

Present: Councillor Mrs Hill (Vice-Chairman) (In the Chair)
Councillors Mrs Allgrove, Miss Cavill, Clark, Croad, Denington, Floyd, Henley, House, Lisgo, Phillips, Mrs Smith and Wedderkopp

Officers: Mr J Hamer (Area Planning Officer (West)), Mr G Clifford (Area Planning Officer (East)), Mrs D Hartnell (Conservation Officer), Mrs J M Jackson (Senior Solicitor) and Mr R Bryant (Review Support Manager)

A member of the press was present for part of the meeting.

(The meeting commenced at 5.00 pm)

(Councillors Miss Cavill and Lisgo arrived at the meeting at 5.17 pm and 6.14 pm respectively.)

107. Apologies

The Chairman (Councillor Miss Peppard) and Councillors Hindley and Stuart-Thorn.

108. Minutes

The minutes of the meeting held on the 17 August 2005 were taken as read and were signed.

109. Enforcement Item – Notification to Install Telecommunications Mast on land at Shoreditch Road, Taunton (Application no TEL/1/05)

Reference Minutes Nos 98 and 106/2005, reported that the expert advice as to the likely level of compensation payable to the company O² which might arise from the service of Discontinuance Order had still to be received.

Also reported that since the last meeting O² had agreed to undertake discussions with the Council as to the possibility of finding an alternative site for the new telecommunications mast.

Members recognised the important role local residents had played in achieving these further talks.

RESOLVED that the matter be deferred to allow:-

- (i) The expert advice to be received; and
- (ii) The further discussions with O² to take place.

110. 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 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:-

14/2005/029

Erection of dwelling on land to south of Trehoot, North End, Creech St Michael.

Conditions

- (a) C005 - outline – reserved matters;
- (b) C009 - outline – time limit;
- (c) C014A – time limit;
- (d) C101 – materials;
- (e) C201 – landscaping;
- (f) C207 – existing trees to be retained;
- (g) C208A – protection of trees to be retained;
- (h) C215 – walls and fences;
- (i) The dwelling hereby permitted shall not be occupied until a turning area has been provided within the site in a manner as shall be agreed in writing with the Local Planning Authority;
- (j) 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), in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (k) Sufficient space for one garage and one parking space, together with a vehicular access thereto shall be provided for the dwelling. The said garage (or garage space), parking space and access shall be constructed or hard surfaced before the dwelling hereby permitted is occupied and shall not be used other than for the parking of domestic vehicles or for the purposes of access;
- (l) There shall be no obstruction to visibility greater than 900mm above adjoining road level forward of a line drawn 2m back and parallel to the nearside carriageway edge over the entire site frontage. Such visibility shall be fully provided before works commence on the erection of the dwelling hereby permitted and shall thereafter be maintained at all times;
- (m) P001A – no extensions;
- (n) P010 – no further windows.

(Notes to applicant:- (1) N111 – disabled access; (2) N112 – energy conservation; (3) N114 – meter boxes; (4) N115 – water conservation; (5) N116 – disabled access; (6) Applicant was advised to contact

Wessex Water to agree points of connection onto the Wessex Water infrastructure; (7) N024 – development in accordance with approved plans; (8) N119 – Design Guide; (9) N118 – disabled access; (10) As there are no existing public/separate surface water sewers in the vicinity of the site, applicant was advised to investigate alternative methods for the disposal of surface water. Surface water should not be discharged to the foul sewer; (11) With regard to the design of the dwelling, applicant was advised that a single storey bungalow would be considered appropriate.)

Reason for granting outline planning permission:-

The application site lay within the recognised settlement limits of Creech St Michael and it was considered that a dwelling could be satisfactorily accommodated on the site in a manner which would accord with Taunton Deane Local Plan Policy H2.

38/2005/265

Erection of dwelling to rear of 26 Stoke Road, Taunton.

Conditions

- (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) There shall be no obstruction to visibility greater than 450mm above adjoining road level forward of a line drawn 2m back parallel to the nearside carriageway over the entire site frontage. Such visibility shall be provided before works commence on the erection of the dwelling hereby permitted and shall thereafter be maintained at all times;
- (h) Before the access hereby approved is first brought into use, a properly consolidated and surfaced parking and turning space for a minimum of two vehicles shall be constructed in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority. Such turning space shall be kept clear of obstruction at all times;
- (i) 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) in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (j) A recessed entrance 3m wide shall be constructed 4.5m back from the carriageway edge and its sides shall be splayed at an angle of 45° towards the carriageway edge;
- (k) 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 dwelling first being occupied;
- (l) Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 4.5m from the carriageway edge;
 - (m) 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 footpath fronting the site for the width of the access;
 - (n) P007 – no fencing in front of dwelling.

