

Planning Committee

You are requested to attend a meeting of the Planning Committee to be held in The John Meikle Room, The Deane House, Belvedere Road, Taunton on 9 April 2014 at 17:00.

Agenda

- 1 Apologies.
- 2 Minutes of the meeting of the Planning Committee held on 19 March 2014 (attached).
- 3 Public Question Time.
- 4 Declaration of Interests
To receive declarations of personal or prejudicial interests, in accordance with the Code of Conduct.
- 5 13/13/0004/LB Installation of an 18 tube solar thermal hot water system on south facing left hand side roof of the Lodge, Cothelstone (as amended by agent's e-mail dated 24 March 2014).
- 6 14/13/0049 Reserve Matters application in respect of conditions 1, 2, 3, 4, 5, 6, 7, 8, 9, 13 and 14 for the residential development of 35 no. dwelling houses and recreational open space and drainage works at land to south of Hyde Lane, Creech St Michael (outline 14/12/0036).
- 7 15/14/0001 Replacement of single storey lean to with two storey extension and replacement detached garage at New England, Curland.
- 8 27/14/0002 Formation of vehicular access to serve dwelling and boarding cattery and blocking up of original access at Higher Knapp Farm, Hillfarrance.
- 9 38/14/0040 Erection of 3 no. single storey 1 bedroomed flats on land to the rear of 17 and 18 Alma Street, Taunton.
- 10 Planning Appeals - The latest appeals and decisions received (attached).

22 April 2014

Members of the public are welcome to attend the meeting and listen to the discussions.

There is time set aside at the beginning of most meetings to allow the public to ask questions.

Speaking under “Public Question Time” is limited to 4 minutes per person in an overall period of 15 minutes. The Committee Administrator will keep a close watch on the time and the Chairman will be responsible for ensuring the time permitted does not overrun. The speaker will be allowed to address the Committee once only and will not be allowed to participate further in any debate.

Except at meetings of Full Council, where public participation will be restricted to Public Question Time only, if a member of the public wishes to address the Committee on any matter appearing on the agenda, the Chairman will normally permit this to occur when that item is reached and before the Councillors begin to debate the item.

This is more usual at meetings of the Council’s Planning Committee and details of the “rules” which apply at these meetings can be found in the leaflet “Having Your Say on Planning Applications”. A copy can be obtained free of charge from the Planning Reception Desk at The Deane House or by contacting the telephone number or e-mail address below.

If an item on the agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group.

These arrangements do not apply to exempt (confidential) items on the agenda where any members of the press or public present will be asked to leave the Committee Room.

Full Council, Executive, Committees and Task and Finish Review agendas, reports and minutes are available on our website: www.tauntondeane.gov.uk



Lift access to the John Meikle Room and the other Committee Rooms on the first floor of The Deane House, is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available off the landing directly outside the Committee Rooms.



An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter.

For further information about the meeting, please contact the Corporate Support Unit on 01823 356414 or email r.bryant@tauntondeane.gov.uk

If you would like an agenda, a report or the minutes of a meeting translated into another language or into Braille, large print, audio tape or CD, please telephone us on 01823 356356 or email: enquiries@tauntondeane.gov.uk

Planning Committee Members:-

Councillor B Nottrodt (Chairman)
Councillor S Coles (Vice-Chairman)
Councillor J Allgrove
Councillor C Bishop
Councillor R Bowrah, BEM
Councillor E Gaines
Councillor C Hill
Councillor M Hill
Councillor L James
Councillor I Morrell
Councillor P Tooze
Councillor P Watson
Councillor A Wedderkopp
Councillor D Wedderkopp
Councillor G Wren

Planning Committee – 19 March 2014

Present: - Councillor Nottrodt (Chairman)
Councillor Coles (Vice Chairman)
Councillors Mrs Allgrove, Bishop, Bowrah, Gaines, C Hill, Mrs Hill,
Horsley, Morrell, Tooze, Watson, A Wedderkopp, D Wedderkopp and
Wren

Officers: - Bryn Kitching (Development Management Lead), Tim Burton (Assistant
Director – Planning and Environment), Gareth Clifford (Area Co-
ordinator – East), Matthew Bale (Area Co-ordinator – West), John
Burton (Major Applications Co-ordinator), Roy Pinney (Legal Services
Manager), Maria Casey (Planning and Litigation Solicitor) and Tracey
Meadows (Corporate Support Officer)

Also present: Mrs A Elder, a Co-opted Member of the Standards Committee.
Councillors Edwards and Farbahi in connection with application Nos
05/13/0067 and 42/13/0079. Councillors D Durdan and Henley in
connection with application No 31/13/0025. Councillor Mrs Waymouth
in connection with enforcement item No E/0239/34/13

(The meeting commenced at 5.00 pm)

30. Apology/Substitution

Apology: Councillor Miss James.

Substitution: Councillor Horsley for Councillor Miss James.

31. Minutes

The minutes of the meetings of the Planning Committee held on 26 February
2014 were taken and read and were signed.

32. Declarations of Interest

Councillor Nottrodt declared a personal interest as a Director of Southwest
One. He also declared that he had attended a briefing session at the
Somerset College. He felt that he had not “fettered his discretion”. He went
on to declare that he was one of the Ward Councillors for application No
E/0239/34/13, but felt that he had not “fettered his discretion”. Councillor Mrs
Hill declared a personal interest as an employee of Somerset County Council.
Councillor Horsley declared a personal interest as a member of Taunton
Forward. Councillors Coles, A Wedderkopp and D Wedderkopp declared
personal interests as Members of Somerset County Council. Councillor
A Wedderkopp also declared that he had attended a meeting at Trull Parish
Council for application Nos 05/13/0067 and 42/13/0079, but felt that he had
not “fettered his discretion”. Councillor Bowrah declared that application No
E/0231/43/13 had been discussed at the Wellington Town Council meeting
when he was present. He felt that he had not “fettered his discretion”.

Councillor Tooze declared a personal interest as an employee of UK Hydrographic Office. He also declared that he knew the developer for application No 31/13/0025, but felt that he had not “fettered his discretion”. Councillor Wren declared a personal interest as an employee of Natural England.

33. 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 development:-

24/14/0002

Construction of a footpath with associated fencing and surface on land between Nine Acre Lane and Overlands, North Curry

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The proposal hereby granted shall be carried out strictly as specified in the recommendations proposed in the ‘Ecological Survey’, prepared by Michael Woods Associates, and dated January 2014. This document forms part of the permission hereby granted and the further survey work it requires will need to be carried out in full as stated under the supervision of a competent and suitably qualified expert;
- (c) Before the hard surfaced areas hereby approved are constructed and used, or at such other time as may have been agreed in writing with the Local Planning Authority full details of the colour, type and texture shall be submitted to, and approved by, the Local Planning Authority. The development shall then be completed strictly in accordance with these approved details and retained as such at all times thereafter, unless otherwise agreed in writing by the Local Planning Authority;
- (d) Before the plans hereby approved are begun or implemented, further details shall have been submitted to, and approved by, the Local Planning Authority detailing how the entrance shown as ‘D’ on the submitted plans which links to the public highway at Overlands, will meet the Highway Authority’s design standards and demonstrate how the potential for pedestrian, cyclist and vehicular conflict along Nine Acre Lane will be dealt with and overcome. Any measures deemed necessary by either the Local Planning Authority or the Highway Authority shall then be implemented in full before the path is used, and remain in place at all times thereafter as approved unless the consent of the Local Planning Authority has first been obtained for any change or variation.

(Notes to applicant:- (i) Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council had worked in a positive and pro-active way with the applicant and had negotiated amendments to the application to enable the grant of planning permission; (ii) Applicant was advised that the permission hereby granted permits the erection of fencing and hard surfacing only, subject to the conditions attached, and does not in any way create a public right of way, nor does it grant public rights of access over the land the subject of this permission. Any proposal for the creation of a formal Public Right of Way, easement or any other form of public access would need to be the subject of a separate application under the appropriate legislation, namely, S.25 or S.26 of the Highway Act 1980; (iii) Applicant was advised that the proposed alignment for this new path will cross an existing Public Right of Way in the south-eastern field. The applicant will therefore need to contact the Rights of Way section at Somerset County Council to see whether any diversion orders, changes or other requirements will need to be met.)

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

31/13/0025

Erection of 26 No. affordable houses and associated parking on land at junction of A358 and Stoke Road adjoining Laburnum Terrace, Henlade, Ruishton

Reason

It has not been satisfactorily demonstrated that surface water can be sufficiently attenuated or that the proposed route of surface water discharge will not give rise to additional off-site flooding to existing residential properties in Lower Henlade. It is, therefore, contrary to Policy CP8 of the Taunton Deane Core Strategy and the advice contained in the National Planning Policy Framework (NPPF).

(Note to applicant:- Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council works in a positive and pro-active way with applicants to look for solutions to enable the grant of planning permission. However in this case the applicant was unable to satisfy the key policy test and as such the application has been refused.)

- 34. Provision of student accommodation comprising up to 210 bed spaces, associated parking, landscaping and provision of sports pitches, including an all weather floodlit pitch, at Somerset College of Arts and Technology, Wellington Road, Taunton (05/13/0067)**

Reported this application.

