

Planning Committee – 29 March 2006

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

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

(The meeting commenced at 5.00 pm.)

33. Apologies

The Chairman (Councillor Mrs Marie Hill) and Councillors Miss Cavill, Guerrier
and Hindley.

34. Minutes

The minutes of the meeting held on 1 March 2006 were taken as read and
were signed.

35. 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 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:-

23/2005/049

**Erection of agricultural workers dwelling on land to south of
Lower Park Farm, Wiveliscombe (reserved matters)**

(Note to applicant:- Applicants attention is drawn to the conditions of
the outline consent 23/2002/027. In particular, you are advised to
submit a landscaping scheme in accordance with the plan produced by
the Council's Landscape Officer sent to your agent.)

Reason for approving detailed plans:-

The proposal was considered to comply with Government guidance and Taunton Deane Local Plan Policies S1, S7 and H12 and material considerations did not indicate otherwise.

- (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 Senior Solicitor (Mrs J M Jackson) declared a personal interest in the following application and left the meeting during its consideration.)

06/2006/002

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

Conditions

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) C201 – landscaping;
- (d) C215 – walls and fences;
- (e) Before the access hereby permitted is first brought into use, surfacing details of the proposed turning area that incorporates measures to minimise the impact upon tree roots in accordance with British Standard 5837 (Trees in relation to construction) shall be submitted to, and approved in writing by, the Local Planning Authority. Such turning space shall be kept free of obstruction at all times;
- (f) 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 purpose of access;
- (g) C917 – services – underground;
- (h) C205 – hard landscaping;
- (i) P001A – no extensions;
- (j) P003 – no ancillary buildings;
- (k) P006 – no fencing;
- (l) P010 – no further windows;
- (m) Detailed proposals for the disposal of surface water shall be submitted to, and approved in writing by, the Local Planning Authority before the commencement of development. The agreed details shall be fully implemented before the commencement of the development hereby approved;
- (n) The mitigation measures for protected species set out in the submitted survey for protected species dated 22 June 2005 and the method statement for the translocation of slow worms received on 24 February 2006 shall be carried out as part of the development.

(Notes to applicant:- (1) Applicant was advised to agree with Wessex Water, prior to the commencement of any works on site, a connection onto the Company's infrastructure; (2) N112 – energy conservation; (3) N115 – water conservation; (4) With regard to condition (m), applicant was advised that Wessex Water have confirmed that there are existing surface water drains. Surface water should also be kept separate from foul drainage. Soakaways may therefore be required that should be positioned so as not to cause damage to tree roots. You are further 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 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 the setting of adjacent listed buildings. As such, the proposal accorded with Taunton Deane Local Plan Policies S1, S2, H2, EN14, EN16 and M4.

12/2006/009

Erection of new timber stables and garaging in rear yard of farmhouse, Brook Farmhouse, Corfe

Conditions

- (a) C001A – time limit;
- (b) C102A – materials;
- (c) The development hereby approved shall be limited to the domestic and private needs of the occupiers of Brook Farmhouse and shall not be used for any business/commercial use whatsoever.

Reason for granting planning permission:-

The proposed development would not adversely affect the setting of the listed building, road safety, visual amenity or the character or appearance of the Area of Outstanding Natural Beauty. Accordingly, the proposal did not conflict with Taunton Deane Local Plan Policies S1, S2, EN16 or EN10.

14/2006/002

Erection of extension above garage to form two storey extension to side and erection of single storey lean to extension to rear of By Canal Cottage, Creech St Michael

Conditions

- (a) C001A – time limit;
- (b) C102A – materials;

(c) P011 – no windows on the south elevations.

Reason for granting planning permission:-

The proposal by reason of its siting, size, bulk and materials respected the character of the area and caused no demonstrable harm to neighbour amenity in accordance with Taunton Deane Local Plan Policies S1, S2 and H17.

20/2006/003

Removal of condition 04 of planning permission 20/1979/005 (agricultural tie) on the Old Cider House, Pickney, Kingston St Mary

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

The Committee felt that given the current decline in agriculture, the tie on the property was no longer applicable and should be removed.

