granting planning permission:-

The proposed dwellings would not have any adverse material impact on neighbouring properties or the street scene and was therefore in compliance with Taunton Deane Local Plan Revised Deposit Policies S1 and S2. Although the proposal would result in a loss of recreational open space, this was considered acceptable in view of the community benefit which provided public sector disabled housing.

46/2004/010

Erection of replacement shed at field Grid Ref 164173 opposite Hunters Lodge Farm, Clayhidon.

Conditions

- (a) C001 – time limit;
- (b) C101 – materials;
- (c) C201 – landscaping.

Reason for granting planning permission:-

It was considered that the proposal complied with Taunton Deane Local Plan Revised Deposit Policies S1, S2, EN10 and EN13 in that the landscape, character and appearance of the area would not be adversely affected.

49/2004/016

Erection of agricultural building, land adjacent to Lower Nunnington Park Estate, Wiveliscombe.

Conditions

- (a) C001 – time limit;
- (b) C101 – materials;
- (c) C201 – landscaping.

Reason for granting planning permission:-

It was considered that the siting of the proposed building, on the edge of the field and adjacent to tree cover, would not have an adverse landscape impact and was reasonable for the purposes of agriculture. The proposal was therefore in compliance with Taunton Deane Local Plan Revised Deposit Policy S1 and West Deane Local Plan Policy WD/EC/33.

- (2) That **planning permission be refused** for the under-mentioned 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:-

38/2004/139

Erection of part 2, part 3 and part 4-storey building accommodating 24 flats and provision of garages at County Garage, 2 Priory Avenue, Taunton.

Reason

The proposed building by reason of its scale, height and massing will represent an over-development of the site and will detract from the established character and appearance of the locality contrary to Taunton Deane Local Plan Revised Deposit Policies H1 and S2.

52/2004/018

Erection of 12 dwellings and formation of access on site of New Barn, 41 Comeytrove Lane, Taunton.

Reasons

- (a) The layout of the proposed development and the proximity of a number of units close to the site boundaries will result in an overbearing nature and loss of privacy to adjoining residential properties, contrary to the provisions of Taunton Deane Local Plan Revised Deposit Policies H1 and S2;
- (b) The proposed visibility splays to Plots 5 and 6 are considered to be inadequate to secure the visibility necessary for the safety and convenience of traffic associated with the proposed development, contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49.

- (3) That the following **applications be withdrawn**:-

34/2004/022

Erection of shed at rear of Lodge Farm, Staplegrove.

42/2004/014

Erection of first floor side extension, bay window and single storey extension at 1 Herswell Cottages, West Buckland.

46/2004/012

Change of use of agricultural land to form extension to garden, 4 Willowbrook Cottages, West Buckland.

59. Erection of two self-contained flats on land adjacent to 14 Greenway Road, Taunton (38/2004/172)

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues by the 17 June 2004, the Chief Planning Officer be authorised to determine the

application in consultation with the Chairman and, if planning permission was refused the following reason be stated:-

The proposal would result in a loss of vehicle parking facilities and would be likely to lead to an increased demand for roadside parking in the vicinity of the site where there is already a high pressure for such space and would, therefore, encourage parking on the highway with consequent risk of additional hazards to all other users of the road contrary to the requirements of the Somerset and Exmoor National Park Structure Plan Policy 49.

60. Demolition of 18-24 Kingston Road and erection of 13 x 1 bedroomed flats and ground floor shop at 18-24 Kingston Road, Taunton (38/2004/184)

Reported this application.

RESOLVED that subject to the receipt of acceptable layout plans showing the provision of 13 cycle parking spaces and the receipt of no adverse views from the County Highway Authority, 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) C112 – details of guttering, downpipes and disposal of rainwater;
- (d) The windows shall be recessed within the walls and details of the amount of recess shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of works on site;
- (e) C926B – remediation investigation/certificate;
- (f) Noise emissions from the site during the construction phase shall be limited to the following hours if nuisance is likely at neighbouring premises:- Monday – Friday 0800 – 1800 hours; Saturdays 0800 – 1300 hours. At all other times, including public holidays, no noisy working;
- (g) P003 – no ancillary buildings;
- (h) P006 – no fencing;
- (i) C902 – alternate permissions on same site.
(Notes to applicant:- (1) N111 – disabled access; (2) N112 – energy conservation; (3) N114 – meter boxes; (4) N115 – water conservation; (5) N116 – disabled access; (6) N117 – crime prevention; (7) N051 – environmental health; (8) N045 – encroachment).

Reason for planning permission, if granted:-

The proposal was considered to be in compliance with Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 and STR4 and Policy 49 and Taunton Deane Local Plan Revised Deposit Policies S1, H1 and M3a.