Resolved that subject to:-

(1) The proposed loss of playing field provision being referred to the Secretary of State; and

(2) The applicants entering into a Section 106 Agreement to secure the improvements to Castle School all weather pitch and track or suitable alternative facilities in the area; Provision of a community use agreement for all the Somerset College sports facilities and linking the timing of the student accommodation provision to development at Canonsgrove,

the Growth and Development Manager be authorised to determine the application in consultation with the Chairman or Vice-Chairman and, if outline planning permission was granted the following conditions be imposed:-

- (a) Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called “the reserved matters”) shall be obtained from the Local Planning Authority in writing before any development is commenced. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of three years from the date of this permission. The development hereby permitted shall be begun, not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved;
- (b) The student accommodation hereby approved shall be used only in conjunction with students undertaking higher educational courses, persons with a connection with the educational activities of the College, a residential warden and/or students working at the hospital;
- (c) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority;
- (d) No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall ensure that surface water run-off rates from the developed site are restricted to a maximum rate of not more than two litres per second per hectare for all storm periods up to and including the 1 in 100 year plus climate change event. The scheme shall include maintenance roles and responsibilities for all drainage infrastructure. The development shall subsequently be implemented in accordance with the approved scheme within a timetable to be agreed in writing by the Local Planning Authority. The development shall subsequently be implemented in accordance with the details approved;

- (e) The student accommodation shall not be occupied until a parking scheme for the site, including at least 20 spaces and eight disabled ones, has been submitted to, and agreed in writing by, Local Planning Authority and thereafter provided as agreed;
- (f) The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall be based on the advice of WYG's Extended Phase 1 Habitat Survey Report dated December 2013, Bat Activity Survey Report dated January 2014, Great Crested Newt survey report dated January 2014, Hazel Dormouse Survey dated January 2014 and an up to date Badger Survey and include:-
- Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
 - Details of the timing of works to avoid periods of work when the species could be harmed by disturbance;
 - Measures for the retention and replacement and enhancement of places of rest for the species; and
 - Details of lighting.

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for wildlife shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bird and bat boxes and related accesses have been fully implemented;

- (g) No development shall commence until a Travel Plan for this development has been submitted to, and approved in writing by, the Local Planning Authority. The approved plan implemented within two months of the development being first used or occupied. A person shall be identified as a co-ordinator and point of contact for the purposes of the Plan. The Travel Plan shall be carried out as approved;
- (h) Details of the floodlighting of the training pitch including heights and light levels shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter carried out as agreed. The floodlighting permitted shall be illuminated only between the hours of 14:00 and 22.00 Monday to Saturday and 14:00 and 18:00 on Sundays;
- (i) (i) Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to, and approved in writing by, the Local Planning Authority; (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 each landscaping scheme, the trees and

shrubs shall be protected and maintained in a healthy weed free condition 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;

- (j) Before any part of the development hereby permitted is commenced, a scheme of hard landscaping showing the layout of areas with stones, paving, walls, cobbles or other materials shall be submitted to, and approved in writing by, the Local Planning Authority. Such scheme shall be completely implemented before the development hereby permitted is occupied;
- (k) Details of the siting of any temporary building(s) construction and materials storage compound will be agreed in writing before commencement of works on site. The above details shall also include details of where soil is to be stored on site;
- (l) Before any part of the development hereby permitted is commenced a plan showing:- (a) The location of and allocating a reference number to each existing tree on the site which has a stem with a diameter exceeding 100mm, showing which trees are to be retained and which are to be removed and the crown spread of each retained tree (in accordance with Section 5 of BS 5837:2012); and (b) Details of the species, height, trunk diameter at 1.5 m above ground level, age, vigour and canopy spread of each tree on the site and on land adjacent to the site;
- (m) In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of five years from the date of the occupation of the building for its permitted use.
 - (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with [British Standard 3998:2012 (Tree Work)].
 - (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority;
- (n) Before development commences (including site clearance and any other preparatory works) a scheme for the protection of trees to be retained shall be submitted to, and approved in writing by, the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with BS 5837:2012. Such fencing shall be erected prior to commencement of any other site operations and at least two working days notice shall be given to the Local Planning Authority that it has been

erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority;

- (o) Prior to commencement of trenching works within the canopy spread of existing trees, all trenching works shall be agreed with the Local Planning Authority. All trenching works shall be hand dug and no roots larger than 20mm in diameter shall be severed without first notifying the Local Planning Authority. Good quality topsoil shall be used to backfill the trench and compacted without using machinery;
- (p) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved;

(Notes to applicant:- (i) Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council had worked in a positive and pro-active way with the applicant and had negotiated amendments to the application to enable the grant of planning permission; (ii) Applicant was advised that the condition relating to wildlife requires the submission of information to protect the species. The Local Planning Authority will expect to see a detailed method statement clearly stating how wildlife will be protected through the development process and to be provided with a mitigation proposal that will maintain favourable status for wildlife that are affected by this development. It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.)

35. Residential development comprising up to 32 dwellings with associated parking and landscaping at Canonsgrove Halls of residence, Honiton Road, Staplehay (as amended) (42/13/0079)

Reported this application.

Resolved that subject to:-

- (1) The proposed loss of playing field provision being referred to the Secretary of State; and
- (2) The applicants entering into a Section 106 Agreement to secure the maintenance for play area and open space, wildlife areas and water attenuation feature at Canonsgrove, and linking the timing of the residential

development at Canonsgrove to student accommodation provision at Somerset College,

the Growth and Development Manager be authorised to determine the application in consultation with the Chairman or Vice-Chairman and, if outline planning permission was granted, the following conditions be imposed:-

- (a) Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of three years from the date of this permission. The development hereby permitted shall be begun, not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved;
- (b) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority;
- (c) No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall ensure that surface water run-off rates from the developed site are restricted to a maximum rate of not more than two litres per second per hectare for all storm periods up to and including for the 1 in 100 year plus climate change event and shall include details of phasing and maintenance for all surface water drainage infrastructure. The development shall subsequently be implemented in accordance with the details approved;
- (d) The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of WYG's Extended Phase 1 Habitat Survey Report dated December 2013, Bat Activity Survey Report dated January 2014, Great Crested Newt survey report dated January 2014, Hazel Dormouse Survey dated January 2014 and Reptile survey dated January 2014 and include:-
 - Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
 - Details of the timing of works to avoid periods of work when the species could be harmed by disturbance;
 - Measures for the retention and replacement and enhancement of

- places of rest for the species; and
- Details of lighting.

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for wildlife shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bird and bat boxes and related accesses have been fully implemented;

- (e) (i) Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to, and approved in writing by, the Local Planning Authority; (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 each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition 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;
- (f) Details of the siting of any temporary building(s) construction and materials storage compound will be agreed in writing before commencement of works on site. The above details should also include details of where soil or materials is to be stored on site;
- (g) Before any part of the development hereby permitted is commenced a plan showing:-
 - (a) The location of and allocating a reference number to each existing tree on the site which has a stem with a diameter exceeding 100mm, showing which trees are to be retained and which are to be removed and the crown spread of each retained tree (in accordance with Section 5 of BS 5837:2012); and
 - (b) Details of the species, height, trunk diameter at 1.5 m above ground level, age, vigour and canopy spread of each tree on the site and on land adjacent to the site;
- (h) In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of five years from the date of the occupation of the building for its permitted use;
 - (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local

Planning Authority. Any topping or lopping approved shall be carried out in accordance with [British Standard 3998:2012 (Tree Work)];

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority;

- (i) Before development commences (including site clearance and any other preparatory works) a scheme for the protection of trees to be retained shall be submitted to, and approved in writing by, the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with BS 5837:2012. Such fencing shall be erected prior to commencement of any other site operations and at least two working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority;
- (j) Prior to commencement of trenching works within the canopy spread of existing trees all trenching works shall be agreed with the Local Planning Authority. All trenching works shall be hand dug and no roots larger than 20mm in diameter shall be severed without first notifying the Local Planning Authority. Good quality topsoil shall be used to backfill the trench and compacted without using machinery;
- (k) A children's play area shall be provided in accordance with the Local Planning Authority's approved standards and the detailed site layout shall provide for this accordingly. This area shall be laid out to the satisfaction of the Local Planning Authority within 18 months of the date of commencement of development unless otherwise agreed in writing by the Local Planning Authority and shall thereafter be used solely for the purpose of children's recreation;
- (l) No development shall commence until a Travel Plan for this development shall be submitted to, and approved in writing by, the Local Planning Authority. The approved plan implemented within two months of the development being first used or occupied. A person shall be identified as a co-ordinator and point of contact for the purposes of the Plan. The Travel Plan shall be carried out as approved;
- (m) At the proposed access there shall be no obstruction to visibility greater than 300mm above adjoining road levels within the visibility splays shown on the submitted plan (00244_L021RevG). Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times;

- (n) There shall be an area of hard standing at least 6m in length (as measured from the nearside edge of the highway to the face of the garage doors), where the doors are of an up-and-over type;
- (o) The gradients of the proposed drives to the dwellings hereby permitted shall not be steeper than 1 in 10 and shall be permanently retained at that gradient thereafter at all times;
- (p) Prior to the commencement of development hereby permitted a drainage survey shall be carried out and submitted in writing by the Local Planning Authority and no work shall commence on the development site until an appropriate right of discharge for surface water has been obtained before being submitted to, and approved in writing by, the Local Planning Authority. A drainage scheme for the site showing details of gullies, connections, soakaways and means of attenuation on site shall be submitted to, and approved in writing by, the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority;
- (q) The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway;
- (r) In the interests of sustainable development, none of the dwellings hereby permitted shall be occupied until a network of cycleway and footpath connections has been constructed within the development site in accordance with a scheme to be submitted to, and approved in writing by, the Local Planning Authority prior to the commence of development;
- (s) The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle, and cycle parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority;

(Note to applicant:- Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council had worked in a positive and pro-active way with the applicant and had negotiated amendments to the application to enable the grant of planning permission.)

36. Demolition of Snooker Hall and erection of 29 No one bedroom apartments and 11 No two bedroom apartments with ancillary bike storage and car parking at the former Rileys Snooker Club, 1 Kingston Road, Taunton (38/13/0420)

Reported this application.