(Note to applicant:- Applicant was advised to contact Wessex Water to agree a point of connection to their systems prior to work commencing.)

Reason for granting outline planning permission:-

The proposed dwelling was considered to be in accordance with Taunton Deane Local Plan Policy H2.

- (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:-

(The Review Support Manager, Mr R Bryant, declared a prejudicial interest in the following application and left the meeting during its consideration.)

07/2005/019

Erection of first floor extension over existing garage at Fairfield, Bradford on Tone.

Conditions

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

Reason for granting planning permission:-

The proposed extension did not adversely affect the character of the existing dwelling, or visual and residential amenity and therefore did not conflict with Taunton Deane Local Plan Policies S1, S2 and H17.

25/2005/021

Erection of single storey extension to rear, 2 Stembridge Way, Norton Fitzwarren.

Conditions

- (a) C001 – time limit;

(b) C102A – materials.

(Notes to applicant:- (1) N024 – development in accordance with approved plans; (2) N040A – drainage/water.)

Reason for granting planning permission:-

The proposed development would not adversely affect residential amenity and, accordingly, did not conflict with Taunton Deane Local Plan Policies S1, S2 or H17.

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

36/2005/016

Erection of Village Hall, Dark Lane, Stoke St Gregory

Conditions

- (a) C001A – time limit;
- (b) C102A – materials;
- (c) C201 – landscaping;
- (d) Before any part of the development is commenced, details of all boundary walls, banks, 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, bank, fence or hedge so approved shall be constructed/planted before any such part of the development to which it relates takes place;
- (e) 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;
- (f) Prior to any works commencing on site, details of the construction and surface materials of the parking areas shall be submitted to, and approved in writing by, the Local Planning Authority and such details shall be completed within six months of the completion of the development;
- (g) C010 – drainage;
- (h) The visibility splays shown on submitted plan No MTF-05-07-001A shall be constructed prior to the commencement of the use of the building and visibility shall thereafter be maintained to the satisfaction of the Local Planning Authority;
- (i) The proposed access 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;
- (j) The gradient of the proposed access shall not be steeper than 1:10;
- (k) 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;

(Note to applicant:- Applicant was advised to agree with Wessex Water prior to the commencement of any works on site, a point of connection onto Wessex systems.)

Reason for granting planning permission:-

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

37/2005/010

Removal of condition 05 of planning permission 37/1995/001 to allow for residential use and erection of 2m high fence/wall at barn adjoining Orchard Barns, Broughton Lane, Shoreditch

Conditions

- (a) C001A – time limit;
- (b) P001A – no extensions.

Reason for granting planning permission:-

The proposal was not considered to have an adverse impact on amenity given the existing holiday letting use of the building for 52 weeks a year, and the proposal was therefore considered to comply with Taunton Deane Local Plan Policies S1 and S2.

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

The Committee took the view that permanent residential use of the barn would have no adverse impact on amenity particularly as the barn was already able to be used as a holiday let for 52 weeks a year.

38/2005/295

Erection of single storey dwelling on land to rear of 36-40 Wellington Road, Taunton

Conditions

- (a) C001A – time limit;
- (b) Before the commencement of any works hereby permitted, details or samples of the materials to be used for all the external surfaces of the building and boundary walls shall be submitted to, and approved in writing by, the Local Planning Authority and no other materials shall be used without the written consent of the Local Planning Authority;
- (c) C010 – drainage;
- (d) C201 – landscaping;

- (e) The development hereby permitted shall not be occupied until two parking spaces for the dwelling and a properly consolidated and surfaced turning space for vehicles have been provided and constructed within the site, in accordance with details which shall be submitted to, and approved in writing by, the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times;
- (f) Floor levels shall be set at least 17.51m above ordnance datum.

(Note to applicant:- Applicant was advised to agree with Wessex Water, prior to the commencement of any works on site, a point of connection onto Wessex systems)

Reason for granting planning permission:-

The proposed development would not adversely affect visual or residential amenity, or road safety, or the setting of the adjacent listed building. Accordingly, the proposal did not conflict with Taunton Deane Local Plan Policies H2, S1, S2 or EM14.

