

**Planning Committee – 29 September 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, Vail and Wedderkopp

Officers: Mr T Burton (Development Control Manager), Mr J Hamer (Area Planning Officer (West)), Mrs J Moore (Principal Planning Officer (East)),  
Ms K Marlow (Principal Planning Officer (West)), Mrs J M Jackson (Senior Solicitor) and Mr R Bryant (Review Support Manager)

(The meeting commenced at 5.00 pm).

(Councillors Govier, Bowrah and Miss Cavill arrived at the meeting at 5.12 pm, 5.28 pm and 5.59 pm respectively)

107. Apologies

Councillors Guerrier and Stuart-Thorn.

108. Minutes

The minutes of the meeting held on the 8 September 2004 were taken as read and were signed.

109. Applications for Planning Permission

The Committee received the report of the Development Control Manager 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:-

**10/2004/020**

Change of use and conversion of barn to dwelling (revised proposal to include erection of attached garage) at Trents View, Trents Farm, Churchinford.

Conditions

- (a) C001 – time limit;
- (b) C106 – second-hand materials;
- (c) C110 – materials – for hardsurfacing;
- (d) C112 – details of guttering, down-pipes and disposal of rainwater;
- (e) C201 – landscaping;

- (f) Before any part of the permitted development is commenced, details of all boundary walls or hedges forming part of the development shall be submitted to, and approved in writing by, the Local Planning Authority and any such wall or hedge so approved shall be erected/planted before any such part of the development to which it relates takes place;
- (g) C917 – services – underground;
- (h) P001A – no extensions;
- (i) P003 – no ancillary buildings;
- (j) P006 – no fencing;
- (k) P010 – no further windows;
- (l) Before the commencement of any works hereby permitted, details of all external windows and doors shall be submitted to, and approved in writing by, the Local Planning Authority;
- (m) All windows and doors hereby permitted shall be timber only;
- (n) Before the commencement of any works hereby permitted, details of the means of venting the roofs shall be submitted to, and approved in writing by, the Local Planning Authority;
- (o) C601 – schedule of works to ensure safety and stability of structure;
- (p) C677 – repairs – approach – workmanship;
- (q) C902 – alternate permissions on same site;
- (r) 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;  
(Notes to applicant:- (1) N025 – conversion; (2) N112 – energy conservation; (3) Applicant was advised that only foul flows will be permitted to connect to the public sewer; (4) Applicant was advised that soakaways should be installed in accordance with the Building Research Establishment Digest 365 (September 1991); (5) N124 – sound proofing; (6) Applicant was advised that a culvert passes through the site from Ford House. You should ensure that works do not affect this culvert in any way).

Reason for granting planning permission:-

The proposed building was located on the edge of the village where the conversion scheme was considered appropriate in accordance with Taunton Deane Local Plan Revised Deposit Policy H9.

**14/2004/027**

Closure of existing access and formation of new agricultural access, North End, Creech St Michael

Conditions

- (a) The development shall be completed within three months of the date of this permission;
- (b) The proposed access over the first 6m of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) within three months of the date of this permission in accordance with details which shall have been

- submitted to, and approved in writing by, the Local Planning Authority;
- (c) Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 10m from the carriageway edge;
  - (d) The gradient of the proposed access shall not be steeper than 1 in 10 and shall be completed within three months of the date of this permission;
  - (e) Provision shall be made within the site, within three months of the date of this permission, 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;
  - (f) The access hereby permitted shall be used for agricultural purposes only;
  - (g) The existing vehicular access to the site shall be stopped up, its use permanently abandoned and the verge/footway crossing reinstated in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority. Such works shall be completed within three months of the date of this permission;
  - (h) 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 60m to the east of the access and the full extent of the frontage to the west of the access which is within the applicant's ownership;
  - (i) In order to achieve the above condition (h), a section of bank and hedgerow will have to be removed and, as such, a new section of hedgerow shall be planted along the entire frontage and along the access/driveway in accordance with details, which shall first be submitted to, and approved in writing by, the Local Planning Authority. Such details shall also include the grading/construction of a new bank. The new hedgerow shall be 40% hawthorne, 40% blackthorne and 20% field maple and this shall be completely carried out within the first planting season from the date of this permission. The hedging plants shall be protected and maintained to the satisfaction of the Local Planning Authority and any hedging plants that cease to grow shall be replaced by hedging plants of similar size and species.
  - (j) A post and rail fence shall be constructed in accordance with details which shall first be submitted to, and approved in writing by, the Local Planning Authority and such scheme shall be implemented within three months of the date of this permission.

