

Planning Committee – 17 November 2010

Present:- Councillor Bishop (Chairman)
Councillor Mrs Hill (Vice-Chairman)
Councillors Mrs Allgrove, Coles, Denington, Gaines,
Mrs Floyd, C Hill, House, Miss James, Morrell, Mrs Smith,
Stuart-Thorn, Watson, A Wedderkopp and D Wedderkopp

Officers:- Mr B Kitching (Area Planning Manager),
Mr M Bale (West Area Co-ordinator), Mr G Clifford (East Area Co-ordinator), Mrs J Jackson (Legal Services Manager), Ms M Casey (Planning and Litigation Solicitor) and Mrs G Croucher (Democratic Services Officer)

Also present: Mrs A Elder, Chairman of the Standards Committee

(The meeting commenced at 5.00 pm)

120. Apologies/Substitution

Apologies: Councillors Bowrah and McMahon

Substitution: Councillor Stuart-Thorn for Councillor McMahon

121. Minutes

The minutes of the meeting of the Planning Committee held on 20 October were taken as read and were signed.

122. Declarations of Interest

Councillor D Wedderkopp declared a personal interest as a Member of Somerset County Council. Councillor Mrs Hill and Councillor Mrs Smith declared personal interests as employees of Somerset County Council. Councillor Miss James declared a personal interest as an employee of Viridor. Councillor Bishop declared that he had attended a parish council meeting where application No 27/10/0011 had been considered. However, he had not taken part in the discussion of the application and had not, therefore, fettered his discretion. Councillor Denington declared that he had discussed application No 38/10/0318 but did not consider that he had fettered his discretion. Councillor House declared that he had attended a parish council meeting where agenda item 8 had been discussed. However, he did not consider that he had fettered his discretion.

123. Applications for Planning Permission

The Committee received the report of the Growth and Development manager on applications for planning permission and it was **resolved** that they be dealt with as follows:-

(1) That **planning permission be granted** for the under-mentioned developments:-

27/10/0011

Change of use from redundant barn to B1 use (light industrial unit) for the manufacture of horse boxes at 1 Allerford Farm Barns, Norton Fitzwarren

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The development hereby permitted shall be carried out in accordance with the approved plans;
- (c) The site shall be used for the manufacture of horse boxes only and for no other purpose;
- (d) Noise emissions from any part of the premises or land to which this permission refers shall not exceed background levels by more than 3 decibels expressed in terms of an A-Weighted, 2 Min Leq, at any time when measured at the façade of any residential premises. Noise emissions having tonal characteristics, e.g. hum, drone, whine etc, shall not exceed background levels at any time, when measured as above. For the purposes of this permission background levels shall be those levels of noise which occur in the absence of noise from the development to which this permission relates, expressed in terms of an A-Weighted, 90th percentile level, measured at an appropriate time of day and for a suitable period of not less than 10 minutes.

(Note to applicant:- Applicant was advised to strongly encourage all vehicular traffic visiting the site to approach and leave via the B3227 to the east of the site).

Reason for granting planning permission:-

The proposed development would make a good use of an existing rural building and, given the surrounding buildings and land uses, was considered to comply with specific policy requirements for the conversion of rural buildings. The proposed development would not give rise to unacceptable landscape impacts or cause significant harm to the amenities of neighbouring residents or the highway network. As such, the proposal was considered to be acceptable and in accordance with Policies S1 (General Requirements), S2(Design), EC6 (Conversion of Rural Buildings) and EN12 (Landscape Character Areas) of the Taunton Deane Local Plan and Policies STR1 (Sustainable Development), STR6 (Development outside Towns and Villages) and 49 (Transport Requirements of New Development) of the Somerset and Exmoor National Park Joint Structure Plan Review.

38/10/0376

Change of use of dwelling to house of multiple occupation containing 8 units and one self-contained unit to include part conversion of garage to residential and erection of single storey extension to rear of 80 Alma Street, Taunton

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The development hereby permitted shall be carried out in accordance with the approved plans;
- (c) Before the development hereby approved is occupied, the area allocated for the storage of refuse and cycles as shown on the submitted site plan, shall be made available for this purpose and shall thereafter remain available and not be used for any purpose, other than for the storage of refuse and cycles in connection with the development hereby permitted. The cycle storage shall be fully lockable.

(Note to applicant:- Applicant was advised that (1) Although not shown on the public sewer record drawing it was possible there may be a sewer crossing the site that, by virtue of its age, could be deemed a public sewer under the former Section 24 provision of the Public Health Act 1936. Wessex Water was currently reviewing available data on these sewers in order to update and revise its sewer records, thus indicating these as 'public' in appropriate cases. Public sewerage apparatus is covered by statutory easement and no new building or similar works will normally be allowed within a minimum of 3m of this apparatus; (2) Applicant was advised that surface water should not be discharged to the foul sewer; (3) Applicant was advised that it will be necessary to agree points of connection with Wessex Water for water supply and the satisfactory disposal of foul flows; (4) Applicant was advised of the importance of checking with Wessex Water to ascertain whether there may be any uncharted sewers or water mains within, or very near to, the site. If any such apparatus exists the exact position on the design site layout should be plotted to assess the implications. Please note that the grant of planning permission does not, where apparatus will be affected, change Wessex Water's ability to seek agreement as to the carrying out of diversionary and/or conditioned protection works at the applicant's expense or, in default of such agreement, the right to prevent the carrying out of any such development proposals as may affect its apparatus).

Reason for granting planning permission:-

The proposed house in multiple occupation was not considered an inappropriate use in this location and, due to the close proximity to the town centre facilities, was acceptable as a car free development. Cycle storage would be provided to encourage sustainable transport methods. The proposal would not result in harm to the street scene or the appearance of the surrounding area and would not result in material detriment to the residential amenities of the occupiers of nearby properties. As such, the proposal was in accordance with Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design) and M4 (Residential Parking Provision).

(2) That **planning permission be refused** for the under-mentioned development:-

38/10/0318

Change of use of part of land to store 2 no mobile trailers at 31 Shoreditch Road, Taunton (retrospective)

Reasons

The proposed commercial vehicle storage, due to their size, height and advertisements, would have an adverse impact on the visual and residential amenity of neighbours contrary to Policy S1(D) of the Taunton Deane Local Plan.

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

The Committee considered that the vehicles were contrary to the visual amenity of the area.

124. Modification or discharge of a Planning Obligation (Section 106 Agreement), Manor Barton, Stoke Road, North Curry

Reported that an application to vary an existing Section 106 Agreement at Manor Barton, Stoke Road, North Curry to allow non-family members to occupy the annexe had been refused in April 2010.

The application was unusual and, as there was no set procedure to deal with this type of application, Ward Councillors and Parish Councils had, at the time not been consulted. However, following reconsideration of this matter the Ward Councillors and Parish Councils had now been given the opportunity to make comment.

As a result of the representations received, the matter had been referred to the Committee to determine.

In the view of the Growth and Development Manager there had been no physical change in the layout of the buildings or to the junction to Stoke Road that would overcome the original objections to the provision of a separate unit of accommodation.

Despite this, the Committee felt the request to modify the Section 106 Agreement was acceptable.

Resolved that the modification of the Section 106 Agreement at Manor Barton, Stoke Road, North Curry be agreed.

125. Appeals

Reported that one new appeal had been lodged, details of which were submitted.

Also reported that one appeal decision had been received, details of which were submitted.

(The meeting ended at 7.15 pm.)