Resolved that subject to the applicants entering into a Section 106 Agreement to secure the following:-

- 25% affordable housing;
- A Travel Plan;
- A contribution of £2,904 for each two bed dwelling being made towards the provision of children's play;
- A contribution of £1,571 for each dwelling being made towards the provision of facilities for active outdoor recreation;
- A contribution of £209 per dwelling being sought for allotment provision;
- A contribution of £1,208 per dwelling towards local community hall facilities;
- A public art contribution, either by commissioning and integrating public art into the design of the building and public realm or by a commuted sum to the value of 1% of the development costs;

(Note - Should the decision be issued after the 1 April 2014, other than the affordable housing element, children's play and Travel Plan, the other Section106 elements of the scheme above would be liable for CIL instead.)

the Growth and Development Manager be authorised to determine the application in consultation with the Chairman or Vice-Chairman and, if planning permission was granted, the following conditions be imposed:-

(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 following approved plans:-

- (A4) DrNo 13.17.01 Location Plan;
- (A4) DrNo 13.17.02 Site Plan;
- (A2) DrNo 13.17.03 Topographical Survey;
- (A1) DrNo 13.17.04 Existing Elevations;
- (A1) DrNo 13.17.10A Site Plan;
- (A1) DrNo 13.17.11B Proposed Plans;
- (A2) DrNo 13.17.12A Proposed Elevations;
- (A1) DrNo 13.17.13A 3D Model Context Views;
- (A3) DrNo 13.17.14A Proposed Street Elevations;
- (A1) DrNo 13.17.15 Cross Section;
- (A2) DrNo 13.17.16 Existing Cross Section; and

- (A4) Materials schedule;
- (c) Only those materials specified in the submitted schedule, notwithstanding the stone, shall be used in carrying out the development hereby permitted unless otherwise agreed in writing with the Local Planning Authority;
- (d) The development hereby permitted shall not be commenced until details of a mitigation strategy to accommodate bats and birds has been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall be based on the advice of Richard Green Ecology Limited submitted report dated October 2013, and shall include measures for the enhancement of places of rest for bats and nesting birds. Once approved, the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for bats and nesting birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bat and bird boxes and related accesses have been fully implemented;
- (e) Provision shall be made for combined radio and TV/satellite aerial facilities to serve the development hereby permitted and no external radio, TV or satellite aerial shall be fixed on any individual residential property or flat or other unit of living accommodation;
- (f) The window(s) and/or balconies in the north elevation of flats 24 and 33 and the western stairwell shall be glazed with obscure glass in a manner to be agreed in writing by the Local Planning Authority and shall thereafter be so retained. There shall be no alteration or additional windows in this elevation without the further grant of planning permission;
- (g) The bin storage facilities shown on the submitted plan shall be constructed and fully provided prior to occupation of the dwelling(s) hereby permitted, and shall thereafter be retained for those purposes, unless otherwise agreed in writing by the Local Planning Authority;
- (h) The cycle storage facilities shown on the submitted plan shall be constructed and fully provided prior to occupation of the dwelling(s) hereby permitted, and thereafter 49 spaces shall be retained for those purposes unless otherwise agreed in writing by the Local Planning Authority;
- (i) (i) Before part of the development is occupied, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority. (ii) The scheme shall be completely carried out within the first available planting season from the date of occupation 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 each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition 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;

- (j) No demolition shall be undertaken until the implementation of an appropriate programme of building recording and analysis has been agreed in writing with the Local Planning Authority to be carried out by a specialist acceptable to the Local Planning Authority and such work shall be carried out in accordance with the written brief;
- (k) The glazing and ventilation installed at the development shall be Rehau70 double glazing (and Rehau70 triple glazing on façades facing the railway line and Kingston Road) with ventilation using Greenwood MA3150 acoustic wall vents. If the developer proposes to use glazing and ventilation different to that agreed they shall submit to the Planning Authority all details of the alternative sound reduction scheme and the reasoning upon which this is based. Such details are to be agreed, in writing, by the Local Planning Authority prior to the commencement of development works. All works that form part of the scheme shall be completed before the development is occupied;
- (l) Notwithstanding the submitted stone samples no wall construction shall begin until a panel of the proposed stone measuring at least 1m x 1m has been built on the site and both the materials and the colour and type of mortar for pointing used within the panel have been agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed details and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

(Note to applicant:- Applicant was advised that In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council had worked in a positive and pro-active way with the applicant and had negotiated amendments to the application to enable the grant of planning permission.)

37. E/0177/49/13 – Change of use of the old dog kennels to residential on land adjacent to Wivey View, Wiveliscombe

Reported that a complaint had been brought to the attention of the Council in September 2013 concerning the conversion and residential occupation of a converted dog kennel without the relevant planning permission at land adjacent to Wivey View, Wiveliscombe.

A site visit was carried out and the owner was advised of the need for planning permission to retain the building as a unit of accommodation. An application for a Certificate of Lawfulness had been received in December 2013 but this had subsequently been refused in January 2014.

The site was in open countryside where there was a strong presumption against new residential development. The development conflicted with established planning policies that sought to prevent such development and as such it was considered to be unacceptable.

Resolved that:-

- (1) An enforcement notice be served to secure the cessation of the use of the building for residential occupation and the removal of the kitchen and bathroom facilities from the building at Wivey View, Wiveliscombe;
- (2) Any enforcement notice served should have one month compliance period; and
- (3) Subject to being satisfied with the evidence, the Solicitor to the Council be authorised to take prosecution action should the notice not be complied with.

38. E/0231/43/13 – Unauthorised use of annexe as separate unit of accommodation at 46 Wellesley Park, Wellington

Reported that a complaint had been received that an annexe was being used as a separate unit of accommodation at 46 Wellesley Park, Wellington.

The owner of the property had been advised that planning permission to retain the annexe as a separate unit of accommodation was required however, to date, an application to regularise the situation had not been forthcoming;

With regard to amenity, the Development Management Lead was of the view that the use of the annexe as an independent unit of accommodation was not in its present form, considered to have an adverse impact upon neighbouring residents.

Resolved that no further action be taken.

39. E/0171/44/12 – Stationing of caravan on land opposite Gidland's House, Wellington Hill, Wellington

Reported that it had come to the Council's attention that a caravan had been statione without planning consent on land opposite Gidland's House, Wellington Hill, Wellington.

The owner of the land had been contacted who had confirmed that she required the caravan in connection with tending her animals. At the time of the site visit there was a chicken in a small coop and some horses., but the owner had stated that more animals were to be brought onto the site in the coming months.

Further investigations had revealed that no further animals were currently kept on the land and the caravan was therefore not needed for the purposes of agriculture.

In summary, there was no requirement or need for the caravan to be on the site and did not provide any function that could not be undertaken by the existing timber buildings that existed on the land.

Resolved that:-

- (1) An enforcement notice be served for the removal of the touring caravan from the land opposite Gidland's House, Wellington Hill, Wellington;
- (2) Any enforcement notice served should have 30 day compliance period and;
- (3) Subject to being satisfied with the evidence, the Solicitor to the Council be authorised to take prosecution action should the notice not be complied with.

40. E/0239/34/13 – Non compliance with Agricultural Tie at Manor Farm, Manor Meadow, Staplegrove

Reported that in March 2011, an enquiry was received regarding the procedure for the removal of an agricultural tie on Manor Farm, Manor Meadow, Staplegrove.

The Local Planning Authority had advised that it would be necessary to submit a planning application together with evidence to demonstrate that an agricultural workers dwelling in the locality no longer warranted reserving the house for that purpose. In order to achieve this, it would be necessary to market the property for a minimum of 12 months at a realistic price reflecting the occupancy condition.

A site visit was carried out in early January 2014 and the owners were again made aware of the procedure they needed to follow if they wished to see the agricultural tie removed. To date no response had been received and the property continued to be occupied not in accordance with the tie.

Resolved that:-

- (1) An enforcement notice be served seeking the cessation of the property known as Manor Farm, Manor Meadow, Staplegrove being occupied by persons not complying with the agricultural tie;
- (2) Any enforcement notice served should have an 18 month compliance period; and

(3) Subject to being satisfied with the evidence, the Solicitor to the Council be authorised to take prosecution action should the notice not be complied with.

41. E/0128/10/13 – Mobile home remaining on site after expiry of temporary planning permission at Fairfield Stables, Moor Lane, Churchinford

Reported that following the expiration of a temporary planning permission granted on appeal, the owner/occupier of a mobile home on land at Fairfield Stables, Moor Lane, Churchinford had been advised that should they wish to remain on the site they would need to submit a further application for consideration.

Although an application was received in October 2013 it was incomplete and was unable to be validated despite several efforts to obtain the required information.

As such, the caravan was currently on the land without planning consent.

Resolved that:-

- (1) An enforcement notice be served seeking the cessation of the residential use and the removal of the unauthorised mobile home on land at Fairfield Stables, Moor Lane, Churchinford;
- (2) Any enforcement notice served should have three month compliance period; and
- (3) Subject to being satisfied with the evidence, the Solicitor to the Council be authorised to take prosecution action should the notice not be complied with.

42. Appeals

Reported that five decisions were received details of which were submitted.

Resolved that the reports be noted.

(The meeting ended at 10.37pm)

Declaration of Interests

Planning Committee

- Members of Somerset County Council – Councillors Coles, A Wedderkopp and D Wedderkopp
- Employee of Somerset County Council – Councillor Mrs Hill
- Employee of Somerset College – Councillor Ms James
- Director of Southwest One – Councillor Nottrodt
- Employee of UK Hydrographic Office – Councillor Tooze
- Employee of Natural England – Councillor Wren

13/13/0004/LB

MR WARMINGTON

INSTALLATION OF AN 18 TUBE SOLAR THERMAL HOT WATER SYSTEM ON SOUTH FACING LEFT HAND SIDE ROOF OF THE LODGE, COTHELSTONE (AS AMENDED BY AGENT'S E-MAIL DATED 24 MARCH 2014).