Reason for granting planning permission:-

The proposed development would not adversely affect visual amenity nor road safety and therefore did not conflict with Taunton Deane Local Plan Revised Deposit Policy S1.

**22/2004/012**

Installation of seven windows/skylights and one door at Westowe Orchard, Lydeard St Lawrence.

### Conditions

- (a) C001 – time limit;
- (b) C102A – materials;
- (c) Prior to the commencement of the works hereby approved, working details of new windows and doors (which shall be constructed using timber only) including sections, mouldings, profiles and finish colour/treatment shall be submitted to, and approved in writing by, the Local Planning Authority and shall be maintained as such thereafter unless the express written consent of the Local Planning Authority is given for any variation thereto.

### Reason for granting planning permission:-

The proposed development would not adversely affect residential or visual amenity and accordingly did not conflict with Taunton Deane Local Plan Revised Deposit Policies S1, S2, H9 and H19.

### **22/2004/015**

Change of use of piggery, office and warehouse to food distribution office and warehouse at piggery building, Tower Farms, Deans Cross, Lydeard St Lawrence.

### Conditions

- (a) C001 – time limit;
- (b) C102A – materials;
- (c) C324 – parking.

### Reason for granting planning permission:-

The proposal was considered to be compatible with national and local planning policies which encouraged suitable development and re-use of rural buildings for commercial purposes, and would not adversely affect residential or visual amenity and, accordingly, did not conflict with Taunton Deane Local Plan Revised Deposit Policies S1, S2, S8, EC1a, EC3, EC5 and M1.

### **43/2004/101T**

Application to fell two cupressus macrocarpa trees the subject of a Tree Preservation Order at 20 Elms Road, Wellington (TD532).

### Conditions

- (a) C019 – time limit – trees;
- (b) A replacement tree shall be planted within two months of felling, unless otherwise agreed with the Local Planning Authority in accordance with British Standard BS4428:1989. The tree shall be of a species to be agreed with the Local Planning Authority, bare root, 90-120cm in height. The tree shall be planted in the same location unless otherwise agreed with the Local Planning Authority.

**43/2004/109**

Retention of two-storey extension, 93 Springfield Road, Wellington (amended scheme).

Condition

- (a) The proposed alterations to the roof must be undertaken within three months of the date of this certificate.

Reason for granting planning permission:-

The proposal was considered not to harm the visual or residential amenity of the area in accordance with Taunton Deane Local Plan Revised Deposit Policies H19, S1, and S2.

**47/2004/008**

Erection of two-storey extension to Ivy Cottage, West Hatch.

Conditions

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

Reason for granting planning permission:-

The proposed development would not adversely affect visual or residential amenity and therefore did not conflict with Taunton Deane Local Plan Revised Deposit Policies S1, S2 or H19.

- (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:-

**38/2004/324**

Erection of 8 houses and 53 flats and formation of access at Pollards Way, Wood Street, Taunton.

Reasons

- (a) The development proposed would result in loss of privacy to existing adjacent properties exacerbated by the increase in site levels necessary for the purposes of flood prevention. The proposal is therefore contrary to Taunton Deane Local Plan Revised Deposit Policy H1(I);
- (b) The proposed development provides inadequate off-street parking which, together with the loss of existing garaging on the site, will exacerbate parking problems in the area contrary to Taunton Deane Local Plan Revised Deposit Policy M3a.

