

## **Planning Committee – 6 July 2005**

Present: Councillor Miss Peppard (Chairman)  
Councillors Mrs Allgrove, Clark, Floyd, C Hill, Hindley, House, Phillips,  
Mrs Smith and Stuart-Thorn

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

(The meeting commenced at 5.00 pm.)

### 79. Apologies

Councillor Mrs Hill (Vice-Chairman) and Councillors Miss Cavill, Croad,  
Denington, Guerrier, Henley, Lisgo and Wedderkopp.

### 80. Minutes

The minutes of the meeting, held on 15 June 2005, were taken as read and  
were signed.

### 81. Public Question Time

The Chairman of Burrowbridge Parish Council, Mr Nicholls, referred to the  
recent planning permission that had been granted for the retention of an  
extension at Sunridge, Stanmoor Road, Burrowbridge - Application No  
51/2005/007. The extension had actually been erected three years ago.

Mr Nicholls was concerned that despite Burrowbridge being one of the  
parishes in the delegation scheme the application, which was within a  
category that would normally be dealt with by the Parish Council, had been  
determined by Taunton Deane. He was also concerned that the views  
expressed by the Parish Council in relation to the application had not resulted  
in the application coming before the Planning Committee for consideration.

In response, the Development Control Manager (Tim Burton) replied that  
there had been some ambiguity over the views received from the Parish  
Council and this had led to the application being determined without referral to  
the Committee. He went on to inform Mr Nicholls that retrospective  
applications were always dealt with by Taunton Deane.

### 82. 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 undermentioned developments, subject to the standard conditions adopted by Minute No 86/1987 of the former Planning and Development Committee and such further conditions as stated:-

**06/2005/024**

Retrospective application for use of amenity land as domestic curtilage and erection of railings at 10 Bethell Mead, Cotford St Luke (re-submission).

Conditions

- (a) The railings hereby approved shall be erected within six months of the date of this permission.
- (b) P003 - no ancillary buildings.
- (c) C201 - landscaping.
- (d) P006 - no fencing.

Reason for granting planning permission:-

The proposed development would not adversely affect visual amenity and therefore did not conflict with Taunton Deane Local Plan Policy S1.

**10/2005/008**

Erection of two holiday chalets at Paye Plantation, Stapley (revised).

Conditions

- (a) C001 - time limit;
- (b) C101 - materials;
- (c) C412 - restriction of occupation for holiday lets in permanent buildings;
- (d) Prior to the commencement of works on site, details for the provision and implementation of a surface water run-off limitation scheme shall be submitted to, and approved in writing by, the Local Planning Authority. This scheme shall be implemented in accordance with the approved programme and details.
- (e) Prior to the commencement of works on site, full details of the construction of the access track and parking (including depth, make-up, drainage and surface treatment) shall be submitted to, and approved in writing by, the Local Planning Authority. The access shall be constructed in strict accordance with the approved details and shall be maintained as such thereafter.
- (f) In the event that this permission is not implemented within one year of the date of this permission and, prior to the commencement of works on site, a further wildlife survey shall be undertaken between March and July by a qualified Environmental Consultant and to include an investigation of all significant species of flora and fauna and protected species (including adders, slow worms and newts) and a report

submitted to, and approved in writing by, the Local Planning Authority. The survey and report shall include an identification of the species present, an impact assessment and mitigation/avoidance measures in order to safeguard protected species in accordance with the law. Once approved, the works shall take place in accordance with the agreed measures and in accordance with any licence requirements.

- (g) In connection with this development, no site clearance works or development (or specified operations) shall take place between 1 March and 31 October without the prior written approval of the Local Planning Authority.
- (h) Prior to the commencement of works on site, a Management Plan to enhance, conserve and monitor the mire and associated scrub, as identified in the Greenwood Environmental Ecological Survey, February 2004, and as detailed in the accompanying plan, shall be submitted to, and approved in writing by, the Local Planning Authority. Once approved, the management and monitoring works shall be carried out on an annual basis and according to the approved plan.
- (i) Prior to the commencement of works on site, plans showing one parking space for each unit, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved spaces shall be provided prior to the commencement of the use and shall be thereafter maintained.
- (j) There shall be no external lighting of the chalets or site area without the prior written consent of the Local Planning Authority.
- (k) Within three months of the cessation of the holiday use hereby permitted, the chalets shall be demolished and/or removed from the site and the land restored to its former condition.
- (l) There shall be no additional accommodation provided within the remaining roof-space of the chalets hereby permitted without the prior written consent of the Local Planning Authority.  
(Notes to applicant:- (1) With regard to condition (d), applicant was advised that a drawing identifying the necessary features would be sufficient to discharge this condition; (2) N061A - Highways Act - Section 184 Permit; (3) With regard to condition (e), applicant was advised that there is a need to ensure the track surface remains permeable whilst providing a bound surface (for the first 10 m) which will be in keeping with the character of the area; (4) N115 - water conservation.)