38/2005/296LB

Demolition of part of boundary wall and two garages and erection of new wall to allow for erection of dwelling to rear of 36-40 Wellington Road, Taunton

Conditions

- (a) C002 - time limit – listed building;
- (b) Before the commencement of any works hereby permitted, details or samples of the materials to be used for the boundary wall shall be submitted to, and approved in writing by, the Local Planning Authority and no other materials shall be used without the written consent of the Local Planning Authority.

Reason for granting listed building consent:-

The garages and boundary wall were of no significance architecturally or historically and the new boundary wall would not adversely affect the character or appearance of the listed building. Accordingly, the proposal did not conflict with Taunton Deane Local Plan Policies EN16, EN17 or EN18.

49/2005/047

Conversion of space over garage and store to form living accommodation at 28 West Street, Wiveliscombe

Conditions

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

- (c) The fences and walls shown on plan No 8902A to be 2m high from floor level shall be retained at such a height so long as the development remains in existence;
- (d) P010 – no further windows;
- (e) Full details of the glazed gable windows shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of any work on the development hereby approved;
- (f) C404 – single family unit.

Reason for granting planning permission:-

The proposal accorded with Taunton Deane Local Plan Policies H18 and EN14 without detrimental to the character of the Conservation Area or the amenities of the neighbouring properties.

111. Erection of single storey extension at 1 Kendall Close, Creech Heathfield (14/2005/034)

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues by the 13 September 2005, 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) C102 – materials.

(Notes to applicant:- (1) N024 – development in accordance with approved plans; (2) N040A – drainage/water.)

Reason for planning permission, if granted:-

It was considered that the proposal would not significantly harm the appearance of the street scene or neighbouring amenity and, as such, accorded with Taunton Deane Local Plan Policies S1, S2 and H17.

112. Erection of 13 log cabins for holiday let at land at Millfield Nursery, Parsonage Lane, Kingston St Mary (20/2005/012)

Reported this application.

RESOLVED that subject to the receipt of a Wildlife Report regarding badgers on the site and no adverse comments from the Wildlife Species Co-ordinator in response to submitted survey, 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) C001A – time limit;
- (b) C101 – materials;

- (c) The recommendations of the Flood Risk Assessment received on the 18 July 2005 shall be carried out prior to the commencement of the development hereby approved to the satisfaction of the Local Planning Authority. Any variation to the recommended implementation shall be agreed and approved in writing by the Local Planning Authority;
- (d) C201A – landscaping;
- (e) C207 – existing trees to be retained;
- (f) C413 – restriction of occupation for holiday lets in permanent buildings;
- (g) Any holiday let cabin that is unoccupied for more than a 24 month period shall be demolished and/or removed including the removal of any foundations and/or floor slabs;
- (h) Before the development hereby approved is occupied, unobstructed visibility shall be provided above a height of 600mm from adjoining carriageway level in the areas hatched on the attached plan. Such visibility shall thereafter be maintained to the satisfaction of the Local Planning Authority;
- (i) Soakaways shall be constructed in accordance with Building Research Digest 365 (September 1991);
- (j) Prior to the commencement of the development hereby approved, details of the western stream bank levels and the emergency stillway construction shall be agreed and approved in writing by the Local Planning Authority;
- (k) P001A – no extensions;
- (l) P003 – no ancillary buildings;
- (m) P006 – no fencing;
- (n) C215 – walls and fences;
- (o) Badgers are active in the vicinity of the development hereby approved, therefore operators shall be appropriately briefed in accordance with English Nature’s “Badgers : Guidelines for Developers”, and any open trenches shall be covered overnight.

(Notes to applicant:- (1) N111 – disabled access; (2) N112 – energy conservation; (3) N115 – water conservation; (4) N051B – health and safety; (5) Applicant was recommended to agree with Wessex Water prior to the commencement of any works on site, a connection onto Wessex Water infrastructure; (6) Applicant was advised that planning permission for any floodlighting or external illumination is required and is unlikely to be supported if it would result in any detrimental effect to the area; (7) With regard to Condition (n), applicant was advised that boundary treatment details are required that prevent access from the site to the spinney woodland area.)

Reason for planning permission, if granted:-

The site was adequately screened and the proposal was not considered to be harmful to the landscape and had good access to the highway network. The visual and residential amenity of the area would not be detrimentally affected and the character and appearance of the adjacent Conservation Area would be maintained/enhanced and therefore the proposal was compliant with Taunton Deane Local Plan Policies S1, S2, S7, EC24, EN6, EN12, EN14, EN25, EN29 and EN34.

