

Planning Committee - 7 July 2004

Present: Councillor Miss Peppard (Chairman)
Councillor Mrs Hill (Vice-Chairman)
Councillors Beaven, Bowrah, Croad, Denington, Floyd, Guerrier, 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 Bowrah and Beaven arrived at the meeting at 5.04 pm and 5.08 pm respectively)

70. Apologies

Councillors Miss Cavill, Govier and Henley

71. Minutes

The minutes of the meeting held on 16 June 2004 were taken as read and were signed.

72. 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 the **detailed plans be approved** for the under mentioned development, subject to the standard conditions adopted by Minute No 86/1987 of the former Planning and Development Committee and such further conditions as stated:-

43/2004/052

Erection of two detached dwellings and formation of vehicular access thereto, land at east of Windyridge, Payton Road, Westford, Wellington.

Conditions

- (a) Floor levels shall be set at least 600mm above the 1:100 year (1% probability) flood level of 61.1m Above Ordnance Datum, giving a finished floor level of not less than 62.2m Above Ordnance Datum;
- (b) C926B - remediation investigation/certificate;
- (c) Prior to the commencement of development, the line of the existing culvert covering the site shall be determined and full details submitted of the treatment of this and surface water disposal.
(Notes to applicant:- (1) N118 - disabled access; (2) N112 - energy conservation; (3) N114 - meter boxes; (4) N115 - water conservation;

(5) N024 - development in accordance with the approved plans; (6) N051B - health and safety; (7) N067 - conditions; (8) N048A - remediation strategy; (9) With regard to condition (c), if soakaways are to be used, they should be constructed in accordance with Building Research Digest 365 (September 1991)).

Reason for approving the detailed plans:-

The proposal was for two dwellings within the settlement limits of Westford where outline planning permission was still extant and where new development was permitted in accordance with Taunton Deane Local Plan Revised Deposit Policy H1. The proposal was considered to have an acceptable impact on the highway and neighbouring amenity in accordance with Taunton Deane Local Plan Revised Deposit Policies S1, S2 and H1.

- (2) 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:-

20/2004/011

Erection of detached dwelling and garage at land north of Grange Lodge, Kingston St Mary.

Conditions

- (a) C001 - time limit;
- (b) C101 - materials;
- (c) C112 - details of guttering, downpipes and disposal of rainwater;
- (d) C201 - landscaping;
- (e) C206A - existing and proposed levels;
- (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) C209 - protection of hedges to be retained;
- (j) 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 of vehicles in connection with the development hereby permitted;
- (k) The proposed access shall be constructed in accordance with details shown on the submitted plan, Drawing No 2632/4 revision A, and shall be available for use before occupation of the dwelling hereby approved;
- (l) The proposed access over the first 4.5m 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 that shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (m) The gradient of the proposed access shall not be steeper than 1 in 10.

- (n) 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. Such drainage shall be provided prior to the access first being brought into use;
- (o) The existing access shall be stopped up and its use permanently abandoned within one month of the new access hereby permitted being first brought into use;
- (p) Before the access hereby permitted is first brought into use, the turning spaces 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;
- (q) There shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access, and extending to points on the nearside carriageway edge 90m either side of the access. Such visibility splays shall be fully provided before works commence on the erection of the dwelling hereby permitted and shall thereafter be maintained at all times;
- (r) C307 - access - gates set back;
- (s) The garage 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;
- (t) P011 - no windows on the north west elevation;
- (u) C901B - archaeological access;
- (v) P001A - no extensions;
- (w) C010A - drainage - not commenced until percolation test approved.
(Notes to applicant:- (1) N118 - disabled access; (2) N112 - energy conservation; (3) N114 - meter boxes; (4) N040A - drainage/water; (5) N115 - water conservation; (6) Applicant was advised to contact Wessex Water in respect of the proximity to the apparatus adjoining the property; (7) Applicant was advised that soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (8) N061A - Section 184 Permit).

Reason for granting planning permission:-

The proposal was considered to be in accordance with Taunton Deane Local Plan Revised Deposit Policy EN15.

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

The Committee was of the view that the erection of a dwelling on this site would not affect the character of the Kingston St Mary Conservation Area.

35/2004/007

Removal of condition 03 attached to planning permission 35/2001/005, barn at Stawley Wood Farm, Stawley.

Condition

The building the subject of the condition shall be used as an amenity centre for the holiday lets or as a pottery/gallery only, and for no other use without the prior approval of the Local Planning Authority.

Reason for granting planning permission:-

The proposal was not considered to be likely to result in any unacceptable loss of amenity for neighbouring residential properties and was not likely to result in a significant increase in traffic generation and was therefore in compliance with Taunton Deane Local Plan Revised Deposit Policy S1.

38/2004/214

Extension of kitchen extract ductwork at the Coal Orchard, 30 Bridge Street, Taunton.