Reason for granting planning permission:-

The proposal represented small scale, unobtrusive holiday chalet development in accordance with Taunton Deane Local Plan Policies EC24 and EN10.

**11/2005/009**

Erection of holiday let unit at land east of Yard Farm, Combe Florey.

Conditions

- (a) C001 - time limit;
- (b) C101 - materials;
- (c) C201 - landscaping;
- (d) C412 - restriction of occupation for holiday lets in permanent buildings;
- (e) C927 - remediation investigation/certificate;
- (f) P002 - no extensions;
- (g) P003 - no ancillary buildings;
- (h) P005 - no garages;
- (i) P006 - no fencing;
- (j) Prior to the commencement of work, details of the access, parking and turning arrangements shall be submitted to, and approved in writing by, the Local Planning Authority;
- (k) The finished floor level of the unit shall be as indicated on the approved plan;
- (l) Within three months of the cessation of the holiday use hereby permitted, the chalet shall be demolished and/or removed from the site and the land restored to its former condition;  
(Notes to applicant:- (1) Applicant was advised that it had been noted that a septic tank is to be used to dispose of foul sewage. Percolation tests should be carried out to ascertain the required lengths of sub-surface irrigation drainage; (2) Applicant was advised that the Environment Agency's Consent to Discharge to an underground strata is also required; (3) N115 - water conservation; (4) Applicant was advised to contact Wessex Water prior to the commencement of any works on site to agree connection onto Wessex Water infrastructure; (5) N111 - disabled access; (6) N112 - energy conservation; (7) N051B - health and safety; (8) Applicant was advised that the accommodation should be independently inspected to ensure a high quality product for visitors to the Taunton Deane area.)

Reason for granting planning permission:-

The site was adequately screened and the proposal was not considered to be harmful to the landscape; It had good access to the highway network and the visual and residential amenity of the area would not be detrimentally affected and was therefore compliant with Taunton Deane Local Plan Policies S1, S2, S7 and EC24.

**14/2005/025**

Erection of double garage and store with accommodation over at Daisy Cottage, Adsborough Hill, Adsborough

Conditions

- (a) C001 - time limit;
- (b) C102 - materials;
- (c) A turning space for vehicles within the curtilage, in accordance with a plan to be submitted and approved by the Local Planning

- Authority, shall be provided prior to the use within the building commencing;
- (d) The first floor accommodation hereby permitted shall not be used at any time other than for the purposes ancillary to the residential use of the dwelling and for the avoidance of doubt, shall not be rented out or at any time be occupied as a separate dwelling;
  - (e) No part of the ground floor use hereby permitted shall be used for habitable accommodation without the prior permission in writing of the Local Planning Authority.  
(Note to applicant:- Applicant was advised to ensure that the existing septic tank is not damaged during construction and is adequate to serve the site.)

Reason for granting planning permission:-

The proposed development was not considered to affect residential amenity and was considered to accord with Taunton Deane Local Plan Policies S1, S2 and H18 and material considerations did not indicate otherwise.

**20/2005/008**

Formation of vehicle access from Kingston Road at Millfield House, Kingston St Mary.

Conditions

- (a) C001 - time limit;
- (b) The proposed access over its entire length shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority.
- (c) Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 4.5 m from the edge of the carriageway;
- (d) The gradient of the accessway shall not at any point be steeper than 1:10 or a distance of 6 m from its junction with the public highway;
- (e) 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;
- (f) There shall be no obstruction to visibility greater than 900 mm above adjoining road level in advance of lines drawn 2 m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 60 m to the north of the access. Such visibility splays shall be fully provided before works commence on the construction of the access hereby permitted and shall thereafter be maintained at all times;

- (g) There shall be no obstructions to visibility greater than 900 mm above adjoining road level in advance of lines drawn 2 m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 33 m to the south of the access. Such visibility splays shall be fully provided before works commence on the construction of the access hereby permitted and shall thereafter be maintained at all times.