113. Erection of seven dwellings to meet local housing needs on land at Polkesfield, Stoke St Gregory (36/2005/015)

Reported this application.

RESOLVED that subject to the applicants entering into a Section 106 Agreement within six weeks from the date of the meeting to secure the affordable housing provision in perpetuity, 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) C001A – time limit;
- (b) C102A – materials;
- (c) The windows and doors of the development hereby permitted shall be timber only unless otherwise agreed in writing by the Local Planning Authority;
- (d) C201 – landscaping;
- (e) C215 – walls and fences;
- (f) C324 – parking;
- (g) C301 – highways – in accordance with the County Highway Authority’s booklet;
- (h) C111 – materials – for drives;
- (i) Details of the size and siting of any play equipment to be provided on site shall be submitted to, and approved in writing by, the Local Planning Authority prior to its installation;
- (j) P001A – no extensions;
- (k) P005 – no garages;
- (l) P006 – no fencing;
- (m) The cladding colour and shingle colour shall be as submitted unless otherwise agreed in writing by the Local Planning Authority;
- (n) C917 – services – underground.

(Notes to applicant:- (1) Applicant was advised that the footpaths across the site must remain open and easy to use at all times during the development. Any changes to the surfaces of the paths have to be approved by Somerset County Council’s Rights of Way Section and no barriers shall be installed on the paths; (2) Applicant was advised that a point of connection onto Wessex Water’s systems should be agreed prior to work commencing on site.)

Reason for planning permission, if granted:-

The proposal provided local needs housing in line with Taunton Deane Local Plan Policy H11 and there were no material circumstances to indicate otherwise.

Also RESOLVED that if the Section 106 Agreement was not completed within the six week period mentioned above, the Senior Solicitor be requested to report the matter back to Committee.

114. Conversion of former public house and creation of building on land adjoining to form four Class A1 (retail) units, four Class A2 (financial and professional services) units, two Class A3 (restaurant) units and 14 residential apartments together with access and parking, former Four Alls Public House and Castle Moat Chambers, Corporation Street and Bath Place, Taunton (38/2005/299)

Reported this application.

RESOLVED that subject to:-

- (i) The submission of a satisfactory Flood Risk Assessment; and
- (ii) The applicants entering into a Section 106 Agreement by the 30 September 2005 to secure sport and recreation contributions and the funding for the proposed highway works, 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) C001A – time limit;
 - (b) C101 – materials;
 - (c) C324 – parking;
 - (d) C331 – provision of cycle parking;
 - (e) C416 – details of size, position and materials of meter boxes;
 - (f) C911 – aerials – combined system;
 - (g) Equipment shall be installed that will effectively suppress and disperse fumes and/or smell produced by cooking and food preparation as impacting upon neighbouring premises. The equipment shall be effectively operated for as long as the use continues. The equipment shall be installed and be in full working order prior to the commencement of use. The extraction equipment shall be regularly maintained to ensure its continued satisfactory operation. The external ducting shall be so designed that the flue discharges not less than 1m above the roof eaves level;
 - (h) Prior to the occupation of dwellings to which this permission relates, the developer shall ensure that residential flats shall not be exposed to internal noise levels of 40dB(A) LAeq 16 hour in all rooms during the day (0700 – 2300 hours) and 30dB(A) LAeq 8 hour during the night. In addition, a 45 decibel LAmax applies in all bedrooms during the night;
 - (i) C910B – archaeological investigation;
 - (j) Before any part of the permitted development is commenced, the trees adjacent to the site within the footway along Corporation Street shall be protected by a chestnut paling fence 1.5m high, in a position to be agreed, 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;

- (k) Details of the surfacing of the arcade shall be submitted to, and approved in writing by, the Local Planning Authority before any works commence;
- (l) Prior to the demolition works, a detailed measured survey and photographic record of the parts of the building to be demolished shall be submitted to, and approved in writing by, the Local Planning Authority;
- (m) No buildings shall be demolished before a contract is let to secure the redevelopment of the site.