25/2006/003

Formation of second borrow pit to obtain earth works construction material for proposed dam (planning permissions 25/2001/036 and to 25/2005/036), area to be back filled and restored to agricultural use when construction of dam has been completed, land west of Montys Lane, Norton Fitzwarren

Conditions

- (a) C001A – time limit;
- (b) The operations shall be completed within one year of commencement of works, unless otherwise agreed in writing by the Local Planning Authority;
- (c) The material from the borrow pit shall only be used to supply the proposed dam the subject of planning permissions 25/2001/036 and 25/2005/036;
- (d) C910B – archaeological access;
- (e) The proposal shall be carried out generally in accordance with the details submitted with the planning application, unless otherwise agreed in writing by the Local Planning Authority;
- (f) No work shall be commenced on the proposed development until such time as Montys Lane has been widened to 6m in width in accordance with the approved plans, except as otherwise agreed in writing by the Local Planning Authority.

(Notes to applicant:- (1) With regard to condition (d), applicant was advised that the County Archaeologist would be able to provide a specification for this work and a list of suitable archaeologists to undertake it; (2) Applicant was advised to ensure that there is no adverse impact on Wessex Water infrastructure; (3) Applicant was advised to have regard to the “Code of Practice on the use of borrow pits and the disposal of waste from highway construction and structural

maintenance schemes” devised in agreement and published by the Planning Officers Society and the County Surveyors Society with endorsement from the Association of Metropolitan District Engineers in 1995.)

Reason for granting planning permission:-

The proposed development was part of a package of comprehensive flood alleviation works which were proposed for Norton Fitzwarren. It was considered that the works would remove the flood plain from the village and protect existing dwellings from flood events. It would also facilitate housing development which met national policy demands. The proposal complied with Taunton Deane Local Plan Policies S1, S8, C16, EN26, EN28 and EN29.

38/2006/041

Erection of two flats and dwelling on land to east of St Albans Place and next to junction with St Patricks Road, Taunton

Conditions

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) Each dwelling hereby permitted shall not be occupied until one parking space for the dwelling has been provided in accordance with the approved plan. 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;
- (d) Parking spaces hereby permitted 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;
- (e) The parking spaces 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;
- (f) C201 – landscaping;
- (g) C215 – walls and fences;
- (h) All fenestration shall be recessed in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority before development commences;
- (i) P001A – no extensions;
- (j) P003 – no ancillary buildings;
- (k) P006 – no fencing;
- (l) All first floor windows on the western and southern elevations shall be obscure glazed and thereafter shall be so maintained and there shall be no additional windows added to these elevations without the written consent of the Local Planning Authority.

(Notes to applicant:- (1) N061A – Highways Act – Section 184 permit;
(2) Applicant was advised that two private sewers (Taunton Deane

Borough Council) cross the site and at least one of these sewers will require diversion.)

Reason for granting planning permission:-

The proposed development would not adversely affect road safety or visual or residential amenity and therefore did not conflict with Taunton Deane Local Plan Policies S1, S2, H2 or M4.

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

42/2006/002

Erection of replacement detached garage and single storey extension to rear of dwelling at Byways, Dipford Road, Trull

Conditions

- (a) C001A – time limit;
- (b) C102 – materials.

Reason for granting planning permission:-

The proposal by reason of its size, scale and materials respected the character and appearance of the dwelling and the locality and caused no demonstrable harm to residential amenity in accordance with Taunton Deane Local Plan Policies S1, S2 and H17.

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

41/2006/003

Erection of poultry building at Glebe Farm, Tolland (Scheme B, Phase 1)

Reason

The proposed development would constitute an undesirable intrusion into an attractive area of open countryside to the detriment of the visual amenities of the locality and character and appearance of the Brendons Landscape Character Area. As such, the proposal was contrary to Taunton Deane Local Plan Policies S1, S2, S7 and EN12.

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

The Committee felt that the proposal would harm the visual amenity and rural character of the area.