(Note to applicant:- (1) N061A - Highways Act - Section 184 Permit.)

Reason for granting planning permission:-

The proposal was considered not to have a detrimental impact upon visual or residential amenity or highway safety and was therefore considered acceptable and, accordingly, did not conflict with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policies S1 and S2.

**38/2005/217**

Erection of two retirement cottages in place of garage block at former Princess Margaret School site, Middleway, Taunton.

Conditions

- (a) C001 - time limit;
  - (b) C102A - materials;
  - (c) C215 - walls and fences;
  - (d) The access to the properties shall be via the main entrance to the site only, unless otherwise agreed in writing, by the Local Planning Authority;
  - (e) C201 - landscaping;
- (Note to applicant:- Applicant was advised that noise emissions from the site during construction should be limited to the following hours to avoid nuisance at neighbouring properties:- Monday to Friday 0800 to 1800 hours; Saturdays 0800 to 1300. At all other times, including public holidays, no noisy working.)

Reason for granting planning permission:-

The proposed development was considered to accord with Policies S1, S2 and H2 of the Taunton Deane Local Plan and material considerations did not indicate otherwise.

**38/2005/240**

Erection of single storey extension at 22 The Oaks, Taunton.

Conditions

- (a) C001 - time limit;
- (b) C102 - materials.

Reason for granting planning permission:-

The proposed extension complied with Taunton Deane Local Plan Policy H17 in that there was no harm to the residential amenity of other dwellings and no harm to the form and character of the dwelling.

**45/2005/008**

Erection of dwelling at land adjacent to Richards at West Bagborough..

Conditions

- (a) C001 - time limit;
- (b) C101 - materials;
- (c) Prior to the commencement of works on site, details of the proposed access shall be submitted to, and approved in writing by, the Local Planning Authority;
- (d) C201 - landscaping;
- (e) C215 - walls and fences;
- (f) C112 - details of guttering, downpipes and disposal of rainwater;
- (g) C917 - services - underground;
- (h) C308 - access - existing access to be closed;
- (i) The proposed access and turning area shall be properly consolidated (not loose stone or gravel) in accordance with details to be submitted prior to commencement, and agreed in writing by, the Local Planning Authority. Such turning area shall be kept free of obstruction at all times;
- (j) Provision shall be made within the site for the disposal of surface water to prevent discharge onto the highway, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (k) The dwelling hereby permitted shall not be occupied until two parking spaces for the dwelling have been provided in a position approved by the Local Planning Authority. The said spaces and access shall not be used other than for the parking of vehicles or for the purpose of access.
- (l) P001A - no extensions;
- (m) P003 - no ancillary buildings;
- (n) P006 - no fencing;
- (o) C205 - hard landscaping;
- (p) C314 - visibility splays;
- (q) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the use of the garage hereby permitted shall be limited to the domestic and private needs of the occupier and shall not be used for any business or other purpose whatsoever;
- (r) No entrance gates shall be erected/hung at any time;
- (s) The gradient of the proposed access shall not be steeper than 1:10.  
(Notes to applicant:- (1) N115 - water conservation; (2) N112 - energy conservation; (3) Applicant was advised to contact

Wessex Water prior to the commencement of any works on site to agree connection onto Wessex Water infrastructure; (4) N100 - design; (5) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991).)

Reason for granting planning permission:-

The proposal for residential development was located within the defined settlement limits where new housing was encouraged. The proposed access would be satisfactory and the development would not have a detrimental impact upon visual amenity, residential amenity or the character and appearance of the Conservation Area, the setting of the neighbouring listed building and was considered not to harm the landscape character of the Area of Outstanding Natural Beauty and was therefore considered acceptable. Therefore, the scheme accorded with Taunton Deane Local Plan Policies S1, S2, H2, EN14, EN16, EN10 and M4.

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

**36/2005/011LB**

Alterations of roof-space to form en-suite bathroom, including the removal of chimney breast and installation of 2 No conservation roof-lights, Poplar Farm, Meare Green, Stoke St Gregory.

Reason

The proposed rooflights would be detrimental to the character and appearance of the listed building. Accordingly the proposal is considered contrary to Taunton Deane Local Plan Policies EN16 and EN17.