Reason for refusing planning permission contrary to recommendation of the Development Control Manager:-

The Committee was of the view that the proposal would lead to unacceptable overlooking of existing residential properties and further on-street parking problems in the area.

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

**52/2004/037**

Erection of a dwelling to the rear of 9 Jeffreys Way, Taunton.

Reason

(a) The site is located in an area that is characterised by larger dwellings within commensurately larger plots. The erection of an additional dwelling on the application site would result in an over-development of the site that would be likely to result in a relatively cramped appearance, out of keeping with and detrimental to the existing character of the street scene and surrounding area. Furthermore, it is considered that a dwelling on the site would be likely to have a detrimental impact on the privacy and amenity of the existing adjacent residents. This would be contrary to the Somerset and Exmoor National Park Joint Structure Plan Review Policy STR1 and the Taunton Deane Local Plan Revised Deposit Policies S1(D), S2(A), H1(G) and H1(I) which requires development to respect the local distinctiveness and character of the street scene and area.

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

**42/2004/032**

Conversion of barn to a dwelling and conversion of barn to residential annex and office, Great Herswell Farm, West Buckland.

(Councillor Floyd declared a personal interest in the application covered by Minute No 110 below).

110. Erection of part 2 and part 3-storey building accommodating 22 flats and separate building comprising 2 flats and provision of garaging at 2 Priory Avenue, Taunton (38/2004/361)

Reported this application.

RESOLVED that subject to:-

- (1) The resolution of issues relating to archaeology and access to the St John Ambulance premises; and
- (2) The applicants entering into a Section 106 Agreement in respect of a financial contribution towards off-site local sport and recreation facilities, the Development Control Manager be authorised to determine the application in

consultation with the Chairman and, if planning permission were granted, the following conditions be imposed:-

Conditions

- (a) C001 – time limit;
- (b) C101 – materials;
- (c) C112 – details of guttering, downpipes and disposal of rainwater;
- (d) C110 – materials – for hardsurfacing;
- (e) C113 – details of structure and colour of mortar;
- (f) C201 – landscaping;
- (g) C215 – walls and fences;
- (h) C304 – access point;
- (i) C307 – access – gates set back;
- (j) C326 – garages – domestic use only;
- (k) C325 – parking;
- (l) C331 – provision of cycle parking;
- (m) C408 – flats – completion of development;
- (n) C414 – no increase in site level;
- (o) C416 – details of size, position and materials of meter boxes;
- (p) C906 – removal of all other buildings from the site;
- (q) No development hereby approved will take place until the applicants, 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;
- (r) C911 – aerials – combined system;
- (s) C926B – remediation investigation/certificate.  
(Notes to applicant:- (1) N037 – drainage/water; (2) N024 – development in accordance with approved plans; (3) N059 – footway crossing; (4) N075 – Section 106 Agreement; (5) N118A – disabled access.)

Reason for planning permission, if granted:-

The proposed building was appropriate to the locality in terms of massing, form and general design. The proposal would not cause demonstrable harm to the amenities of existing residents nearby. The proposal therefore accorded with Taunton Deane Local Plan Revised Deposit Policies S1, S2 and H1.

Also RESOLVED that should the outstanding matters and the Section 106 Agreement not be resolved by the 20 October 2004, then planning permission be refused accordingly.

111. Erection of public toilet block to replace existing, adjoining North Street Car Park, Wellington (43/2004/116)

Reported this application.