61. Erection of 4 No one bedroomed houses, land between 43 and 45 Howard Road and associated parking (8 spaces) for new and existing houses on open space area adjacent to Howard Road, Wellington (43/2004/042)

Reported this application.

RESOLVED that subject to the applicants entering into a Section 106 Agreement or submitting a unilateral undertaking to provide a contribution of £806 per dwelling towards improvements to leisure facilities in the area in view of the loss of public open space arising from the planning application, 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) C201 – landscaping;
- (d) The proposed new boundary fences, as indicated on the approved plan, shall be erected prior to the occupation of any of the houses hereby approved;
- (e) There shall be no obstruction to visibility greater than 600mm above adjoining road level within the area of land shown coloured green on the attached plan. Such visibility shall be fully provided before the access hereby permitted is first brought into use and shall thereafter be maintained at all times;
- (f) The area allocated for parking on the submitted plan shall be provided prior to the occupation of any of the houses and shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (g) C416 – details of size, position and materials of meter boxes;
- (h) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no windows, dormer windows (other than those expressly authorised by this planning permission) shall be constructed on the first floor of the south-west elevation;
- (i) Prior to the commencement of development, a survey shall be carried out to ascertain the importance of the site for slow worms, a species which is legally protected under the Wildlife and Countryside Act 1981. If slow worms are to be affected, mitigation measures shall be submitted and carried out as part of the development.

(Notes to applicant:- (1) N061A – Section 184 permit; (2) N118 – disabled access; (3) N112 – energy conservation; (4) N114 – meter boxes; (5) N115 – water conservation; (6) N024 – development in accordance with approved plans; (7) Applicant was advised that soakaways should be constructed in accordance with Building Research Digest 365; (8) N051B – health and safety; (9) N075 – Section 106 Agreement; (10) Applicant was requested to seek to retain the silver birch tree on the site).

Reason for planning permission, if granted:-

The site was within the urban area and the proposed dwellings would not have any adverse material impact on neighbouring properties or the street scene and was therefore in compliance with Taunton Deane Local Plan Revised Deposit Policies S1 and S2.

62. Demolition of existing warehouse and erection of block of 14 flats, former Haymans Coal Yard, Westford, Wellington (43/2004/051)

Reported this application.

RESOLVED that subject to the applicants entering into a Section 106 Agreement with the Council by the 23 July 2004, to secure the provision of £18,784 towards off-site play and leisure/sport facilities, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and, if planning permission were granted, the following conditions be imposed:-

- (a) C001 – time limit;
- (b) C102 – materials;
- (c) Prior to the commencement of development, 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;
- (d) C203 – landscaping;
- (e) C205 – hard landscaping;
- (f) At the proposed points of access, there shall be no obstruction to visibility greater than 900mm above adjoining road level within the splays shown coloured green on the attached plan. Such visibility shall be provided before any of the flats hereby permitted are first occupied and shall thereafter be maintained at all times;
- (g) C324 – parking;
- (h) C416 – details of size, position and materials of meter boxes;
- (i) Prior to the commencement of development, a detailed record shall be taken of the building and its surroundings and a report of the findings submitted to the Local Planning Authority;
- (j) C926B – remediation investigation/certificate;
- (k) P006 – no fencing;
- (l) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the Local Planning Authority for approval. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank or the combined capacity of interconnected tanks plus 10% or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any 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;
- (m) There shall be no discharge of foul or contaminated drainage or trade effluent from the site into either groundwater or any surface waters, whether direct or via soakaways;
- (n) Floor levels shall be set at least 600mm above the 1:100 year (1% probability) flood level of 61.6m AOD, giving a finished floor level of not less than 62.2m AOD.
- (o) No buildings shall be constructed over the existing or any replacement culvert that runs along the south-east corner of the site.

