

Planning Committee – 24 November 2004

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

Officers: Mr T Burton (Development Control Manager), 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 Denington and Beaven arrived at the meeting at 5.03 pm and 5.24 pm respectively)

142. Apologies

Councillors Guerrier and Hindley.

143. Minutes

The minutes of the meeting held on the 3 and 8 November 2004 were taken as read and were signed.

144. 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 **outline planning permission be granted** 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:-

38/2004/384

Residential development to the north end of Poplar Road, Taunton.

Conditions

- (a) C005 – outline – reserved matters;
- (b) C009 – outline – time limit;
- (c) C014 – time limit;
- (d) C101 – materials;
- (e) C201 – landscaping;
- (f) C206A – existing and proposed levels;
- (g) C207 – existing trees to be retained;

- (h) C215 – walls and fences;
- (i) C208B – protection of trees – service trenches;
- (j) C306 – access – gradient;
- (k) C416 – details of size, position and materials of meter boxes;
- (l) C315 – visibility splay;
- (m) C305 – access and driveway to be hard surfaced.

(Notes to applicant:- (1) N037 – drainage/water; (2) N040A – drainage/water; (3) N051B – health and safety; (4) N075 – Section 106 Agreement; (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 to Friday 0800 – 1800 hours; Saturdays 0800 – 1300 hours. At all other times, including public holidays, no noisy working; (6) Applicant was advised that the development of the site should be restricted to one or two dwellings constructed towards the eastern boundary of the site.)

Reason for granting outline planning permission:-

The site could satisfactorily accommodate additional development in accordance with Taunton Deane Local Plan Policy H1 without adverse impact upon neighbouring properties and maintaining a significant element of the landscape bund.

- (2) 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:-

49/2004/067

Erection of 2 No. detached dwellings, The Manse, Ford Road, Wiveliscombe

Conditions

- (a) There shall be no access for construction traffic from the rear access via Lion d’Angers unless otherwise agreed by the Local Planning Authority;
- (b) C716 – prohibited working hours.
(Notes to applicant:- (1) N118 – disabled access; (2) N112 – energy conservation; (3) N115 – water conservation; (4) N114 – meter boxes; (5) N051B – health and safety; (6) Applicant was advised to contact Wessex Water with regard to connections onto their infrastructure; (7) Applicant was advised that soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (8) Applicants attention is drawn to conditions 04, 05 (i), 06 and 14 of planning permission No. 49/2003/011 and conditions 05 and 06 of planning permission No. 49/2002/041 which must be complied with before development commences.)

Reason for approving detailed plans:-

The proposed development made effective use of a site within the urban area and did not adversely impact on the amenity of adjacent residents. The development was therefore in compliance with Taunton Deane Local Plan Policies S1, S2 and H1.

- (3) 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:-

10/2004/023

Change of use and conversion of agricultural building to form dwelling at Ford Farm, Moor Lane, Churchinford.

Conditions

- (a) C001 – time limit;
- (b) C106 – second hand materials;
- (c) C108A – cladding – for roof;
- (d) C112 – details of guttering, down pipes and disposal of rainwater;
- (e) C201 – landscaping;
- (f) C216 – walls and fences;
- (g) C306 – access – gradient;
- (h) The proposed rooflights shall be of flush fitting style, fitted with the appropriate flashing to ensure that the rooflights do not stand proud of the roof plain;
- (i) P001A – no extensions;
- (j) P003 – no ancillary buildings;
- (k) P006 – no fencing;
- (l) P010 – no further windows.

(Notes to applicant:- (1) N037 – drainage/water; (2) N024 – development in accordance with approved plans.)

Reason for granting planning permission:-

The level of alteration proposed was not considered such as to warrant refusal. The proposal was therefore considered to meet the requirements of Taunton Deane Local Plan Policy H9.

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

The Committee felt that the proposed alterations to the barn would not detract from the visual amenities or character of the area.

23/2004/036

Use of land to site mobile home for use in conjunction with proposed pheasant rearing business, Ford Bridge Quarry, Milverton.

Conditions

- (a) C016 – temporary permission;
- (b) C401 – agricultural tying condition.