Location: THE LODGE, COTHELSTONE ROAD, BISHOPS LYDEARD,
TAUNTON, TA4 3DS

Grid Reference: 317821.131416

Listed Building Consent: Works

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

RECOMMENDED CONDITION(S) (if applicable)

1. The works for which consent is hereby granted shall be begun not later than the expiration of three years from the date of this consent.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended by S51(4) Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A4) Site Plan

(A4) Location Plan

(A3) Dr No A149/7474/1 South Elevation and Basic Roof Plan

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Only those materials specified in the application shall be used in carrying out the works hereby approved unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of preserving the listed building, its setting and any features of historic or architectural interest that it possesses, in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CP8 of the Taunton Deane Strategy and Sections 10 and 12 of the National Planning Policy Framework.

Notes to Applicant

PROPOSAL

The application is for the installation of a 18 tube solar thermal hot water system on the south facing roof.

This application is before Committee, as the applicant is related to a member of the Council.

SITE DESCRIPTION AND HISTORY

The Lodge is a grade 2 listed detached former lodge to Cothelstone House (the latter demolished mid C20). The building is single storey with a slate roof and rendered elevations. The roof is hidden from view by parapets.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

BISHOP LYDEARD & COTHELSTONE PARISH COUNCIL - supports (no reasons given)

THE QUANTOCK HILLS AONB SERVICE - no comments received.

Representations

none received

PLANNING POLICIES

Sections 10 (Meeting the Challenge of Climate Change) and 12 (Environment) of the National Planning Policy Framework.
CP8 - CP 8 ENVIRONMENT,

DETERMINING ISSUES AND CONSIDERATIONS

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires that, when determining listed building applications, special regard shall be paid to the desirability of preserving the building, its setting and any features of architectural or historic interest it possesses.

The application proposal is for the installation of a 18 tube solar thermal hot water system. These and solar panels, are very often hard to accommodate on listed buildings, as they clearly are best sighted on southern roof slopes, which are usually the principal elevation. In this case the principal elevation is west, facing the former drive to Cothelstone House (demolished mid C20). In addition, as the lodge was designed with parapets, the system will not be visible other than from the air,

involves minimal fixings and is reversible without loss of historic fabric. As such the proposal is deemed to accord with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CP8 of the Taunton Deane Strategy and Sections 10 and 12 of the National Planning Policy Framework.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

CONTACT OFFICER: Ms D Hartnell Tel: 01823 356492

14/13/0049

LINDEN HOMES WESTERN

RESERVE MATTERS APPLICATION IN RESPECT OF CONDITIONS 1, 2, 3, 4, 5, 6, 7, 8, 9, 13 AND 14 FOR THE RESIDENTIAL DEVELOPMENT OF 35 NO. DWELLING HOUSES AND RECREATIONAL OPEN SPACE AND DRAINAGE WORKS AT LAND TO SOUTH OF HYDE LANE, CREECH ST MICHAEL (OUTLINE 14/12/0036)

Location: LAND TO SOUTH OF HYDE LANE, CREECH ST MICHAEL

Grid Reference: Reserved Matters

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval subject to the receipt of revised plans to show amended bin store locations and updated planting schedule with future maintenance agreements.

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

This list is liable to change before Committee.

- (A0) DrNo 4901:P01 Rev D Preliminary Drainage Strategy
- (A1) DrNo AHL01 Rev C Affordable Housing Layout 01
- (A1) DrNo BP01 Rev B Boundary Plan 01
- (A1) DrNo EL01 Existing Site Layout
- (A1) DrNo LP01 Location Plan 01
- (A1) DrNo ML01 Rev C Materials Layout 01
- (A1) DrNo SE01 Rev B Street Elevations 01
- (A1) DrNo SL01 Rev C Site Layout 01
- (A1) DrNo TD699_01F Landscape Plan 1 of 2
- (A1) DrNo TD699_02F Landscape Plan 2 of 2
- (A2) DrNo SK01 Proposed Site Access Arrangement and Footway Links
- (A3) DrNo HT.1281A.e House Type 1281 Elevations Variation A
- (A3) DrNo HT.1281A.p Rev A House Type 1281 Floor Plans Variation A
- (A3) DrNo HT.1281AR.e Rev A House Type 1281 Elevations Variation A - Render
- (A3) DrNo HT.1332.e House Type 1332 Elevations
- (A3) DrNo HT.1332.p House Type 1332 Floor Plans
- (A3) DrNo HT.1332A.e House Type 1332 Elevations Variation A
- (A3) DrNo HT.1332A.p House Type 1332 Floor Plans Variation A
- (A3) DrNo HT.1332B.e House Type 1332 Elevations Variation B
- (A3) DrNo HT.1332B.p House Type 1332 Floor Plans Variation B

(A3) DrNo HT.1332R.e House Type 1332 Elevations Render
(A3) DrNo HT.1526.e Rev A House Type 1526 Elevations
(A3) DrNo HT.1526.p Rev A House Type 1526 Floor Plans
(A3) DrNo HT.1845.e Rev A House Type 1845 Elevations
(A3) DrNo HT.1845.p Rev A House Type 1845 Floor Plans
(A3) DrNo HT.1845R.e Rev A House Type 1845 Render Elevations
(A3) DrNo HT.910.e House Type 90 Elevations
(A3) DrNo HT.910.p House Type 90 Floor Plans
(A3) DrNo HT.910A.e House Type 90 Elevations Variation A
(A3) DrNo HT.910A.p House Type 90 Floor Plans Variation A
(A3) DrNo P.7-10.e1 Rev B Plots 7-10 Elevations Sheet 1 Affordable (Shared Ownership)
(A3) DrNo P.7-10.e2 Rev B Plots 7-10 Elevations Sheet 2 Affordable (Shared Ownership)
(A3) DrNo P.7-10.p Rev B Plots 7-10 Floor Plans Affordable (Shared Ownership)
(A3) DrNo PL.11-15.e1 Rev B Plots 11-15 Elevations Sheet 1 Affordable (Social Rent)
(A3) DrNo PL.11-15.e2 Rev B Plots 11-15 Elevations Sheet 2 Affordable (Social Rent)
(A3) DrNo PL.11-15.p Rev B Plots 11-15 Floor Plans Affordable (Social Rent)
(A1) DrNo 4901:20 Pond & Pump Station Details
(A3) DrNo GAR.01pe Garage Type 1 Floor Plans and Elevations
(A3) DrNo GAR.04pe Rev A Garage Type 4 Floor Plans & Elevations

Reason: For the avoidance of doubt and in the interests of proper planning.

2. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner, or at such other time as may be agreed by the Local Planning Authority in writing, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the amenities of the area, and to accord with policies CP8 of the Taunton Deane adopted Core Strategy.

Notes to Applicant

1. The application provides acceptable details for the layout, scale, appearance and landscaping of the site that will not impact unacceptably upon the character and appearance of the area or the amenities of other nearby property. It would, therefore, be acceptable in accordance with Policies DM1 (General Requirements), CP5 (Inclusive Communities), CP6 (Transport and Accessibility), CP8 (the Environment) of the Taunton Deane Core Strategy and guidance contained in the National Planning Policy Framework.

2. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.
3. WILDLIFE AND THE LAW. The protection afforded to wildlife under UK and EU legislation is irrespective of the planning system and any activity undertaken on the tree(s) must comply with the appropriate wildlife legislation.

BREEDING BIRDS. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered must not be disturbed. If works are to be carried out during the breeding season (from February to August, possibly later) then the tree(s) should be checked for nesting birds before work begins.

BATS. The applicant and contractors must be aware that all bats are fully protected by law under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Natural Habitats and Species (Amendment) Regulations 2012, also known as the Habitat Regulations. It is an offence to intentionally or recklessly damage, destroy or obstruct access to structures or places of shelter or protection used by bats, or to disturb bats whilst they are using these places.

Trees with features such as rot holes, split branches or gaps behind loose bark, may be used as roost sites for bats. Should a bat or bats be encountered while work is being carried out on the tree(s), work must cease immediately and advice must be obtained from the Government's advisers on wildlife, Natural England (Tel. 01823 285500). Bats should preferably not be handled (and not unless with gloves) but should be left in situ, gently covered, until advice is obtained.

PROPOSAL AND HISTORY

This is a Reserved Matters application pursuant to an outline approval granted under LPA ref: 14/12/0036 on 28 May 2013. The outline consent approved a residential development of 35 houses with associated parking, a scout hut and recreational open space (up to 200 sq. m.) allotments, drainage works and access. The principle of development has therefore been established and will remain valid until May 2016.

The outline application was clear in approving access, and so this is not 'reserved' by the outline consent and already has approval. Appearance, landscaping, layout and scale remain as reserved matters. This application now seeks consent for these 4 reserved matters.

The applicant has also applied to discharge the conditions attached to the permission, of which there are 17. These are being dealt with separately, although there is some duplication with the reserved matters.