41/2006/004

Erection of poultry building at Glebe Farm, Tolland (Scheme B, Phase 2)

Reason

The proposed development would constitute an undesirable intrusion into an attractive area of open countryside to the detriment of the visual amenities of the locality and character and appearance of the Brendons Landscape Character Area. As such, the proposal was contrary to Taunton Deane Local Plan Policies S1, S2, S7 and EN12.

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

The Committee felt that the proposal would harm the visual amenity and rural character of the area.

36. Change of use of agricultural buildings to B1 industrial use at land and buildings formally known as Gardeners Hall Farm, Bradford on Tone (07/2006/003)

Reported this application.

RESOLVED that subject to the receipt of a satisfactory wildlife survey, 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) C001A – time limit;
- (b) C101 – materials.

Reason for planning permission, if granted:-

The proposed use was considered appropriate for the building and the proposal would not harm the integrity of the building or the character, visual and residential amenity of the area and therefore did not conflict with Policies S1, S2 AND EC6 of the Taunton Deane Local Plan.

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

The Committee was of the view that, taking into account the existing and proposed uses of the farm buildings, the use of the existing access would not present such a hazard as to justify refusal of the application.

37. Change of use and conversion of building to 75 apartments, retention of office space to frontage, roof extension, external alterations and associated facilities at Telephone House, The Crescent, Taunton (38/2006/047)

Reported this application.

RESOLVED that subject to the applicants entering into a Section 106 Agreement by 3 April 2006 relating to:-

either (1) Sport and recreation contributions, an appropriate level of affordable housing and an education contribution; or (2) 100% affordable housing to be secured through an agreement with a Registered Social Landlord, 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) C001A – time limit;
- (b) C101 – materials;
- (c) Any alterations to the existing fabric of the building shall be made good in materials to match the existing unless otherwise agreed in writing by the Local Planning Authority;
- (d) The windows hereby approved shall be of a vertical sliding sash design unless otherwise agreed in writing by the Local Planning Authority;
- (e) The windows and doors of the development hereby permitted shall be timber framed and thereafter, timber framed windows and doors shall be retained unless otherwise agreed in writing by the Local Planning Authority;
- (f) C201 – landscaping;
- (g) C215 – walls and fences;
- (h) Details and samples of the materials to be used for the surfaces of the courtyard, access and parking areas 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;
- (i) The proposed access, parking and turning area shall be constructed and marked out in accordance with details shown on drawing No 300-01-021 and shall be available for use before occupation of the dwellings hereby approved;
- (j) Before the development hereby approved is occupied, a lockable sheltered cycle parking facility shall be provided within the site;
- (k) Details of the external appearance of any refuse and cycle storage shall be submitted to, and approved in writing by, the Local Planning Authority prior to work commencing on site;
- (l) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any subsequent Order amending or revoking and re-enacting that Order) there shall be no installation of satellite dishes on the building unless an application for planning permission in that behalf is first submitted to, and approved in writing by, the Local Planning authority.

(Notes to applicant:- (1) Applicant was advised to seek provision of a communal satellite dish to serve flats within the building; (2) Applicant was advised to contact the Taunton Vision Delivery Team regarding the compatibility of the proposal and the future Crescent Car Park re-development.)

Reason for planning permission, if granted:-

The development, subject to conditions, was a sustainable town centre use that complied with Taunton Deane Local Plan Policies S1, S2, H2, H3, H10,

H19, EC9, M4, C4, C5 and EN15 and material considerations did not indicate otherwise.

Also RESOLVED that should the Section 106 Agreement not be completed by 3 April 2006, the Development Control Manager be authorised to refuse planning permission as the development would be contrary to Taunton Deane Local Plan Policies C4, C5 and H9.

38. Erection of 15 metre mast, associated antenna, ground based cabinets and ancillary equipment at Trull Green Farm, land off Claremont Lane, Trull (42/2006/005TEN)

Reported this application.

RESOLVED that subject to the receipt of satisfactory amended plans by 3 April 2006, 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) C001A – time limit;
- (b) C201 – landscaping;
- (c) C101 – materials.