(Note to applicant:- Applicant was advised that the internal conversation works are acceptable and that the replacement of roof-lights with an appropriately designed gable window may resolve the objection.)

**42/2005/016**

Erection of first floor extension and alterations at 2 Herswell Cottages, West Buckland.

Reason

It is considered that the proposed first floor extension would be detrimental to the form and character of the dwelling by reason of its size, lack of subserviency, siting, design and external appearance and, if allowed, would unbalance the appearance of these semi-detached

properties. Furthermore, it is considered that the proposal would have a detrimental affect on the visual amenities of the locality. Therefore, the proposal is in conflict with Taunton Deane Local Plan Policies S1 (general), S2 (design), H17 (extensions) as well as the advice contained within the Authority's Supplementary Planning Guidance on Design.

- (3) That **advertisement consent be granted** for the undermentioned 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:-

**05/2005/029A**

Display of illuminated fascia signs and projecting sign at 1 Wellington New Road, Taunton.

Conditions

- (a)-(e) C801 - C805 - standard conditions for advertisements;
- (f) C807 - constant illumination;
- (g) The advertisements hereby granted consent shall not be displayed until the existing fascia signs cease to be displayed.

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

**07/2005/013**

Erection of 2 No two storey dwellings and 1 No bungalow at land adjacent to The Walnuts, Orchard Close, Bradford on Tone.

**13/2005/004**

Change of use of various barns to include café/restaurant, retail, community hall to include exhibitions, conferences, wedding receptions and cinema club; museum/displays of works of art and office/craft workshops/A1 retail at barns at Manor Farm, Cothelstone.

(The Senior Solicitor (Mrs J M Jackson) declared a prejudicial interest in the application covered by Minute No 83 below and left the meeting during its consideration.)

83. Erection of dwelling and garage at land to rear of 9 Church Street, Bishops Lydeard (06/2005/021)

Reported this application.

RESOLVED that subject to the receipt of no adverse comments from the Nature Conservation Officer and the inclusion of any further conditions requested, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if outline planning permission were granted, the following conditions be imposed:-

- (a) C005 - outline - reserved matters;
- (b) C009 - outline - time limit;
- (c) C014 - time limit;
- (d) C101 - materials;
- (e) C201 - landscaping;
- (f) C215 - walls and fences;
- (g) C917 - services - underground;
- (h) C205 - hard landscaping;
- (i) Before the access hereby permitted is first brought into use, the turning space for the new dwelling, as 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.
- (j) The dwelling hereby permitted shall not be occupied until two parking spaces for the dwelling have been provided in a position approved by the Local Planning Authority. The said spaces and access shall not be used other than for parking of vehicles or the purposes of access.
- (k) P001A - no extensions.
- (l) P003 - no ancillary buildings;
- (m) P006 - no fencing;
- (n) C402 - single storey dwelling.  
(Notes to applicant:- (1) Applicant was recommended to agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure; (2) N112 - energy conservation; (3) N115 - water conservation; (4) N100 - design; (5) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991).)

Reason for outline planning permission, if granted:-

The proposal for residential development was located within the defined settlement limits where new housing was encouraged. The proposed access would be satisfactory and the development would not have a detrimental impact upon visual amenity, residential amenity or the character and appearance of the Conservation Area and setting of the neighbouring listed building. It was therefore considered acceptable and in accordance with Taunton Deane Local Plan Policies S1, S2, H2, EN14, EN16 and M4.

84. Conversion of barns to 3 No dwellings, Nethercott Farm, Combe Florey (22/2005/008)

Reported this application.