SITE DESCRIPTION

The site comprises a field on the north-western edge of the settlement, surrounded by established hedgerows. The Motorway (M5) lies on the north-western edge of this site, existing dwellings on Meredith Close and Leighton Drive lie to the east, a further proposed residential site to the south, and the existing primary school and new health centre to the south-east. The site is accessed off the main route through Creech St. Michael (Hyde Lane) which runs from the south-east, along the east of the site and then to the north-west over the motorway. The site is flat and currently laid to grass. Access to the site is off Hyde Lane.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

CREECH ST MICHAEL PARISH COUNCIL - observations:-

1. The footpath link at the south of the site should be moved through 90 degrees.
 2. A sum of £5000 is payable under the s106 agreement to improve an existing footpath at the southern end designed to take pedestrians away from the road. The developers have advised that they have no control over the use of this money. It is imperative that this footpath has a sealed surface over its entire length to Hyde Lane.
 3. The attenuation pond is poorly sited in open (play?) space. The pond should be moved to the south east corner and adequately fenced so as not to provide a temptation for children.
 4. The Traffic Management Plan states that the site will be subject to a 15 mph. speed limit. The P. C. believes that it cannot be enforced and so the corresponding visibility splays are unacceptable.
 5. This application proposes a crossing point to a footpath on the north side of Hyde Lane. As Hyde Lane widens before the bridge and the proposed footpath narrows to 1 metre, this is dangerous. The 30 mph should be extended to the crossing with appropriate signage and speed humps, bearing in mind the nearby recreation park and associated play equipment.
 6. The proposed link to the relief road would overcome traffic volume problems on Hyde Lane. No such link has been forthcoming and accidents occur on a regular basis. SCC (Highways) proposed a pedestrian/cycleway at the outline stage on a section of Hyde Lane where visibility is greatly restricted. We urge this to be implemented prior to the occupation of the first house, particularly given that another development of 55 houses has been approved nearby. The Planning Dept. has a moral duty to protect cyclists, pedestrians and school children (who have no alternative route to school) by insisting this footway is installed before the occupation of any more houses in Creech St. Michael.
- In deciding this application thought needs to be given to the practical and legal implications of this and other applications that will total 134 new homes in an area whose road network and associated infrastructure were not designed to cope with this level of development.

LEISURE DEVELOPMENT –

No observations to make as there is a signed s106 agreement in place.

LANDSCAPE –

A good landscaping scheme subject to implementation and maintenance.

BIODIVERSITY –

The submitted wildlife strategy uses words and phrases such as 'should' and 'it may be possible' which makes the proposals rather vague. The Council needs to be assured that the recommended biodiversity enhancements will be implemented on site. Need the applicant to submit a plan clearly showing the locations of the proposed bird boxes, bat boxes, reptile hibernacula, hedgehog refuge and interpretation board. Also Council needs to know when the section of hedging is to be removed.

HOUSING ENABLING –

Following detailed discussions with the developer and their agents the affordable housing scheme including unit mix, layout, tenure and location has now been agreed (dwg no SL01 – Rev D)

The affordable housing is to meet the Homes and Communities Agency Design and Quality Standards 2007, including at least Code for Sustainable Homes Level 3

The developer should seek to provide the Housing Association tied units from Taunton Deane's preferred affordable housing development partners list.

A local connection clause has been included within the S106 agreement to prioritise the homes for local people.

WESSEX WATER –

Wessex Water state (07th February 2014) that they are progressing the drainage strategy with the applicant and so have no further comments to make in this instance.

HIGHWAYS AGENCY SOUTH WEST –

As the verge, safety fencing and embankment at this location are part of the local highway authority network the Agency has no comments to make on the detailed proposals. It should however be noted that it will be a requirement for any new safety fencing to be connected to the parapet in accordance with the standards set out in the Design Manual for Roads and Bridges document TD19/06.

With regards to condition 9 (Boundary landscaping adjacent to Motorway) - that

suggested will not cause major issues, but the species *Tilia cordata* has previously been identified as a poor choice close to the highway. The Agency recommends that either this tree is not used or is planted no less than 1.5 times the maximum tree height from the edge of the Agency boundary.

The Agency also asked for condition 10 (Construction management Plan). It does not appear as one of the conditions covered by the submission, although the letter from agents TPA seems to refer to it. Needs clarity. If not submitted at this time, it will need to be submitted and approved before construction can commence.

On the basis of all of the above comments, the Highways Agency offers no objection.

Since these comments, the Highways Agency has been made aware that it owns land adjoining and potentially overlapping this development site (in the north, Hyde lane where it crosses the M5 and either side). The HA ownership includes land parts of which are 'public highway' but any works which extend beyond the depth of 'the highway' will require approval by the Agency. Therefore there is a need for the developer to engage with the Highways Agency as a land owner in order to deliver this development. Given that there may be impact on HA lands, the Agent will need to clarify the extent of the interaction between the Agency land and works required to facilitate the development. If HA approval/agreement is required then this must be taken up with the HA Lands team.

PARKS –

The extent of the POS is not clear. Land to be designated as POS should be clearly shown on a plan. POS areas should not be small and should have connectivity to the general POS. POS areas including hedgerows and wildlife corridors should be easily accessible for maintenance purposes. Attenuation ponds must have adequate protection where there is unrestricted public access, especially near a footpath and other high frequented areas.

SCC - TRANSPORT DEVELOPMENT GROUP –

Commenting on the submitted 'Construction Traffic Management Plan (as required by condition 10), there are 3 main areas of concern requiring amendment –

On-site parking - Need sufficient parking for all phases of development; wheel washing facilities near site exit; may need discussion with PCSO if parking on Hyde Road impedes delivery vehicles; and need to manage and control on-site parking.

Routes for construction traffic - need weight restriction from A358 in the south; lorries above weight restriction to use the north (A38) via North End; replace route through Creech Heathfield with route from A38 via North End for all construction traffic; Hyde Lane from west must not be used by construction traffic.

HGV hours - No deliveries between 08:00 and 09:15 or 30. Check nursery times as may be later than the school.

ENVIRONMENTAL HEALTH - NOISE & POLLUTION –

The site is adjacent to the M5 motorway and so there is the potential for noise from traffic to affect future residents. The applicant has provided a noise assessment for the development. Noise measurements have been taken and used along with computer modelling to estimate noise levels across the site. The report makes recommendations for suitable glazing and ventilation on certain facades on the development. The sound reduction scheme given in the Hoare Lea Acoustics report is acceptable.

The report does note that some of the rear gardens of properties will not meet the criteria used in BS8233 for external noise levels. However, the site is close to the motorway and it would be hard to achieve this level across the whole site without using high fences or barriers which are not likely to be suitable

Note that the condition requires that “All works that form part of the scheme shall be completed before the development is occupied”. It would be good if the developer could confirm in writing that the works have been carried out outlined in the report.

SOMERSET WASTE PARTNERSHIP –

They explain that they manage waste and recycling on behalf of all local authorities in Somerset. Best Practice recommends that two-wheeled containers should not normally be transported by collectors by more than 15 metres, and 10 metres for four-wheeled bins. Some of the properties shown set away from the adopted highway may have to carry bins more than 30 metres. There is also concern over communal collection points, as these can lead to obstructions to walkways, aesthetic and littering issues and neighbourhood disputes. This can mean that some residents will choose not to use them which may also lead to extra transport distances for the collectors. The consultation from SWP lists likely difficulties with many individual plots within the proposed layout and they demonstrate how this would be likely to lead to excessive carry distances. Some solutions are suggested by SWP.

Representations

5 letters of OBJECTION received which raise the following issues:

Principle

- What happened to the "village" of Creech St. Michael?
- 'Cut and dried' comes to mind.
- Consultation is a waste of time as we all know that it will be approved.
- Why do developers always get what they ask for?

Infrastructure

- The bus service is inadequate.
- Health centre will not cope (currently an 8 day waiting period for appointments).
- There are no plans to accommodate more places at the local schools which are

already at capacity.

Traffic

- Hyde Lane cannot cope with any more traffic.
- Hyde Lane is currently dangerous on the bends, full of potholes, deep ditches, blind bends and single file sections.
- No one ever enforces parking regulations along Hyde Lane.
- What improvements are proposed for Hyde Lane to overcome its difficulties?
- Cars park on the road particularly near the school and the health centre. This would create problems for builders lorries.
- Parking at the shop and pub is not adequate leading to problems on the main village road.
- The Council never takes any notice of villagers concerns over the increase in traffic and the dangers to children going to school at Monkton Heathfield along a lane with no pavements and having to walk through flood water.
- Need speed bumps along Hyde Lane as in the rest of the village. There is a real problem with speeding.

Flooding

- Lessons must be learnt from the problems on the levels.
- Is it wise to build so near to the river?
- Will flood prevention measures be accurate?
- Currently, the water from the fields has been running across and flooding Hyde Lane. Anymore tarmac and solid structures will make matters worse.

Housing issues

- More affordable houses to be built no doubt!

Landscaping issues

- Can the conservation or re-planting of as many trees as possible take place adjacent to no 85 Hyde Lane to maintain privacy and help with traffic noise?

General and other issues

- People who live in the village are over-looked in what appears to be a box ticking exercise.

PLANNING POLICIES

CP4 - TD CORE STRATEGY - HOUSING,
CP8 - CP 8 ENVIRONMENT,
DM2 - TD CORE STRATEGY - DEV,
NPPF - National Planning Policy Framework,

LOCAL FINANCE CONSIDERATIONS

The development of this site will result in payment to the Council of the New Homes Bonus.

1 Year Payment

Taunton Deane Borough Council (Lower Tier Authority) £40,287

Somerset County Council (Upper Tier Authority) £10,072

6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority) £241,724

Somerset County Council (Upper Tier Authority) £60,431

DETERMINING ISSUES AND CONSIDERATIONS

This application seeks a Reserved Matters approval to the outline consent granted under LPA ref: 14/12/0036 on 28 May 2013. The outline consent approved a residential development of 35 houses with associated parking, a scout hut and recreational open space (up to 200 sq. m.) allotments, drainage works and access. The principle of development has therefore already been established and will remain valid until May 2016. The principle is not therefore being considered by this application

The applicant has also applied to discharge the conditions attached to the permission, of which there are 17. These are being dealt with separately, although there is some duplication with the reserved matters. .

Layout

The layout of the site is different from the indicative layout submitted and approved with the outline consent, but takes on board many of its principles and themes. The layout has changed following negotiations which sought to improve amongst other matters, the following initial concerns -

- the integration of the affordable units into the site;
- the excessive walkouts to the bin collection points;
- the location of the attenuation pond/swale in open (potentially play) space;
- parking spaces in relation to the dwellings they are serving;
- road surface treatment;
- large areas of hard surfaced parking areas;
- poor relationship between the built edge and the open spaces beyond;
- size of and access to the land designated for a future scout hut (as required by the legal agreement under s106); and
- lack of pedestrian links to the wider village footpath network

These matters have now all been successfully addressed and have resulted in a revised layout plan which is considered to be much better and acceptable. The layout plan now shows a broad sweep of open space and landscaping around the west and south of the site, with the built form and hard surfacing contained in the centre and towards the east of the site. In this way, the proposed development relates to the existing development off Meredith Close and the open space and landscaping acts as a buffer between the residential curtilages and the motorway on the north-western boundary of the site. The required infrastructure and ancillary facilities necessary to make the site work have been placed on the periphery of the built form to free up the central space for movement and living. This works well for this development.