(Notes to applicant:- (1) N118 – disabled access; (2) N112 – energy conservation; (3) N115 – water conservation; (4) N114 – meter boxes; (5) N024 – development in accordance with approved plans; (6) N051B – health and safety; (7) N075 – Section 106 Agreement; (8) N095A – owls and bats; (9) Applicant was advised that the existing building contains asbestos panels which will need careful removal. (i) If the asbestos is contained within something like cement, that is roof or wall sheeting and is in good condition, it is not normally necessary to utilise a specialist contractor. If the sheeting is to be broken up for any reason a specialist contractor must be used. (ii) If the asbestos is in a more friable condition/material, for example lagging or water tank insulation, then a licensed specialist contractor must be used. Either way, materials containing asbestos must be double bagged in special asbestos waste bags, sealed and disposed of at a licensed tip. You are advised to contact the Environmental Health Officer in this respect; (10) Applicant was advised of the need to contact Wessex Water with regard to connection onto their infrastructure; (11) Applicant was advised that with regard to condition (i), the Field Officer of the Somerset Industrial Archaeological Society would be pleased to advise; (12) NO48A – remediation strategy; (13) Given that this site is located on a major aquifer, applicant was advised that measures should be taken at the construction stage to prevent and minimise pollution. Such measures may include bunding for fuel storage and pumps and/or the use of oil absorbent materials (regularly replaced when contaminated) to control spillage and leakage. The Environment Agency must be notified immediately of any incident likely to cause pollution; (14) Applicant was advised that any oil storage facility of 200 litres or more must include a bund and comply with the oil storage regulations (“The Control of Pollution (Oil Storage) (England) Regulations 2001”), a copy of which has been forwarded to the applicant/agent; (15) Applicant was requested to have regard to the Environment Agency Publication “Sustainable Drainage Systems” with regard to the disposal of surface water run off from the development).

Reason for planning permission, if granted:-

The proposed development was in compliance with current and emerging development plan policies. The building was not worthy of listing and therefore its demolition could not be prevented by the Local Planning Authority. The site was a brownfield site within the settlement limits where residential development was acceptable in principle.

In the event that the Section 106 Agreement was not concluded by the 23 July 2004, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and permission be refused on the grounds that inadequate provision had been made for recreation facilities.

63. Erection of extension to form annexe, Warren House, Wiveliscombe (49/2004/020)

Reported this application.

RESOLVED that subject to the applicants entering into a Section 106 Agreement to ensure that the annexe was occupied at all times as accommodation ancillary to that of the main property, Warren House, and was not disposed of as a separate dwelling

unit, 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) The windows and doors 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 and thereafter shall be retained in timber without the express written consent of the Local Planning Authority to the use of a different material;
- (d) P001A – no extensions.
(Notes to applicant:- (1) N024 – development in accordance with approved plans; (ii) N040A – drainage/water; (iii) NO75 – Section 106 Agreement).

Reason for planning permission if granted:-

The proposed development would harm neither visual nor residential amenity, nor would it be damaging to the character of the main dwelling. Accordingly, the proposal did not conflict with Taunton Deane Local Plan Revised Deposit Policies H19 and H20.

64. Conversion at Kibbear House, Trull: Variation of Section 52 (S52) Agreement (30/1981/001)

Reported that in 1981 planning permission was granted to convert stabling at Kibbear House, Trull into “granny flat accommodation”, subject to a S52 Agreement being negotiated.

The Agreement required the owner’s mother to occupy the annexe, and although she had since died, up to recently the property had been occupied by another elderly relative.

However, the property was no longer required as a “granny flat” and a request had been received from the owner for a variation of the S52 Agreement to allow the unit to be occupied as a separate unit of accommodation.

The Chief Planning Officer was of the view that the unit could be satisfactorily occupied as a separate unit provided an adequate curtilage and parking area was provided.

RESOLVED that the Section 52 Agreement of the 23 July 1981 made between Michael James Foden and the Council relating to the conversion at Kibbear House, Trull be amended to allow the unrestricted occupation of the conversion permitted under planning permission 30/1981/001, subject to a satisfactory curtilage and parking space being provided for occupation with the converted unit.

65. Enforcement of Condition 20 – planning permission 34/1998/009 – Taunton Vale Hockey Club, Gipsy Lane, Taunton

Reported that in June 2000, planning permission was granted for the erection of a Club House and associated pitches and facilities for the Taunton Vale Hockey Club at a site to the north of Gipsy Lane, Taunton.

At the time, to overcome concerns about the proposed floodlighting, a condition had been imposed to ensure that no light source was visible from adjacent residential properties.

Following installation of the floodlights, testing had taken place and the system was found to be satisfactory by the Chief Planning Officer and the Council's Electrical Engineer.

However, local residents had never been satisfied with the floodlighting and regular complaints had been received from individuals and the Wyndham Road Residents' Association. Over recent weeks, requests for a Breach of Condition Notice to be served on the Hockey Club had been received.

Although the Hockey Club had initially sought to deal with the complaints by reducing the level of lighting, as use of the club had expanded, it had become necessary to operate the lights fully on the regular occasions when the club was busy, for safety reasons.

It appeared that if the complaints from residents could be substantiated by the collection of evidence, Breach of Condition could be taken. However, the club had pointed out that the lights had been approved by the Council in accordance with the condition. The club therefore felt that any further alterations to the floodlights required of them would be unreasonable.

As the legal position was not clear-cut, further advice in this respect was needed.