RESOLVED that subject to:-

- (1) The views of the Police Architectural Liaison Officer, and
- (2) the receipt of no further representations raising new issues by the 12 October 2004, the Development Control Manager 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) Details and samples of the materials to be used for the surfaces of the paving shall be submitted to, and approved in writing by, the Local Planning Authority;
  - (e) Before any works commence on site, the Parks Tree Officer shall undertake a health check of the trees and propose any remedial works deemed necessary, details of which shall be submitted to, and approved in writing by, the Local Planning Authority;
  - (f) Before any part of the permitted development is commenced, the trees to be retained on the site shall be protected by a chestnut paling fence 1.5 metres high, placed at a minimum radius equivalent to the full spread of the tree canopy from the trunk of the tree and the fencing shall be removed only when the development has been completed. During the period of construction of the development the existing soil levels around the boles of the trees so retained shall not be altered.  
(Notes to applicant:- (1) N024 – development in accordance with approved plans; (2) Applicant was advised to contact Wessex Water prior to commencement of any works on site to agree connection onto Wessex Water infrastructure).

Reason for planning permission, if granted:-

The proposal was considered not to harm the visual amenity of the area and was in accordance with Taunton Deane Local Plan Revised Deposit Policies S1 and S2.

112. Partial demolition, partial new build, conversion and restoration of the former Hancock Brewery to form 14 No residential units with associated garaging and parking at the old Hancock Brewery, Golden Hill, Wiveliscombe (resubmission of scheme with some amendments) (49/2004/042)

Reported this application.

RESOLVED that subject to the applicants entering into a Section 106 Agreement in respect of an agreed sum of money to be provided for affordable housing and an agreed amount towards the provision of off-site recreational facilities, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if planning permission were granted, the following conditions be imposed:-



## Conditions

- (a) C001 – time limit;
- (b) Before the commencement of any works hereby permitted, details or samples of the materials to be used for rendered areas and roofs shall be submitted to, and approved in writing by, the Local Planning Authority and no other materials shall be used without the prior written consent of the Local Planning Authority;
- (c) C102A – materials;
- (d) C106 – second-hand materials;
- (e) C201 – landscaping;
- (f) C219 – screening during demolition;
- (g) C215 – walls and fences;
- (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;
- (i) The proposed parking areas and spaces, manoeuvring areas, unloading areas and footpaths shall be properly consolidated, drained, surfaced in a material to be submitted to, and approved in writing by, the Local Planning Authority and thereafter maintained, and marked out before the occupation of the units hereby approved or, at such time as agreed by the Local Planning Authority and shall not be used for any other purpose than the parking/manoeuvring or unloading of vehicles in association with the development hereby permitted;
- (j) The garages shown on the approved plans shall be constructed and available for use as garages at the time of occupation of the associated residential units and retained for the parking of vehicles only for so long as the development remains;
- (k) C917 – services – underground;
- (l) Prior to the commencement of development works on the northern building of the proposed development, the applicant shall at his own expense, appoint a suitably qualified consultant with a remit to examine the premises and identify what measures, if any, may be necessary to ensure that odours from existing 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, together with any odour reduction scheme recommended and the 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. The agreed works shall be carried out prior to the northern parts of the building being occupied;
- (m) C926B – remediation investigation/certificate;
- (n) The developer shall advise all prospective purchasers of the dwellings hereby permitted that the site is adjacent to existing industrial occupiers and that a degree of noise, disturbance and odour is likely to occur;
- (o) Full details of all surface water, foul water, fresh water and any other sewerage systems both for the proposed development and for any other premises served by such systems in the application site shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced. The details shall provide for the commissioning of any replacement sewers or supplies prior to the decommissioning of the existing systems. The details shall include evidence that there is sufficient

capacity in the existing adopted sewer system for any new or diverted foul sewage waste. Any proposed changes to the approved scheme shall be agreed in writing by the Local Planning Authority prior to implementation. The approved scheme shall be fully implemented prior to occupation of the first dwelling unit;