The dwellings are arranged in three clusters with vehicular and pedestrian access gained off a series of adopted highways and private driveways which sweep around the edge of the buildings. The affordable units are shown in the north of the site. The area reserved for a possible scout hut and outside area as required by the legal agreement under s106 of the Town and Country planning Act as attached to the outline consent, is shown in between the affordable (social rented) units and the boundary of the site with the motorway. A pumping station is now required and is shown to the south of the proposed scouting area.

The closest existing dwellings to the site are 5 – 29 (odd nos.) Meredith Close and 61, 63, 65 and 85 Hyde Lane. These dwellings are between 10 and 11 metres away from the proposed party boundary, with the separation distance back to back varying between 22 and 26 metres. This is considered to be sufficient to prevent any unacceptable overlooking.

The access roads and private drives around the edge of the development will work well. They will provide single sided development with irregular spacing looking out to the open areas around the perimeter of the development.

This is now considered to be a good layout which can be recommended for approval. The relevant external bodies/authorities that will be impacted by this layout or who have a vested interest in the outcome, such as the Borough Council (Housing Enabling), Highway Authority (S.C.C.), the Somerset Waste Partnership, the Borough Parks Department, E.H.O. (noise and pollution), are now happy with the outcome of the negotiations. The concerns raised by the Parish Council, the Highways Agency and the scouting movement have been also addressed. It is considered therefore that the submitted 'layout' should be approved as a Reserved Matter.

Scale .

The scale of the development is considered to be in line with the other new developments approved in the north of Creech St, Michael. The number of units and the proportion of affordable units (including the mix) was established and approved by the outline consent. The type of units proposed is in keeping with the neighbouring development at Meredith Close which has already been built. There is a mixture of detached, semi-detached and terraced properties, but all are two storeys high, although some have rooms in the roof lit by dormer style windows. There is a good balance between the built form and the open and green spaces, which helps assimilate the development into the village character. The scale of the development is considered to be appropriate and acceptable.

Appearance

This development will be read more with the surrounding more recent developments, which tend to be 2 storeys high, with the use of red brick, cream render, with some slate but mainly tiled roofs. The current proposals seek to reflect this. The house types proposed throughout this development are considered to be well designed, well proportioned buildings. Following negotiation with the applicant, some unacceptable elements, such as the flat roofed dormers on the road frontages have been redesigned more appropriately. The result is a mix of house types that are

relatively simple in design, that will use a pallet of materials – mainly brick with some render – that respects the local vernacular and will not detract from the character and appearance of the area. The materials chosen are brick (lbstock - surrey red multi 4133 and surrey orange 4131), with K rend stirring white render, and tiles (Redland, double roman - farmhouse red and breckland brown). Architectural features have been added to integrate the design into the neighbouring context, showing key features such as reconstituted stone lintels and sills, side hung windows, and simple eaves detailing.

This will create a simple, pleasing appearance that is in keeping with surrounding context and is therefore appropriate and acceptable.

Landscaping

There is a strong landscaping presence in the proposed scheme, and it is particularly noted that trees are shown on the main access street into the site. This is considered to create a strong character to the site and the highway trees will help ensure that the highway will not dominate the area. Most of the green and open areas are shown along the southern and western boundaries. This has primarily been designed to provide division and protection from the motorway which skirts the boundary. A bund is proposed to provide some noise protection and the trees will also help. The large green area will also be better placed to support wildlife and create ecological areas. It is noted that the Landscaping Lead considers this to be a good landscaping scheme, although further clarification is being sought on the implementation and maintenance of the scheme. Subject to this, the landscaping is appropriate and can be recommended for approval.

Response to consultees comments.

Parish Council - The attenuation pond has now been moved away from the main open green space. Other issues raised relate either to off-site works or conditions (which are being considered separately).

Biodiversity - The extra information required will be dealt with when considering condition 7.

Housing Enabling - Now considers the revised negotiated scheme to be acceptable.

Highways Agency - They asked for the *Tilia Cordata* to be removed from the planting schedule adjacent to the motorway. This has been changed. They asked to see a Construction Management Plan (condition 10). This has now been submitted and forwarded to the H.A. They have now confirmed (letter dated 26th March) that they are satisfied with the document. This will be noted when dealing with condition 10.

S.C.C. (Transport development Group) - Have some queries on the Construction Management plan. This will be dealt with under condition 10.

Somerset Waste Partnership - Have suggested difficulties with the layout as originally submitted. This layout has changed as a result of officer negotiations. However, a copy of SWP's concerns has been passed to the architects, and they have agreed to look at the issues raised. A revised plan had not been received at

the time of compiling this report, but when it has it will be forwarded to SWP for comment and hopefully agreement. Members will be updated on this at their meeting.

Response to third party representations.

The comments relating to the principle of development, infrastructure, traffic and flooding issues are all matters that were considered as part of the Outline Application. As that has now been approved, they are not issues relevant to this Reserved Matters proposal. The comment about not wanting more affordable houses, runs contrary to Government advice, the Borough Council's aspirations and the identified local need. This should not therefore be seen as an over-riding concern. In respect of the request for extra landscaping to the rear of 85 Hyde Lane, there is a significant planting belt proposed in this area and I am satisfied that this addresses the concern raised.

Conclusions.

The plans and documents which form the Reserved Matters are now considered acceptable in their own right and in terms of their relationship with the surrounding environment in Creech St. Michael. Significant negotiations have occurred to reach an acceptable scheme and the Developer has been able to address all of the concerns raised. It is my opinion that the revised plans now received do not breach or conflict with any policy consideration either nationally or locally. This has all resulted in a scheme that can now be recommended for approval. There are still some outstanding issues with the discharge of the conditions attached to the outline consent, but these are being examined separately.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

CONTACT OFFICER: Mr J Burton Tel: 01823 356586

15/14/0001

MISS P MALTHOUSE

REPLACEMENT OF SINGLE STOREY SIDE LEAN TO WITH TWO STOREY EXTENSION, ERECTION OF SINGLE STOREY LEAN TO TO REAR AND REPLACEMENT DETACHED GARAGE AT NEW ENGLAND, CURLAND (AS AMENDED)

Location: NEW ENGLAND, CURLAND COMMON ROAD, CURLAND,
TAUNTON, TA3 5SB

Grid Reference: 327809.117526

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval subject to the receipt of a Wildlife Survey.

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A3) DrNo J60/02B Proposed Floor Plans, Site Plan and Location Plan

(A3) DrNo J60/03C Proposed Elevations

(A3) DrNo J60/04 Proposed Plans & Elevations

Reason: For the avoidance of doubt and in the interests of proper planning.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission.
2. If the local population of European Protected species are affected in a development, a licence must be obtained from Natural England in accordance

with the above regulations. NE requires that the Local Planning Authority must be satisfied that derogation from the Habitats Directive is justified prior to issuing such a licence.

Most resident nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended).

It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.

PROPOSAL

New England is a modest traditional render and tile cottage set on a sloping site with a lean-to single storey element to the side and a part stone/part timber garage building with a corrugated sheet roof. The property lies to the south of Curland, set back from and on a lower level than the road, surrounded by agricultural fields and woodland.

This application seeks planning permission for a two storey side extension in place of the lean-to and a replacement single storey extension to the rear. The side extension would be constructed of stone to the front/side and render to the rear, with a tile roof to match the existing. It would be set back from the front marginally, with a lower eaves and ridge level and would incorporate a traditional style dormer. The extensions would provide a new kitchen/dining area, wet room and utility room at ground floor, resulting in two en-suite bedrooms above. It is also proposed to replace the timber garage, which is in a poor state of repair with a single storey timber and tile triple garage. This would occupy a smaller footprint but with a slightly higher roof.

During the processing of the application and following concerns raised by the case officer, amended plans were submitted revising the dormer window design and the positioning of windows, along with lowering the roof level of the rear lean-to element marginally to create a break between that and the main roof. A wildlife survey has been requested due to the demolition of the garage and this is currently awaited.

This application comes before committee as the agent is related to a member of staff.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

NEROCHE PARISH COUNCIL (CURLAND) - No comments received

LANDSCAPE - It is not clear from the plan whether the garage extension would affect the existing hedgerow boundary. A vegetation survey plan in this area would be useful.

Subsequent comments (verbal) – Following clarification, hedge not considered to be affected as proposed garage of smaller footprint than existing.

Representations

Somerset Badger Group states that a member of the public has raised concern that there is a badger sett under the existing garage, which would be protected. If correct, it would be necessary to secure a licence from Natural England. Request applicant is advised that the provisions of the Protection of Badger Act 1992 is satisfied.

PLANNING POLICIES

DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
CP8 - CP 8 ENVIRONMENT,
H17 - TDBCLP - Extensions to Dwellings,

DETERMINING ISSUES AND CONSIDERATIONS

The proposed side extension is set back marginally from the front and on a lower eaves and ridge level. This, combined with the stone construction gives a clear break and therefore, the extension has an element of subservience. Whilst the local planning authority would generally seek materials to match, it is noted that there is stonework on another building within the site and stonework is a common feature of the area. On this basis, the use of stone to the side extension is considered acceptable. Concern was originally raised regarding the positioning of the windows and dormer design, which appeared out of character with the traditional cottage. The windows have now been repositioned to reflect that of the existing windows and consequently, the dormer window is reduced in height. The design of the side extension is now considered to sympathetically reflect that of the modest rural cottage.