Conditions

- (a) C001 - time limit;
- (b) C102A - materials;
- (c) Prior to the commencement of any works, details of the colour of the ductwork shall be submitted to, and approved in writing by, the Local Planning Authority;
- (d) Odours arising from cooking shall not be detectable at the façade of any residential or other odour sensitive premises;
- (e) Noise from any air extraction system shall not exceed background noise levels by more than 3dB(A) for a two minute Leq at any time when measured at the façade of residential or other noise sensitive premises;
- (f) Equipment shall be installed to effectively suppress and disperse fumes and/or smell produced by cooking and food preparation, and the equipment shall be operated for so long as the use continues. Details of the equipment shall be submitted to, and approved in writing by, the Local Planning Authority and the equipment shall be installed and be in full working order to the satisfaction of the Local Planning Authority. Such approved equipment shall thereafter be operated at all times when cooking is carried out and maintained in accordance with the manufacturer's instructions;
- (g) The extraction equipment installed shall be regularly maintained to ensure its continued satisfactory operation and the cooking process shall cease to operate if, at any time, the extraction equipment ceases to function to the satisfaction of the Local Planning Authority.
(Note to applicant:- N024 - development in accordance with the approved plans).

Reason for granting planning permission:-

It was considered that the proposal would not lead to noise or odour nuisance for nearby properties, nor would the ductwork significantly harm the visual amenities of the locality. Therefore, the scheme accorded with Policy S1 of the Taunton Deane Local Plan Revised Deposit.

52/2004/017

Erection of 1.8m high fence at 3 Stone Close, Comeytrowe

Conditions

- (a) C001 - time limit;
- (b) C102A - materials.

(Notes to applicant:- (1) N024 - development in accordance with the approved plans; (2) Applicant was advised that the provision of further fencing to the front of the dwelling would be likely to be unacceptable due to the open plan character of the area).

Reason for granting planning permission:-

It was considered that the proposal would not significantly harm the appearance of the street scene or the open plan character of the area and as such, it accorded with Taunton Deane Local Plan Revised Deposit Policy S1.

- (3) 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:-

10/2004/008

Removal of condition 2 of planning permission 10/2000/022 to allow garage to be used for residential accommodation at Ford Barton, Moor Lane, Churchinford.

Reason

The proposed development results in the loss of garaging which will increase pressure to provide alternative provision elsewhere on the site which would have a detrimental impact upon the character of this rural location, contrary to the provisions of Policy S8 of the Taunton Deane Local Plan Revised Deposit.

(Councillor Phillips declared a personal interest in the following two applications which related to Trenchard Park Gardens, Norton Fitzwarren).

25/2004/006

Erection of one bedroomed units for special needs accommodation in several one or two storey buildings, in association with Trenchard House, Trenchard Park Gardens, Norton Fitzwarren.

Reasons for refusal

- (a) The proposal will result in a risk that crime and associated anti-social behaviour within the locality will increase and also give rise to a justifiable public perception of such risk which would be harmful to the level of amenity which the occupiers of properties in the area should reasonably expect to enjoy. The proposal will therefore be in conflict with the aims of Section 17 of the Crime and Disorder Act 1998 (Taunton Deane Local Plan Revised Deposit Policy S1(E));

- (b) The site is located within an area of open countryside and it has not been demonstrated to the satisfaction of the Local Planning Authority that there is a clear and justifiable need for the accommodation that would be provided in the proposed extension (Taunton Deane Local Plan Revised Deposit Policy S8);
- (c) The proposed development will be contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review since the proposed development derives direct access from a National Primary Route/County Route and an overriding special need or benefit has not been substantiated for the proposed development on this specific site (Somerset and Exmoor National Park Joint Structure Plan Review Policy 49).

25/2004/007

Erection of extensions to form additional special needs accommodation and charge of use of property to special needs at Trenchard House (formerly known as Courtlands) and Meadow Court, Trenchard Park Gardens, Norton Fitzwarren.

Reasons

- (a) The proposal will result in a risk that crime and associated anti-social behaviour within the locality will increase and also give rise to a justifiable public perception of such risk which would be harmful to the level of amenity which the occupiers of properties in the area should reasonably expect to enjoy. The proposal will therefore be in conflict with the aims of Section 17 of the Crime and Disorder Act 1998 (Taunton Deane Local Plan Revised Deposit Policies S1(E), H4b(B) and H4b(C));
- (b) The site is located within an area of open countryside and it has not been demonstrated to the satisfaction of the Local Planning Authority that there is a clear and justifiable need for the accommodation that would be provided in the proposed extension (Taunton Deane Local Plan Revised Deposit Policy S8).

Also RESOLVED that enforcement action be taken to ensure compliance with the permitted use of the premises as an hotel or bed and breakfast accommodation; such action not to become effective until 1 April 2005.

34/2004/025

Erection of conservatory to side (east) elevation of 14A Mallory Close, Taunton.

Reason

It is considered that the proposed conservatory, by reason of its size, design and siting, would be undesirably intrusive in the street scene and would detract from the visual amenities of the area. Therefore, the proposal is considered to be contrary to Policies S1(D), S2(A) and H19 of the Taunton Deane Local Plan Revised Deposit and Policy WD/HO/12(A) of the West Deane Local Plan.