(Notes to applicant:- (1) N123 – noise emissions; (2) Applicant was advised to protect the integrity of Wessex Water systems and agree, prior to the commencement of works on site, any arrangements for the protection of infrastructure crossing the site; (3) Applicant was advised to agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure; (4) 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 will be made at the Building Regulations stage; (5) Applicant was advised that access for fire appliances should comply with Approved Document B5 of the Building Regulations 2000; (6) 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; (7) N024 – development in accordance with approved plans; (8) N075 – Section 106 Agreement; (9) N118A – disabled access; (10) N051B – health and safety.)

Reason for planning permission, if granted:-

The mix of uses proposed was considered appropriate for this town centre location in accordance with Taunton Deane Local Plan Policies H1, H3 and S3. The proposed design would respect the character and form of both Corporation Street and the Bath Place Conservation Area to the rear. The proposal therefore complied with the requirements of Taunton Deane Local Plan Policies S2 and EN14.

Also RESOLVED that should the Section 106 Agreement not be completed by the 30 September 2005, the Development Control Manager be authorised to refuse planning permission for the reason of inadequate provision being made for sport and recreation facilities in accordance with Taunton Deane Local Plan Policy C4.

115. Demolition of existing house and replacement with building comprising 10 units for people with special care needs, 12 Moorland Close, Taunton (38/2005/322)

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues by the 14 September 2005, 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) C010 – drainage;
- (e) The bathroom windows in the first floor of the rest room gable elevation shall be obscure glazed to the satisfaction of the Local Planning Authority;
- (f) 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;
- (g) The development hereby permitted shall not be commenced until the parking and turning area has been properly consolidated and surfaced (not loose stone or gravel) in accordance with details which have been submitted to, and approved in writing by, the Local Planning Authority;
- (h) The proposed access shall incorporate splays on both its sides to the rear of the existing footway based on co-ordinates of 2m x 2m.

(Notes to applicant:- (1) Applicant was advised of a number of Wessex Water requirements; (2) N061A – Highways Act – Section 184 Permit.)

Reason for planning permission, if granted:-

The proposed development would not adversely affect visual or residential amenity, or road safety and therefore did not conflict with Taunton Deane Local Plan Policies S1, S2, H2 or H4.

116. Demolition of Building and erection of 13 flats of 1 and 2 bedroom at 46 St James Street, Taunton (38/2005/323)

Reported this application.

RESOLVED that subject to:-

- (i) The receipt of no further representations raising new issues by the 14 September 2005; and
- (ii) The developers entering into a Section 106 Agreement by the 13 October 2005 concerning recreation and play space provision, 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) C001A – time limit;
 - (b) C101 – materials;

- (c) Following approval of the brick sample, a sample panel of the brick wall and mortar shall be constructed on site and the details approved by the Local Planning Authority. The panel shall show the bonding and finish of the mortar joints and, once approved, further work shall match the approved panel;
- (d) Details and samples of the materials to be used for the surfaces of the courtyard and access drive shall be submitted to, and approved in writing by, the Local Planning Authority and no other materials shall be used without the written consent of the Local Planning Authority;
- (e) C112 – details of guttering, down pipes and disposal of rainwater;
- (f) C201 – landscaping;
- (g) The windows on the north-west side elevation shall be obscure glazed and fixed shut and no further windows or alterations to windows shall be inserted on this elevation without the prior written consent of the Local Planning Authority;
- (h) C684 – archaeological Investigation;
- (i) The windows and doors of the development hereby permitted shall be constructed of timber and thereafter timber doors and window frames shall be retained;
- (j) All external window frames shall have a minimum 80mm reveal unless otherwise agreed in writing by the Local Planning Authority;
- (k) C331 – provision of cycle parking;
- (l) Details of the provision of a bin storage area on site shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter provided prior to the first occupation of the building;
- (m) There shall be no surface water discharge to public foul sewers;
- (n) No work shall be carried out on the site on any Sunday, Christmas Day or Bank Holiday or other than between the hours of 0800 and 1700 hours on Monday to Fridays and 0800 and 1300 on Saturdays.

(Notes to applicant:- (1) Applicant was advised that conservation area consent for demolition of the existing building on site will be required; (2) Applicant was advised that during the construction of the development, consideration should be given to the elderly residents of St James' Court which adjoins the site.)

Reason for planning permission, if granted:-

The proposed development was considered to be in an appropriate sustainable location and subject to conditions to comply with Taunton Deane Local Plan Policies S1, S2, H2, N4, C4, EN14 and EN23.