RESOLVED that:-

- (1) Counsel's opinion be sought as to whether the Council, through its approval of the lighting system was estopped from taking Breach of Condition action;
- (2) Evidence be collected from the local residents to establish the extent to which the condition was being breached; and
- (3) the request from the local residents to serve a Breach of Condition Notice be deferred until Counsel's opinion had been received and the evidence collected.

66. Use of site for mobile crane business, Creech Mills, Mill Lane, Creech St Michael

Reported that complaints had been received over several months about an area of land at Creech Mills, Mill Lane, Creech St Michael being used, without planning permission, to operate a crane hire business.

The owner of the land had been requested to apply for planning permission to regularise the situation but, to date, no such application had been received.

RESOLVED that:-

- (1) Enforcement action be taken to stop the land at Creech Mills, Mill Lane, Creech St Michael being used to operate a crane hire business; 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.

67. Collapsed wall within grounds of listed building at Fitzhead Court, Fitzhead

Reported that concerns had been expressed over recent months about a partially collapsed wall on the northern side of the entrance drive leading to Fitzhead Court. The wall was listed by virtue of it being within the curtilage of Fitzhead Court, a Grade II Listed Building.

Although the wall had been partially rebuilt, the Council had continued to receive requests for action to be taken to provide full reinstatement. It was possible for the Council to issue a Repairs Notice, however, in such circumstances, the owner of the wall could require its compulsory purchase by the Council. As such, this course of action was only used where a principle or important curtilage building was being neglected and the Council had a third party ready to take the building on and ensure its appropriate restoration. The service of a Repairs Notice was therefore not deemed appropriate.

In the view of the Council's Conservation Officer, the partial reinstatement undertaken was such that the character of the former wall had largely been regained. No further action was recommended.

Further reported that there were additional concerns about the condition of the listed roadside boundary wall to the east of Fitzhead Court.

Recommended that an inspection of this wall be undertaken at the earliest opportunity.

RESOLVED that:-

- (1) With regard to the wall on the northern side of the entrance drive leading to Fitzhead Court, no further action be taken and
- (2) with regard to the roadside boundary wall to the east of Fitzhead Court, an inspection be carried out by the Council's Building Control Officer and the Conservation Officer and that appropriate action be taken if the wall was found to be a dangerous structure.

68. Unauthorised display of signs on the rear and side of The New Inn, Halse.

Reported that despite advertisement consent being refused on 14 May 2004 to retain two non-illuminated signs on the rear and side of The New Inn at Halse, no attempt to remove the signs had been made.

Authority to commence prosecution action in order to secure the removal of the signs had therefore been recommended.

During the discussion of this item, Members questioned the “unsuitable” nature of the signs and felt that action to remove them should not be taken.

RESOLVED that no further action in respect of the unauthorised non-illuminated signs at The New Inn, Halse be taken.

Reason for not taking action, contrary to the recommendation of the Chief Planning Officer:-

The Committee considered that the signs were not detrimental to the visual amenities of the Halse Conservation Area.

69. Change of use from domestic to part business use at 33 Alma Street, Taunton

Reported that a complaint had been received about the apparent multi-use of 33 Alma Street, Taunton as three letting bedrooms with an office on the ground floor.

The office had been used by one of the tenants to operate a property letting company with the owner of the premises which involved regular visits by tenants causing difficulties with regard to parking and disturbance to neighbouring properties.

A visit by the Council’s Enforcement Officer to 33 Alma Street, Taunton earlier in the year confirmed the situation reported. However, since the inspection the tenant who conducted the business with the owner of the property had relocated his operation to alternative premises. This had resulted in far fewer visits and less disruption to the neighbours. In addition, the owner no longer resided at the property and the vacant bedroom had been relet.

Although the owner of the property had been requested to seek planning permission to regularise the situation at 33 Alma Street, Taunton to date, no application had been forthcoming.

Further reported that if an application was submitted, it would be likely to be viewed favourably. In these circumstances, it was recommended that no further action be taken.

During the discussion of this item, Members were concerned that even though the use of the office currently had no adverse effects on neighbouring properties, without planning consent and appropriate conditions, there was the potential for a business to operate from the property, which could again be very disruptive. It was therefore felt

that if an application was unlikely to be forthcoming, enforcement action should be taken in connection with the office use.

RESOLVED that:-

- (1) Enforcement action be taken to stop the business use taking place from 33 Alma Street, Taunton; 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.

(Councillors Miss Cavill, Bowrah, Mrs Smith, Henley, Floyd and Croad left the meeting at 8.29 pm, 8.43 pm, 9.13 pm, 9.15 pm, 9.23 pm and 9.24 pm respectively).

(The meeting ended at 9.28 pm)