49/2004/022

Erection of dwelling and garage with alterations to drive, land at Hartswell House, Wiveliscombe

Reason

The development of this site, as proposed, would adversely affect the setting of the adjacent property which is a Grade II Listed Building by reason of its siting and, as such, is contrary to Policy WD/EC/18 of the West Deane Local Plan, Policy EN17 of the Taunton Deane Local Plan Revised Deposit and Policy 9 of the Somerset and Exmoor Joint Structure Plan Review.

49/2004/026

Erection of basement room within new terrace and retaining wall and new porch, Greenway Farm, Wiveliscombe.

Reasons

- (a) The development of this site, as proposed, would adversely affect the setting of the listed building and detract from the architectural and historic character by reason of its siting, design and appearance.
- (b) Development of this site, as proposed, would introduce an alien feature which unbalances the approach to the house and belies the designed element of the retaining wall, detrimental to the setting of the principal listed building, contrary to Taunton Deane Local Plan Revised Deposit Policies EN17, EN18, S1 and S2.

49/2004/027LB

External alterations including erection of new porch, re-roofing to existing porch, new terrace and retaining wall with room below, extension to existing driveway, Greenway Farm, Wiveliscombe (amended scheme).

Reasons

- (a) The development of this site, as proposed, would adversely affect the setting of the listed building and detract from the architectural and historic character by reason of its siting, design and appearance.
- (b) Development of this site, as proposed, would introduce an alien feature which unbalances the approach to the house and belies the designed element of the retaining wall, detrimental to the setting of the principal listed building, contrary to Taunton Deane Local Plan Revised Deposit Policies EN17 and EN18.

- (4) That the following application be **deferred** for the reason stated:-

38/2004/198

Erection of single storey extension and erection of garage, 20 Feversham Way, Taunton.

Reason

To obtain further advice from the County Highway Authority.

(5) That the following application be **withdrawn**:-

29/2004/004

Erection of two storey rear extension at Laburnum Cottage, Bishopswood.

73. Erection of 10 dwellings for the elderly and disabled (in lieu of the 12 dwellings approved under planning permission no. 42/1999/010) within the walled garden at Gatchell House, Honiton Road, Trull (42/2004/019)

Reported this application.

RESOLVED that subject to the receipt of further revised drawings and the observations of the Fire Officer thereon, 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) C113 - details of structure and colour of mortar;
- (e) C201 - landscaping;
- (f) C205 - hard landscaping;
- (g) C206A - existing and proposed levels;
- (h) No dwelling hereby approved shall be occupied until all access works approved under planning permission reference 42/2003/049 are completed to the satisfaction of the Local Planning Authority.
(Notes to applicant:- (1) N051B - health and safety; (2) N040A - drainage/water; (3) N052 - fire safety; (4) N024 - development in accordance with the approved plans; (5) 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 - 1800 hours; Saturdays 0800 - 1300 hours. At all other times, including public holidays, there shall be no noisy works).

Reason for planning permission, if granted:-

The proposal respected the character and appearance of Gatchell House and its walled garden and would not have any adverse impact on the surrounding area. The proposal therefore accorded with Policies EN15 and H1 of the Taunton Deane Local Plan Revised Deposit.

74. Change of use of agricultural buildings to commercial storage (Class B8) at Willowfields, Stathe Road, Burrowbridge (51/2004/004)

Reported this application.

RESOLVED that subject to the receipt of no adverse views from the Parrett Consortium of Drainage Boards, 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) C901 - personal permission;
- (c) The site shall not be floodlit unless details indicating height, intensity of light and manufacturer's specification of any floodlights are submitted to, and approved in writing by, the Local Planning Authority before their installation;
- (d) C920 - no amplified music;
- (e) P006 - no fencing;
- (f) C703 - restricted use - site to a specific use;
- (g) C708 - restricted use - no storage except where stated;
- (h) C716 - prohibited working hours.

(Notes to applicant:- (1) Applicant was advised that the proposed development is situated within 250m 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; (2) Applicant was advised that the site is protected from flooding from the River Parrett by embanked defences to the north. However, the moor sometimes floods in extreme circumstances and there is a chance that these premises could flood during a particularly severe event, or if the embanked defence were to fail; (3) Applicant was advised that there is a water main in the vicinity of the proposal. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory supply of water for the proposal. This could be agreed at the detailed design stage with Wessex Water prior to the commencement of any works on site.

Reason for planning permission, if granted:-

The proposed use on the restricted basis proposed would not harm residential amenity or prejudice highway safety. The development therefore accorded with the requirements of Policy EC3 of the Taunton Deane Local Plan Revised Deposit.

(Councillors Wedderkopp, Mrs Smith and Croad left the meeting at 6.05 pm, 8.01 pm and 8.03 pm respectively).

(The meeting ended at 8.12 pm).