The single storey lean-to extension to the rear is considered a typical method of extending a property of this nature. Initially concerns were raised regarding the dominating impact of this extension, however, this has been revised to create a break between the existing and proposed roofs. This now results in a clear differentiation, retaining the original character of the cottage.

As the road lies on a higher level, the property is clearly visible from public viewpoint. The extensions are however considered to result in an acceptable impact on the traditional character of the cottage and are not deemed to cause harm to the rural appearance of the surrounding area.

The existing garage is in a poor state of repair. The proposed replacement would retain the traditional element of stone and would in fact be on a smaller footprint than the existing. It is acknowledged that this would be higher than the existing building, however it would remain a reasonably low structure. The use of timber cladding, along with profiled tiles to match the dwelling is considered an appropriate use of materials for the rural location. The site lies on a lower level than the road and would be viewed against the backdrop of the woodland. As such, the garage

would not appear excessively prominent in the landscape.

A wildlife survey has been requested and is currently awaited. It is generally the case that, if protected species are identified, an appropriate condition can be attached to ensure that these are safeguarded. The recommendation is therefore prepared on this basis. However, if the wildlife survey was to conclude to the contrary, it may be necessary to revise the recommendation. Further information on this matter will be updated at the planning committee. Notes to the applicant regarding protected species are attached.

Due to the countryside location there are no nearby neighbours to be affected by the proposal and no increased impact upon highway safety.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

CONTACT OFFICER: Mrs K Walker Tel: 01823 356468

27/14/0002

MR T HOLLEY

**FORMATION OF VEHICULAR ACCESS TO SERVE DWELLING AND BOARDING
CATTERY AND BLOCKING UP OF ORIGINAL ACCESS AT HIGHER KNAPP
FARM, HILLFARRANCE**

Location: HIGHER KNAPP FARM, HILLFARRANCE ROAD, HILLFARRANCE,
TAUNTON, TA4 1AN

Grid Reference: 317429.124659

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A4) Location Plan
(A4) Block Plan
(A4) Visibility Splay
(A3) Proposed New Access (Elevations)
(A3) Proposed New Access (Plan)

Reason: For the avoidance of doubt and in the interests of proper planning.

3. (i) Prior to the implementation of a landscaping scheme, the scheme shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include details of the species, siting and numbers to be planted.
- (ii) The scheme shall be completely carried out within the first available planting season from the date of closure of the access in accordance with Condition 5, 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 each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition 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.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

- 4. There shall be no obstruction to visibility greater than 900 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced into use and shall thereafter be maintained at all times.

Reason: In the interests of highway safety.

- 5. The existing access shall be stopped up and its use permanently abandoned within one month of the new access hereby permitted being first brought into use.

Reason: In the interests of highway safety.

- 6. Any entrance gates erected shall be hung to open inwards, shall be set back a minimum distance of 5.0 metres from the carriageway edge and shall thereafter be maintained in that condition at all times.

Reason: To allow a vehicle to wait off the highway while the gates are opened or closed and thus prevent an obstruction to other vehicles using the highway, in the interests of highway safety.

- 7. Prior to the access hereby permitted being first brought into use, the proposed access over the first 10.0 metres of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced in accordance with the details shown on the 'Proposed New Access Plan' Scale 1:200. Once constructed the access shall thereafter be maintained in that condition at all times.

Reason: In the interests of highway safety.

- 8. Prior to the access hereby permitted being first brought into use, 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.

Reason: In the interests of highway safety.

9. The development hereby permitted shall not be commenced until details of a strategy to protect nesting birds and great crested newts has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be written by an ecological consultant and include:
 1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
 2. Details of the timing of works to avoid periods of work when the species could be harmed by disturbance.

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority

Reason: To protect nesting birds and great crested newts and their habitats from damage.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.
2. Note at the request of County Highways Authority:
 - Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that the creation of the new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager for the Taunton Deane Area at The Highways Depot, Burton Place, Taunton, Tel No 0845 345 9155. Application for such a permit should be made at least four weeks before access works are intended to commence.
3. Notes at the request of the Nature Conservation Officer:
 - The condition relating to wildlife requires the submission of information to protect species. The Local Planning Authority will expect to see a detailed method statement clearly stating how nesting birds and great crested newts will be protected through the development process and to be provided with a mitigation proposal that will maintain favourable status for the species that are affected by this development proposal.
 - It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.

PROPOSAL

Higher Knapp Farm is located in a rural location, approximately 0.75 km to the east of Hillfarrance and approximately the same distance from Allerford. The site is

largely surrounding by agricultural fields, with a residential property opposite and a scattering of further dwellings to the north-east. The site comprises agricultural buildings, along with a traditional barn, which has been converted to a dwelling. Planning permission was granted in 2011 for the change of use of an element of land to a boarding cattery with the erection of further linear buildings to provide the cattery pens and associated facilities to the south-west of the main buildings. This planning permission has since been implemented and the cattery is in operation from the site.

A planning application was submitted in 2012 for the change of use of agricultural land and erection of buildings to form a boarding kennels and isolation unit, along with the temporary permission for a mobile home to provide manager's accommodation for the boarding cattery, which was withdrawn following the request for a noise assessment. A similar application was subsequently submitted early last year with the mobile home removed from the scheme, but without a noise assessment and this was again withdrawn. A further application for boarding kennels, which also included a proposal to block off the existing access and form a new access to the south-west of the buildings was refused by planning committee in December 2013 as it had not been adequately demonstrate that the proposed development would not give rise to noise disturbance to nearby residential properties to the detriment of their amenity. There was no other reason for refusal and therefore no reason associated with the new access.

This application now seeks planning permission for the formation of a new access to the south-west of the buildings, which would involve the removal of a small section of hedgerow. This would involve a new access track running alongside the roadside hedge and additional planting on the field side of the access. The existing access would be blocked off with a wooden fence and planting to the front.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

OAKE PARISH COUNCIL - Object on the following grounds:

- Continuing concerns regarding flooding issues with water running off the concrete driveway onto the road which already floods. Drainage ditch is inadequate to support flooding that occurs at present.
- Concerns were raised regarding the loss of more hedging along this stretch , which takes time to establish and should be monitored.
-

Existing entrance is adequate for current needs of the property and the Councillors wonder why the owners wish to move it, producing more hardstanding.

SCC - TRANSPORT DEVELOPMENT GROUP -

Refer to standing advice.

Subsequent comments – I note that that Local Highway Authority issued standing advice to planning application 27/14/0002. I also note Mr Herrington's comments within the email dated 17th March 2014.

I would refer you to my comments dated 28th November 2013 in connection with the previous planning application 27/13/0017 relating to the proposed access, which included the appropriate design elements for the formation of an access and the relevant condition to prevent any surface water discharge onto the publicly maintained highway.

Comments received on previous application - I refer to the above-mentioned planning application received on 20th November 2013 and, after carrying out a site visit on 25th November 2013 have the following observations on the highway and transportation aspects of this proposal:-

Site Location - The development site is located along Hillfarrance Road a designated classified unnumbered highway to which the National Speed Limit applies past the site frontage. Hillfarrance Road is predominantly single width, to which either side of the carriageway there are grassed highway verges and no street lighting in proximity to the site.

Access Arrangements – The proposal seeks the formation of a new vehicular access onto Hillfarrance Road a designated classified unnumbered highway to which the National Speed Limit applies.

Access to the adopted highway is currently obtained via the existing access onto Hillfarrance Road. The access is considered acceptable in terms of width and geometry. However, vehicular visibility in a south easterly direction is considered substandard as high hedge row impedes visibility.

This is a location where in principle Design Manual for Road and Bridges (DMRB) applies given the rural location of the development and therefore the creation of a new access would warrant the maximum levels of visibility ('Y' coordinates) of 215m in either direction, given that 60mph speed limit which applies along Hillfarrance Road (past the site frontage).

The proposal seeks the formation of a new access and the stopping up of the existing. From onsite observation it is considered that vehicle speeds in this location are likely to be lower than the National Speed Limit.

It is the view of the Highway Authority that vehicle speeds are estimated to be approximately 30mph. It is evident that the proposed new access will result in an improvement in vehicular visibility compared to the existing access and therefore unreasonable for the Highway Authority to object on the basis that the proposed access is unlikely to obtain the required splays for the creation of a new access.

However, the proposed access should incorporate visibility splays of 2.4metres x 43metres, which is achievable from the proposed access. The reason for applying visibility splays based on guidance from Manual for Streets (MfS) as opposed to Design Manual for Roads and Bridges (DMRB) is that vehicle speeds are likely to be considerably less than the allocated limit given the constraints of Hillfarrance Road.

A suitably worded condition can be attached in connection to the access to

incorporate the provision of appropriate visibility splays in perpetuity.

With regards to the formation of the access Drawing No. '*PROPOSED NEW DOMESTIC, AGRICULTURAL & BOARDING ENTRANCE*', it detailed that the access is to be provided with a 10metre concrete apron, which is considered acceptable.

If any access gates are to be erected as part of the proposal, they would need to be erected a minimum of 5.0metres back from the carriageway edge to enable a vehicle to pull clear from the existing highway when in operation without becoming an obstruction to vehicles using Hillfarrance Road. Also provision should be provided at the point of access to prevent and discharge of surface water on top the publicly adopted highway.

Finally, under the Highways Act 1980 the applicant is advised that the creation of the new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager, Taunton Deane Area Office, Burton Place, Taunton, Tel Number 0845 3459155. Application for such a permit should be made at least four weeks before access works are intended to commence, subject to planning approval.

LANDSCAPE - Subject to detailed landscape proposals, scheme acceptable.