(Note to applicant:- Applicant was advised that the proposed pheasant rearing business should be established within the 12 month period of this permission, following which you are further advised to submit an application for permission to site the mobile home for a further temporary period.)

Reason for granting temporary planning permission:-

It was considered that having regard to Taunton Deane Local Plan Policies S8 and H14, the proposal was considered acceptable on a temporary one year basis in order for the intended pheasant rearing business to be established.

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

The Committee was of the view that the grant of a temporary permission would provide the incentive for the proposed business to become established.

43/2004/126

Conversion of skittle alley to form 5 guest bedrooms, The Weavers Arms, Rockwell Green, Wellington.

Conditions

- (a) C001- time limit;
- (b) C102A – materials;
- (c) C413 – restriction of occupation for holiday lets in permanent buildings;
- (d) C201 – landscaping;
- (e) The area allocated for parking and the turning area on the submitted plan shall be properly consolidated, surfaced, drained and marked out before the use commences or the building(s) are occupied and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted;
- (f) P011 – No windows on the south, east or west elevations.

(Notes to applicant:- (1) N024 – development in accordance with approved plans; (2) N112 – energy conservation; (3) N115 – water conservation; (4) Applicant was advised to contact Wessex Water prior to the commencement of any works on site to agree a connection onto Wessex Water infrastructure; (5) Applicant was advised to contact the Tourism Officer at Taunton Deane Borough Council to arrange independent inspection of the accommodation.)

Reason for granting planning permission:-

The proposal was considered not to harm the natural or built landscape; the visual or residential amenity of the area; and would increase the quality of facilities available to tourists in accordance with Policies S1, S2 and EC18 of

the Taunton Deane Local Plan and Policy WD/RT/15 of the West Deane Local Plan.

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

38/2004/441

Demolition of buildings and erection of two and two and a half storey residential development (10 x 2 bedroomed flats) at British Red Cross Centre, Wilton Street, Taunton.

Reasons

- (a) The Local Planning Authority, on the basis of the information submitted, considers that the proposed building by reason of its design, including its depth, bulk and height would dominate and be detrimental to the street scene, contrary to Taunton Deane Local Plan Policies S1(D), S2(A), H1(G) and H1(H).
- (b) It is considered that the poor relationship of the proposed building to adjoining residential properties would be likely to result in an unacceptable degree of overlooking which would have a detrimental effect on the amenities of the occupiers of those properties and would be contrary to Taunton Deane Local Plan Policies S1(E), S2(F) and H1(I).
- (c) The proposed access will not provide the optimum visibility splays within the limited site frontage that are essential in the interests of highway safety and would therefore be contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policy S1(A)

(Note to applicant:- Applicant was encouraged to contact the Local Planning Authority should you wish to discuss this proposal further.)

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

19/2004/014

Erection of detached dwelling as a Manse, Village Road, Hatch Beauchamp.

29/2004/013

Erection of replacement dwelling and detached double garage, Hill View, Bishopswood.

145. Formation of new vehicular access together with parking and turning areas at Meadows Edge Cottage, Corfe (12/2004/009)

Reported this application.

RESOLVED that subject to the receipt of a satisfactory amended plan, 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) The existing wall shall be realigned and finished to the satisfaction of the Local Planning Authority prior to the access hereby approved being first brought into use;
- (c) C305 – access and driveway to be hard surfaced;
- (d) C306 – access – gradient;
- (e) C315 – visibility splay.

(Note to applicant:- NO37 – drainage/water.)

Reason for planning permission, if granted:-

The proposal accorded with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 in that the proposal would not cause demonstrable harm to highway safety. The proposal would not cause any adverse impact upon the character or appearance of the Corfe Conservation Area and therefore complied with the requirements of Taunton Deane Local Plan Policy EN15.

146. Erection of building comprising 13 flats on land adjacent to Wessex Lodge, 11/13 Billet Street, Taunton (38/2004/424).

Reported this application

RESOLVED that subject to the applicants entering into a Section 106 Agreement relating to sport and recreation contributions by 29 November 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) 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 applicants and approved by the Local Planning Authority;
- (d) C414 – no increase in site level;
- (e) C416 – details of size, position and materials of meter boxes;
- (f) C331 – provision of cycle parking;
- (g) C101 – materials.