RESOLVED that subject to:-

- (1) The submission of a satisfactory flood risk assessment and any further observations or conditions requested by the Environment Agency; and
- (2) The further representations of the Nature Conservation Officer and Somerset Wildlife Trust on the follow-up survey for bats and birds and any further conditions requested, 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) C010A - drainage - not commenced until percolation test approved;
- (c) C106 - second-hand materials;
- (d) C112 - details of guttering, downpipes and disposal of rainwater;
- (e) C201A - landscaping;
- (f) C205 - hard landscaping;
- (g) C207 - existing trees to be retained;
- (h) C208A - protection of trees to be retained;
- (i) C208B - protection of trees - service trenches;
- (j) C210 - no felling or lopping;
- (k) C215 - walls and fences;
- (l) C324 - parking;
- (m) The garages hereby permitted shall be constructed only in accordance with the approved plans and shall remain available in perpetuity for the parking of a motor vehicle(s) for domestic purposes only;
- (n) C416 - details of size, position and materials of meter boxes;
- (o) C601 - schedule of works to ensure safety and stability of structure;
- (p) C654A - windows;
- (q) P001A - no extensions;
- (r) P003 - no ancillary buildings;
- (s) P006 - no fences;
- (t) Notwithstanding 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 or doors (other than those expressly authorised by this planning permission) shall be constructed;
- (u) C917 - services - underground;
- (v) Before the dwellings hereby permitted are occupied, the agricultural buildings as shown on the approved plan shall be demolished and all materials resulting from the demolition shall be removed from the site;
- (w) Mitigation recommendations contained in the Bat and Birds Survey, dated March 2005, shall be strictly adhered to and carried out as part of the development;
- (x) C917 - remediation investigation/certificate;
- (y) The dwellings hereby permitted shall not be occupied until two parking spaces for each dwelling have been provided in a position approved by the Local Planning Authority. The said spaces and access thereto shall thereafter be kept clear of obstruction and not used other than for the parking of vehicles or for the purpose of access;
- (z) The proposed access(es) over the first 6 m of its/their length as measured from the edge of the adjoining carriageway shall be

properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority;

- (aa) Any entrance gates erected shall be hung to open inwards;
- (bb) 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;

(Notes to applicant:- (1) N025 - conversions; (2) N25A - conversions; (3) N118 - disabled access; (4) N112 - energy conservation; (5) N119 - meter boxes; (6) N051B - health and safety; (7) N066 - listed building; (8) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 19991); (9) Applicant was advised that the Environment Agency's Consent to Discharge to an underground strata would be required; (10) Applicant was advised that the Hawk and Owl Trust can provide Barn Owl nest boxes, as well as practical advice regarding their positioning and will survey buildings for signs of use by Barn Owls prior to conversion; (11) N115 - water conservation; (12) N126 - land contamination; (13) Applicant was advised of a number of Environment Agency requirements.)

Reason for planning permission, if granted:-

The Local Planning Authority considered that the proposal complied with Taunton Deane Local Plan Policy S1 and the criteria contained in Policy H7.

85. Erection of apartment block of 20 affordable housing units at former Princess Margaret School site, Middleway, Taunton (38/2005/214)

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues by 19 July 2005, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if planning permission was granted, the following conditions be imposed:-

- (a) C001 - time limit;
- (b) C101 - materials;
- (c) A sample panel of the brickwork and render to be used on-site shall be erected for agreement in writing by the Local Planning Authority prior to the construction commencing and, once agreed, shall be carried out as per the sample panel;
- (d) (i) In addition to the landscaping indicated on the Landscape Design Statement, details of the size, species and numbers of trees to be included in the boundary hedge planting to the roadside shall be submitted to, and approved in writing by, the Local Planning Authority prior to construction of the building commencing; (ii) The scheme shall be completely carried out within the first available planting season,

from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority;  
(iii) For a period of five years after the completion of the planting scheme, the trees and shrubs shall be protected and maintained in a healthy, weed free condition to the satisfaction of the Local Planning Authority and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority;

(e) Before any part of the permitted development is commenced, details of all boundary walls, fences or hedges forming part of the development shall be submitted to, and approved in writing by, the Local Planning Authority and any such wall, fence or hedge so approved shall be erected/planted before occupation of the development to which it relates takes place;

(f) C111 - materials - for drives.

(Notes to applicant:- (1) Applicant was advised that noise emissions from the site during construction should be limited to the following hours if nuisance is to be avoided:- Monday to Friday 0800 to 1800 hours; Saturdays 0800 to 1300. At all other times, including public holidays, no noisy working; (2) Applicant's attention is drawn to the Section 106 Agreement on application No 38/2003/549 relating to this site; (3) Applicant's attention is drawn to the cycle link requirement of the Section 106 Agreement in relation to the adjacent site.)

Reason for planning permission, if granted:-

The proposed development was considered to accord with Policies H2 and H9 of the Taunton Deane Local Plan and material considerations did not indicate otherwise.

(Councillor Mrs Smith left the meeting at 7.10 pm.)

(The meeting ended at 7.39 pm.)