(Note to applicant:- Applicant was advised that the development hereby permitted should not be carried out otherwise than in strict conformity with the details shown on the approved plans and contained in the form of application and in any other documents accompanying such application or contained in any approved amending document, unless the written consent of the Local Planning Authority is given to any variation thereto.)

Reason for planning permission, if granted:-

The siting and design of the mast minimised harm to the landscape and there were no alternative sites or solutions with less environmental impact. As such, the proposal was in accordance with Taunton Deane Local Plan Policies S1, S2 and C14.

Also RESOLVED that should the satisfactory amended plans not be submitted by 3 April 2006, the Development Control Manager be authorised to refuse planning permission as the proposal would be contrary to Taunton Deane Local Plan Policy EN6.

39. Change of use of agricultural land to domestic curtilage at land adjacent to 1 Calway Cottage, West Buckland (46/2006/001)

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues by 5 April 2006, 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) C001A – time limit;
- (b) C215 – walls and fences.

(Note to applicant:- With regard to condition (b), applicant was advised that a new hedge should be planted on the new northern boundary of the garden and appropriate details should be submitted.)

Reason for planning permission, if granted:-

The proposal did not constitute an intrusive feature and was in keeping with the character of the rural surroundings in accordance with Taunton Deane Local Plan Policies S1, S2 and S7.

40. Construction of infrastructure works including roads, sewers and drainage/flood attenuation works (Phase 2), Cotford St Luke (06/1998/042)

Reference Minute No 26/2005, reported that a site meeting had been held with representatives of the developers, the Environment Agency and the County Highway Authority to consider what options were available to increase the width to the required 2m of part of the footway/cycleway which ran northwards from Burge Crescent, Cotford St Luke.

Such widening works could not be implemented without restricting the floor and volume of the existing ditch which ran alongside the footway/cycleway. The Environment Agency had therefore stated that restrictions of this nature would not be acceptable.

Although it was unfortunate that a full width footway/cycleway could not be provided for this small 50m length of development, the route was hard surfaced to 75% of the normally required width and would link with a narrow gravel public footpath beyond the Cotford St Luke development. Due to the stance of the Environment Agency, it was considered that encroachment into the area of the adjacent ditch to provide the additional width for the footway/cycleway would be inappropriate.

Members accepted that the footway/cycleway could not be widened at its “pinch point” but felt that it should still be adopted by the County Highway Authority.

RESOLVED that subject to confirmation being received from the County Highway Authority that the footway/cycleway off Burge Crescent, Cotford St Luke would be adopted, the Development Control Manager in consultation with the Chairman be authorised to approve the amended plan under the minor amendment procedure.

41. Provision of timber lodge for residential purposes at Hele Vale Farm, Waterrow, Wiveliscombe

Reported that despite planning permission being refused, a timber lodge used for residential purposes which had been erected on land at Heale Vale Farm, Waterrow, Wiveliscombe currently remained in position.

RESOLVED that:-

- (1) Enforcement action be taken to remove the unauthorised timber lodge from the land at Hele Vale Farm, Waterrow, Wiveliscombe; 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.

42. Use of land as a scrap yard and for the stationing and residential use of caravans at the former Nursery, Wrexon, Trull, Taunton

Reference Minute No 18/2005, reported that an enforcement notice had been served on the owner of the former Nursery at Wrexon, Trull to stop using the land as a scarp yard and to station caravans.

An appeal against the enforcement notice had been lodged with The Planning Inspectorate on the basis that the use of the land had ceased and that the site was being cleared. A site visit confirmed this situation and, on that basis, the enforcement notice had been withdrawn.

However complaints had recently been received that the activity of a scrap yard had re-commenced and the site was untidier than before.

RESOLVED that:-

- (1) Further enforcement action be taken to stop the current change of use of land at the former Nursery, Wrexon, Trull; 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.

43. Access track, extension and increased roof height to building, land to the rear of Culverhay Cottage, Culverhay Lane, Wiveliscombe

Noted that this report had been withdrawn from the agenda as an application for planning permission had now been submitted.

(The meeting ended at 8.41 pm.)