Also RESOLVED that should the Section 106 Agreement not be completed by the 13 October 2005, the Development Control Manager

be authorised to refuse planning permission for reason of the proposal being contrary to Taunton Deane Local Plan Policy C4.

117. Erection of extension to factory rear of the former Wilscombe Melamine building, Ford Road, Wiveliscombe (renewal) (49/2005/043)

Reported this application.

RESOLVED that subject to:-

- (i) The receipt of no further representations raising new issues by the 21 September 2005; and
- (ii) The imposition of a noise condition to be recommended by the Environmental Health Officer, 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) C102 – materials;
 - (c) C708 – restrictive use – no storage except where stated;
 - (d) Plans showing a parking area shall be submitted to, and approved in writing by, the Local Planning Authority or, in default, by the Secretary of State for the Environment before the development is commenced. This area shall be properly consolidated, surfaced and drained before the use commences before the building(s) are occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
 - (e) The area allocated as a rear yard on the approved plan shall not be used other than for the loading/unloading and manoeuvring of vehicles in connection with the proposed development unless otherwise agreed in writing by the Local Planning Authority;
 - (f) The surface water shall be discharged to the surface water sewer.

(Notes to applicant:- (i) N024 – development in accordance with approved plans; (2) With regard to the proposed noise condition, applicant was advised that background noise levels should mean that which occur in the absence of noise from the premises to which this permission refers, expressed in terms of an appropriately rated 90th percentile level and measured at a representative time of day and for a suitable time period of not less than 15 minutes; (3) Applicant was advised that with reference to the proposed noise condition, should the noise emission limits be exceeded, a statutory noise nuisance will take place. Should this occur, best practicable means to reduce noise emissions will be required. These may include sound proofing measures incorporated in the building, the closure of doors when not in use and limits on outside working.)

Reason for planning permission, if granted:-

The proposal accorded with Taunton Deane Local Plan Policies H18 and EN14 without detriment to the character of the Conservation Area or the amenities of the neighbouring properties.

118. Erection of a canopy at Old Post Cottage, Village Road, Hatch Beachamp

Reported that a canopy had been erected without planning permission to the front of Old Post Cottage, Village Road, Hatch Beachamp following a change of use and refurbishment of the property from a shop into a dwelling.

A retrospective application to retain the canopy had been submitted but this had been refused under delegated powers during the course of last year. Further negotiations had taken place between the Conservation Officer and the owner and it had been thought the canopy was to have been removed. However, the canopy was still currently in position.

During the discussion of this item Members considered that the canopy which disguised a lintel which ran above the former shop window did not look out of place.

RESOLVED that no further action be taken.

Reason for deciding not to take any further action, contrary to the recommendation of the Development Control Manager:-

The Committee took the view that the canopy was not detrimental to the street scene.

119. Erection of fence at 38 Tyne Park, Taunton

Reported that it had been brought to the Council's attention that a fence 1.8m high and adjacent to the highway had been erected without planning permission around the boundary of 38 Tyne Park, Taunton.

Noted that Tyne Park was predominantly an open plan estate and that permitted development rights had been removed in respect of gates, walls and fences.

Although it was agreed that the current fencing was unacceptable, Members asked for further negotiations to take place to see whether an alternative boundary treatment could be agreed.

RESOLVED that, if no permission was granted for an alternative boundary treatment within six months of the date of the meeting:-

- (i) Enforcement action be taken to seek the removal of the unauthorised 1.8m high fence erected around the boundary of 38 Tyne Park, Taunton; and

- (ii) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the enforcement notice not be complied with.

120. Erection of a wall 1.8m high adjacent to the highway at Abbeywood, West Hatch

Reported that earlier in the year it had come to the Council's attention that a wall 1.8m high had been constructed around the boundary of the property known as Abbeywood, West Hatch adjacent to the highway.

The owner was advised that as the wall was over 1m high, planning permission to retain it was required.

Although no planning application was received, the wall had been reduced in height and, therefore, there was no further action the Local Planning Authority could take.

Nevertheless, the County Highway Authority was still concerned about the lack of visibility the wall had caused and wished to see it either removed or set back from the edge of the carriageway.

RESOLVED that a letter be sent to the County Highway Authority informing them that, whilst Taunton Deane Borough Council could do nothing further as far as the wall was concerned, they might wish to take the matter further for road safety reasons.

(Councillor Henley and Miss Cavill left the meeting at 6.20 pm and 7.30 pm respectively.)

(The meeting ended at 8.17 pm)