- (p) Work shall not commence until details of a strategy for the protection of the bats and their habitat, within the development, together with the maintenance of access for the bats has been submitted to, and approved in writing by, the Local Planning Authority. Once approved, the works shall take place in accordance with the agreed scheme and thereafter the roosting places and agreed openings shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the bats' roosts and related accesses has been fully developed;
- (q) All windows on the north elevation shall be permanently fixed shut and glazed as specified on the approved plans. If any ventilation is included in the north elevation, it shall be only in the form of outlets associated with a positive internal pressure ventilation system, and inlets for such systems shall not be in the north elevation;
- (r) Before any works are carried out for the removal of any fill, the developer shall submit to the Local Planning Authority for approval full details of the proposals for the stabilisation of the adjoining land, including the results of a geo-technical survey and structural calculations for any retaining structures;
- (s) P001A – no extensions;
- (t) P003 – no ancillary buildings;
- (u) P010 – no further windows;
- (v) 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 existing sources and, in particular, noise from Exmoor Ales and Quantock Engineering premises 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. The agreed works shall be carried out prior to the occupation of any parts of the building to which these works relate.

(Notes to applicant:- (1) N048A – remediation strategy; (2) Applicant was advised that noise emissions from the site during the demolition and construction phases should be limited to the following hours if nuisance is likely at neighbouring premises:- Monday to Friday 0800 to 1800 hours; Saturdays 0800 to 1300 hours. At all other times, including public holidays, no noisy working; (3) Applicant was advised that any surface water discharges to watercourses or sewage systems should be limited to that which occurs naturally from the catchment and as calculated from a 1 in 1 year storm using 10% impermeability. Any excess flows should be dealt with by on-site attenuation; (4) Applicant was advised that the design storm for any attenuation system should be for a 1 in 25 year return period storm; (5) Applicant was advised that the Environment Agency should be approached for consent to discharge and for their requirements regarding oil interceptors and

head wall design; (6) Applicant was advised that details were required of the proposed point of discharge to the watercourse or sewage system together with details of the head wall; (7) 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; (8) Applicant was advised to note that whilst conditions (l) and (v) should mitigate the impact of the existing working practices from the adjacent premises, there may be occasions when noise and/or smell may be detectable to the residential properties; therefore condition (n) has been added; (9) Applicant was advised of the following from the Fire and Rescue Service:- (i) Means of Escape – means of escape in case of fire should comply with Approved Document B1 of the Building Regulations 2000. Detailed recommendations concerning other fire safety matters will be made at the Building Regulations stage; (ii) Access for Appliances – access for fire appliances should comply with Approved Document B5 of the Building Regulations 2000; (iii) Water Supplies – all new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards; (10) Applicant was advised, that before any works are commenced, to discuss and agree any disconnections and reconnection of any services, such that all services are protected and maintained during any demolition, construction and any other works; (11) Applicant was advised of the following from Wessex Water:- (i) The development is located within a sewered area, with foul and surface water sewers available; (ii) It is noted that the developer has proposed to dispose of surface water to existing arrangements; (iii) It will be necessary, if required, for the developer to agree points of connection onto Wessex Water systems, for the satisfactory disposal of foul flows and surface water flows generated by the proposal. The connection point can be agreed at the detailed design stage; (iv) With respect to water supply, there are water mains within the vicinity of the proposal. Again, connection can be agreed at the design stage; (v) It is recommended that the developer should agree with Wessex Water, prior to the commencement of any works on site, a point of connection onto Wessex Water systems.)

113. The Taunton Deane Borough (Taunton No 1 Tree Preservation Order 2004

Reported that a Tree Preservation Order had been made in relation to a poplar tree and an ash tree in the garden of 29 Calway Road, Taunton.

The owner of the property had objected to the poplar tree being included in the Order for the reasons set out in the report.

In the view of the Development Control Manager, although the tree had high amenity value, it was of a size and species that meant that it was likely to cause damage to surrounding properties in the future. There was currently no evidence to suggest that the tree was a danger, however the tree was towards the end of its life and the chances that decay would enter the tree and lead to its collapse were high.