(Notes to applicant:- (1) N024 – development in accordance with approved plans; (2) N075 – Section 106 Agreement; (3) N118A – disabled access; (4) N051B – health and safety; (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 to Friday 0800 – 1800 hours; Saturdays 0800 – 1300 hours. At all other times, including public holidays, no noisy working.)

Reason for planning permission, if granted:-

The proposed building respected the setting of the adjacent listed building, was appropriate in the street scene and did not cause demonstrable harm to residential amenity. The site's town centre location made it suitable for a car free development. The proposal therefore accorded with the requirements of Taunton Deane Local Plan Policies H1, EN17 and M3a.

Also RESOLVED that should the Section 106 Agreement not be completed by 29 November 2004, then permission be refused for the reason that the proposal did not make adequate provision for sport and recreation facilities.

147. Construction of multi-storey car park on land to north of Alfred Morris House, Taunton and Somerset Hospital, Musgrove Park, Taunton (38/2004/454)

Reported this application.

RESOLVED that subject to the satisfactory resolution of issues raised by the Environmental Health Officer, the Development Control Manger be authorised to determine the application in consultation with the Chairman and, if the detailed plans were approved, the following conditions be imposed:-

- (a) C102A – materials:
- (b) No development shall take place until the applicant, or their agent or successors in title, has submitted a programme of implementation of measures outlined in the submitted travel plan. Such measures shall be implemented to the satisfaction of the Local Planning Authority in accordance with the programme, unless otherwise agreed in writing.

(Notes to applicant:- (1) N021 – conditions; (2) N024 – development in accordance with approved plans; (3) Applicant was advised that the 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 should be made at the Building Regulations stage; (4) Applicant was advised that access for fire appliances should comply with Approved Document B5 of the Building Regulations 2000; (5) Applicant was advised that all new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards; (6) N118A – disabled access; (7) N104 – public art; (8) N051B – health and safety.)

Reason for approval, if granted:-

The proposed building had been designed to minimise its impact upon surrounding properties and had been submitted as part of a package of transport measures supported by a travel plan which sought to minimise the number of visits to the site by private car. The proposal therefore accorded with Taunton Deane Local Plan Policies S1, S2 and M3.

148. Demolition of filling station and construction of motor car dealership and associated works at Central Service Station, Bridgwater Road, Bathpool (48/2004/061)

Reported this application.

RESOLVED that subject to the receipt of satisfactory revised proposals addressing the Landscape Officer's concerns, the Development Control Manger 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) C926B – remediation investigation/certificate;
- (c) C101 – materials;
- (d) C201 – landscaping;
- (e) C205 – hard landscaping;
- (f) C207 – existing trees to be retained;
- (g) C209 – protection of hedges to be retained;
- (h) C325 – car parking;
- (i) The use hereby permitted shall be strictly limited to the use of the site as a motor dealership and for no other purpose including any purpose in Classes A1, B1, B2 and B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any Statutory Instrument revoking and re-enacting that Order;
- (j) C716 – prohibited working hours;
- (k) C737 – service yard kept unobstructed;
- (l) C906 – removal of all other buildings from the site.
- (m) Detailed drawings indicating the height, intensity of light and manufacturers specification of any flood-lighting shall be submitted to, and approved in writing by, the Local Planning Authority before any works are commenced.
- (n) 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.
- (o) The proposed access shall be constructed in accordance with details shown on the submitted plan, drawing No. 04046.051A, and shall be available for use before the occupation of the development hereby approved.
- (p) The access hereby permitted shall not be brought into use until drop kerbs have been installed at the carriageway edge and a vehicle cross over constructed across the footway fronting the site for the width of the access.
- (q) 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;
- (r) The gradient of the proposed access shall not be steeper than 1 : 10;
- (s) Provision shall be made within the site for 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;
- (t) Before the development approved is first occupied, a 1.8 m wide footway shall be constructed over the entire frontage of the site in accordance with a specification to be approved in writing by the Local

- Planning Authority. These works shall be carried out by Licence under Section 171 of the Highways Act 1980 and, on completion, the developer shall dedicate the new footway as public highway;
- (u) 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;
 - (v) There shall be no obstruction to visibility greater than 900 mm above adjoining road level in advance of lines drawn 4.5 m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 120 m either side of the access. Such visibility splays shall be fully provided before the access hereby permitted is first brought into use and shall thereafter be maintained at all times;
 - (w) The existing northern 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 work shall be completed within three months of the new vehicular access hereby permitted being first brought into use.

(Notes to applicant:- (1) Applicant was advised that 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 should be made at the Building Regulations stage; (2) Applicant was advised that access for fire appliances should comply with Approved Document B5 of the Building Regulations 2000; (3) Applicant was advised that all new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards; (4) Applicant was advised that if it was proposed to carry out any burning of structures or materials at the above mentioned site, Somerset Fire and Rescue Service Command and Mobilising Centre should be notified of this proposal at least 48 hours before commencement, so that the appropriate fire station may be made aware of this burning; (5) Applicant was advised that records indicate that four petroleum tanks were made safe on the above site on 7 May 2003 by infilling with RG22 hard foam. According to the Fire Officer's records, the tanks were still in situ; (6) N005 – advertisements; (7) N024 – development in accordance with approved plans; (8) N118A – disabled access; (9) N086 – statutory undertakers; (10) N051B – health and safety.)

Reason for planning permission, if granted:-

The site had an existing commercial use and its redevelopment was acceptable in accordance with Taunton Deane Local Plan Policy EC1. The proposal would not give rise to highway safety issues or cause demonstrable harm to the amenities of surrounding residential users in accordance with Policy S1(A), (D) and (E).

149. Construction of a three bay industrial type building to house incident response vehicles, Taunton Fire Station, Lisieux Way, Taunton (38/2004/464)

Reported that this proposed building would immediately adjoin the existing Fire Service site and would incorporate a portion of land which had been designated in the Taunton Deane Local Plan as a recreational open space to remain undeveloped. As such, the Council had already raised objection to the proposal under delegated powers.

However, in response, the Somerset Fire and Rescue Service had submitted a detailed justification as to why the objection should be withdrawn.

The Fire Service had recently secured a grant to accommodate an Incident Response Unit to serve the County; one of nine such units to be provided in the South West.

The main purpose of the unit was to provide a mass decontamination facility in the event of chemical, biological or radiological contamination.

The proposed three bay building would be large enough to accommodate an incident response vehicle (which was currently stored in the open air at the Fire Brigade's Chelston Depot), a high volume pumping unit and additional specialist equipment.

In the view of the Development Control Manager, the exceptional need for the unit and the overriding public benefit the unit offered, was such that an exception should be made to the Taunton Deane Local Plan Policy.

ROSOLVED that no objection be raised to the proposal subject to conditions of time, materials and details of new fence and hedgerow to be approved.

150. Provision of large satellite dish at 18 Portman Street, Taunton.

Reported that a complaint had been received concerning the installation of a very large satellite dish on the front elevation of 18 Portman Street, Taunton.

The owner of the property had been advised that planning permission was required to retain a dish which was over 90 cm in diameter. Although an application had subsequently been received, this had been refused under delegated powers in early November. To date, no action to remove the satellite dish had been taken.

RESOLVED that:-

- (1) Enforcement action be taken to secure the removal of the unauthorised satellite dish from the front elevation of 18 Portman 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.

(Councillor Denington declared a personal interest in the matter covered by Minute No. 151 below.)

151. Unauthorised display of advertisement sign adjacent to M5 Motorway, Creech St Michael.

Reported that it had been brought to the attention of the Council that an advertisement sign had been positioned on a trailer in a field adjacent to the M5 Motorway near Creech St Michael.

The owners of the sign and the land concerned had been notified that, as the advertisement was being displayed without consent, it should be removed without delay. Further reported that the sign had been removed from the field on the day of the Committee.

RESOLVED that, subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings in respect of the advertisement sign on a trailer, should it reappear on the land adjacent to the M5, Creech St Michael.

(Councillor Mrs Smith left the meeting at 7.15 pm)

(The meeting ended at 8.08 pm)