RESOLVED that the Tree Preservation Order be re-served omitting the poplar tree.

114. Enforcement action in respect of Foxmoor Nurseries, Haywards Lane, Wellington

Reference Minute No 19/2004, reported that mediation between the Council and the owners of Foxmoor Nurseries had now taken place. Although some progress had been made, there were a number of other issues that remained unresolved. Also reported that a full inspection of the site had been undertaken as well.

Under the terms of the Section 106 Agreement, there were four main requirements as follows:-

- (1) The permitted use not to occupy more than 50% of the total glasshouse area;
- (2) No retail sales from the property;
- (3) The permitted use to be carried out by Foxmoor Nurseries or an associated company or person; and
- (4) If Foxmoor Nurseries ceased to trade, the glasshouses to revert to horticulture.

The mediation had been conducted by a barrister who had concentrated on trying to resolve the issue of the definition of an associated company or person. This was successful and a formal agreement was reached that an associated company or person would be one with a 10% shareholding or a Director with 5% voting rights.

The parties were however unable to reach agreement on the definition of the permitted use of the site with the owners of the nursery still believing they had an unrestricted B1 (light industrial) use.

A further issue raised was the differing interpretation of B1 and B8 (distribution and storage) uses. The Council still maintained that many of the uses at the site were B8 and were therefore not, in any event, permitted by the existing Section 106 Agreement and the planning permission.

The following were other issues that needed to be addressed:-

- (a) There was a prohibition against retailing in the Section 106 Agreement but at least one of the units, and possibly more were retailing from the site;
- (b) As late as July, Foxmoor Nurseries were advertising space at the site for workshop and storage use;
- (c) The permission covered a different area from that currently in use; and
- (d) At the time of the inspection, the Flower Tower business, run by Foxmoor Nurseries, did not appear to be functioning.

Reported that it was unlikely that any further agreement would be reached between the parties. The Committee was therefore likely to have to consider taking enforcement action against the individual tenants as well as the owners, mindful of the effect of any proposed action on the individual business and the impact on the local economy.

It was intended to serve Planning Contravention Notices on all of the tenants at Foxmoor Nurseries to ascertain the nature of their enterprises. This was essential before a recommendation could be made to the Committee as to which businesses were to be considered B1 or B8 and the terms of any enforcement action.

At the same time, the tenants would be invited to make any representations to the Committee and would be reminded that retailing from the site was prohibited.

Further reported that specialist legal advice was also needed to interpret whether the Section 106 Agreement limited the planning permission to light industrial uses of a horticultural nature or whether the site enjoyed an unrestricted B1 use.

Once this information and advice was received, a full report would be submitted to the Committee.

RESOLVED that the report be noted and that the action currently being taken be endorsed.

115. Display of signs on the rear and side of the New Inn, Halse

Reference Minute No 68/2004, reported that prior to this issue being discussed at the June 2004 Committee, there appeared to have been a misunderstanding with the Halse Parish Council which led to them not attending the meeting to state their concerns.

Although the Committee had previously resolved to take no further action in respect of the signs at the New Inn, Halse it had been considered appropriate to report the matter again.

RESOLVED that the decision made by the Committee at the meeting on the 16 June 2004 be reaffirmed.

116. Appeals

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

- (a) Erection of village hall, formation of access, driveway and car parking for hall, church and school at land to north-east of St Peters Church, Langford Budville (21/2004/011);
- (b) Removal of condition 02 of planning permission 10/2000/022 to allow garage to be used for residential accommodation at Ford Barton, Moor Lane, Churchinford (10/2004/008);

- (c) Insertion of three rooflights at St Marys House, Magdalene Street, Taunton **(38/2004/228)**.

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

- (a) Erection of 2-storey extension at 9 Rosebery Street, Taunton (38/2003/447)

Decision

The Inspector felt that the proposed development would be visually dominant and have an overpowering appearance significantly reducing the amount of daylight to the garden and living accommodation of 10 Rosebery Street. He concluded that the development would have a detrimental effect on the living conditions of adjoining occupiers. The appeal was dismissed.

- (b) Erection of 2-storey rear extension at 8 Rosebery Street, Taunton (38/2003/446)

Decision

The Inspector felt the proposed development would be visually dominant and would have an overpowering appearance particularly when viewed from the bungalow to the north-west of the appeal site. He also felt that the development would have a materially adverse effect on the amount of sunlight and daylight enjoyed by occupiers of the bungalow. He concluded that the development would have a detrimental effect on the living conditions of adjoining occupiers. The appeal was dismissed.

- (c) Retention of bay window at ground floor level, 3 Park Street, Taunton (38/2003/215LB)

Decision

The Inspector considered that the replacement bay window, when compared with the original, was substantially different. He concluded that the replacement bay window, because of its detailing and use of double-glazing, caused unacceptable harm to the character of the listed building and did not preserve its special architectural and historic interest. The appeal was dismissed.

- (d) Display of various non-illuminated signs in connection with Wickes, Priory Fields Retail Park, Taunton (38/2003/525A)

Decision

The Inspector considered that the appeal signs, when sited between the two main name signs, would not only dominate the upper part of the

building but would also give a cluttered appearance. He concluded that the display of the appeal signs would be detrimental to the interests of amenity. The appeal was dismissed.

- (e) Proposed new vehicular access to 37 Holford Road, Taunton (38/2003/390)

Decision

The Inspector noted that the normal visibility standards could not be achieved within the frontage owned or controlled by the appellant. Although there were existing accesses to Kingston Road with visibility below the normal standard, she did not consider that their presence justified the addition of a further such access which would have the potential to create additional hazards to traffic using Kingston Road. The appeal was dismissed.

- (f) Change of use of part of ground floor living accommodation to hairdressing salon at 15 Greenway Crescent, Taunton (38/2003/176)

Decision

The Inspector noted that the site had only one off-street parking place and the business was therefore likely to lead to additional on-street parking. This was likely to cause difficulties for vehicles manoeuvring into and out of private drives and, if this led to parking partly on the footway, would cause a hazard to pedestrians. Although the Inspector felt that the proposed business would not be significantly out-of-character within the area, this did not outweigh the significant harm to highway safety and the free-flow of traffic that would be caused by car parking. The appeal was dismissed.

- (g) Demolition of outbuilding and construction of new link and extension, The Old Bakery, Cheddon Fitzpaine (48/2003/011LB and 012)

Decision

Due to the complexity of the Inspector's decision letter, a full copy was submitted for the information of Members of the Committee. Both appeals were allowed and planning permission and listed building consent was granted subject to conditions.

- (h) Erection of two houses and garages at the garden of 4 Rydon Lane, off Crowcombe Road, Taunton (38/2003/515)

Decision

Due to the complexity of the Inspector's decision letter, a full copy was submitted for the information of Members of the Committee. The appeal was dismissed.

- (i) Application of paint to the exterior render of east and west wings at North Lodge, Sandhill, Bishops Lydeard (06/2003/046LB)

Decision

The Inspector felt that the 1930s wings were of some architectural and historic interest in their own right and considered a modern masonry paint would contrast very unfavourably with the more weathered and mellow characteristics of the stonework. This would be to the detriment of the character and appearance of the building as a whole. He also considered that lime-based washes or other special treatment would inevitably detract from the contribution the rendered surfaces made to the building. He felt the best course of action would be to retain the existing self-coloured render. After due consideration, the First Secretary of State accepted the Inspector's recommendation and dismissed the appeal.

(Councillors Govier, Miss Cavill and Bowrah left the meeting at 7.17 pm, 7.26 pm and 8.11 pm respectively).

(The meeting ended at 9.03 pm).