BIODIVERSITY - There is always a possibility that birds may be nesting in hedgerows during the summer months. In addition, this hedgerow is located in an area of Somerset where Great Crested Newts may potentially be present using the hedgerows to access the ponds to the north. Suggest condition and note.

DRAINAGE ENGINEER - The Highway Authority should ask for their standard condition to be applied stating surface water from this proposal should not flow out onto the public highway. Highways Authority should be consulted with special reference to surface water run-off being disposed of before it flows onto the highway.

Representations

Four letters of OBJECTION/CONCERN received on the following grounds:

- Already a perfectly adequate, purpose built concrete entrance/driveway to the property. Query need for new access as limited agricultural machinery movements.
- Natural hedge being taken down and more concrete being poured into countryside. Hard to believe landscape officer has no objection to tearing out native hedgerow. Concern that conifers used in past.
- Road already suffers from flooding and standing surface water.
- Query former landscape conditions and building regulations have not been met.
- Other comments made regarding previous application and potential future use of the site.
- The road floods – video and photos provided to this effect.

- Query whether normal not to have details of biodiversity report, concerns regarding conditions being chased.
- Previous concerns regarding current driveway causing obstruction when customers drop cats off overcome a gate is now left open during opening times

Letter received from the applicant:

- Query PC's knowledge on practicalities of sharing domestic driveway with other uses. Clarification was provided to PC regarding need of driveway.
- Does not follow that removing one access and providing another would increase potential run off. New access gives greater opportunity to intercept and manage run off.
- Previous comments from Transport Group support new entrance as an improvement.
- Large area of concrete has in past been removed when converting site from dilapidated dairy farm.
- Conifers were agreed after several failed attempts to grow native hedging, possibly due to agricultural contamination.
- Hedgerows managed to provide for wildlife. Other areas of hedgerow removed in the area.
- Under original kennel application nearest neighbour raised objection that customers/visitors park in lane obstructing their access, now state existing entrance perfectly suitable, despite being aware that kennel application is being resubmitted.

PLANNING POLICIES

DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
 CP8 - CP 8 ENVIRONMENT,
 NPPF - National Planning Policy Framework,

DETERMINING ISSUES AND CONSIDERATIONS

Impact on the character and appearance of the area

The proposal seeks to provide a replacement access. The lane appears generally rural in nature with a well established hedge bounding the road on both sides. There is a general presumption against alterations that would harm this rural character, such as the removal of areas of hedgerow. However, in this instance, the area of hedgerow to be removed, being only approximately 7.5 metres, is reasonably small, with the visibility splays being provided through trimming back the hedge, rather than further hedge removal. It is acknowledged that this would result in additional hardstanding to create the driveway. This would however run alongside the hedge, rather than directly across a field scarring the landscape and does involve further tree planting along it's northern side to help integrate this into the surrounding landscape. Furthermore, the driveway would be within the applicant's field, screened from public viewpoint by the well established roadside hedge and is not therefore deemed to result in significant harm to the rural character of the area.

The existing access is to be blocked up with a section of timber fence. Whilst the

timber fence is not an ideal solution, it is proposed to plant a further hedge to the front of this. It is acknowledged that there would be some landscape impact in the interim, whilst this hedge establishes but once established, the proposal would not result in harm to the rural character of the lane. The landscape officer is therefore satisfied with the proposals subject to full details of landscape planting.

Impact upon highway safety

It is proposed to install a new access to the south-west of the existing access. It is important to note that this is a replacement access with the existing access being closed off, rather than an additional access and this has been conditioned accordingly. The existing access lacks visibility to the south-east and is therefore considered substandard.

The proposed access would be positioned on a classified road, which is subject to the national speed limit. However, by virtue of the constraints of the road and on site observations, the County Highway Authority are of the opinion that vehicle speeds are likely to be significantly less than the allocated speed limit and therefore consider guidance from Manual for Streets more appropriate than the Design Manual for Roads and Bridges. A condition is attached to ensure that appropriate visibility splays are achieved. It is therefore considered that the proposal leads to a significant improvement over the visibility available from the current access and it would therefore be unreasonable for the County Highways Authority to object. Furthermore, it would be positioned away from the access to Knapp Farm opposite, reducing traffic conflict between the two accesses. On this basis, in highway safety terms, it is considered that there would be an overall improvement and therefore betterment to the existing situation.

Impact upon the residential amenities of nearby properties

The new access is set some distance away from neighbouring properties and is not deemed to result in any increased impact on the residential amenities of the occupiers of those dwellings or any conflict with other accesses.

Other matters

This proposal formed part of the previous scheme, which was determined by planning committee last December. Whilst the application was refused, it is important to note that the refusal did not refer in any way to the proposed access.

The element of hedge to be removed is nominal in length, however it is acknowledged that birds may be nesting in the hedgerow. In addition, the site lies in an area where Great Crested Newts may be present. As such, a condition is suggested requiring a strategy to protect wildlife, as requested by the Council's Nature Conservation Officer.

In terms of drainage, concern has been raised that the road already suffers from flooding and photos/video have been submitted to this effect. It is noted that the proposal seeks to provide an increased area of hardstanding, however a condition is attached to prevent surface water discharge onto the highway, details of which are required to be submitted to, agreed in writing with the local planning authority and installed, prior to the access being brought into use. As such, subject to this

condition, it is not considered that the proposed new access would result in a significantly increased impact on water flows or flooding along this lane.

A concern has been raised that there was no biodiversity report submitted prior to a decision being made. The biodiversity officer has assessed the application and considers that this can be dealt with by means of a condition. It is important to note that planning applications cannot be refused if conditions could overcome concerns, as is considered to be the case in this instance.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

CONTACT OFFICER: Mrs K Walker Tel: 01823 356468

38/14/0040

GIBBS RESIDENTIAL LETTINGS

ERECTION OF 3 NO. SINGLE STOREY 1 BEDROOMED FLATS ON LAND TO THE REAR OF 17 AND 18 ALMA STREET, TAUNTON

Location: 17A ALMA STREET, TAUNTON, TA1 3AH

Grid Reference: 323262.124361

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A4) DrNo 6922.5 Location Plan
(A4) DrNo 6922.7 Site Plan
(A3) DrNo 6922.11 Block Plan as Existing
(A3) DrNo 6922.4 Block Plan as Proposed
(A3) DrNo 6922.1 Floor Plan
(A3) DrNo 6922.2 Elevations
(A3) DrNo 6922.3 Roof Plan and Section
(A4) DrNo 6922.6 Photographs

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not harm the character and appearance of the area in accordance with Policy DM1 of the Taunton Deane Core Strategy.

4. Lockable cycle and bin storage shall be provided on site prior to occupation of the dwellings hereby permitted, and shall thereafter be retained for those purposes, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate facilities exist for the future residents of the site, in accordance with policies DM1 of the Taunton Deane Core Strategy and Saved Policy M5 of the Taunton Deane Local Plan.

5. The rooflight window in unit 1 shall be glazed with obscure glass to be agreed in writing by the Local Planning Authority and shall thereafter be so retained. There shall be no alteration or additional rooflight windows within this roof without the further grant of planning permission.

Reason: To ensure the privacy of the adjoining occupiers in accordance with Policy DM1 of the Taunton Deane Core Strategy.

Notes to Applicant

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.
2. New water supply and waste water connections will be required from Wessex Water to serve this development. Application forms and guidance information is available from the Developer Services web-page at www.wessexwater.co.uk/developerservices.

please note that DEFRA intend to implement new regulations that will require the adoption of all new private sewers. All connections subject to these regulations will require a signed adoption agreement with Wessex Water before the connection can be made. Further information can be obtained from our New Connections Team by telephoning 01225 526222 for Water Supply and 01225 526333 for Waste Water.

PROPOSAL

The proposal comprises the erection of three single storey 1 bedroom dwellings within two buildings. The first building is rectangular in shape, running along the side boundary wall and measures 22.7m 4.8m x 4m (falling to 2.1m), this building accommodates two of the dwellings. The second building is an L-Shape, sited partially along the rear and opposite side wall; this building measures 11.9m x 4m with an additional element measuring 4m x 2.6m. The roof height is as the first building. Three rooflights are proposed.

The dwellings will be finished in render with a natural slate roof.

A single storey outbuilding will have to be demolished.

SITE DESCRIPTION AND HISTORY

The site is a former builders yard to the rear of the residential properties. Access to the yard is via an arched entrance between the two properties. The larger two storey buildings that served the yard have been demolished with some smaller single storey buildings retained. The area is still covered by a concrete floor.

The site is within a residential area close to the town centre.

The application is before planning committee as the applicant is related to a member of staff.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP - See Standing Advice.

DRAINAGE ENGINEER - No observations.

WESSEX WATER - Following comments: -

- New water supply and waste water connections will be required.
- Separate system of drainage will be required

Representations

None received.

PLANNING POLICIES

DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,

M5 - TDBCLP - Cycling,

SP1 - TD CORE STRATEGY SUSTAINABLE DEVELOPMENT LOCATIONS,

M4 - TDBCLP - Residential Parking Provision,

LOCAL FINANCE CONSIDERATIONS

The application is for residential development in Taunton where the Community Infrastructure Levy (CIL) is £70 per square metre. Based on current rates, the CIL receipt for this development is approximately £8000

The development of this site would result in payment to the Council of the New Homes Bonus.

1 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£3237
Somerset County Council (Upper Tier Authority)	£809

6 Year Payment

Taunton Deane Borough Council (Lower Tier Authority)	£19423
Somerset County Council (Upper Tier Authority)	£4856

DETERMINING ISSUES AND CONSIDERATIONS

Residential Use

The proposed dwellings are located close to the town centre, close to facilities, shops and public transport. As such, this is a suitable location for the use. The proposal will provide storage areas for bin and cycles and an amenity space for the dwellings. The proposal is therefore considered to provide the necessary amenities and facilities required for the proposal.

Design

The proposed dwellings are located to the rear of 17 & 18 Alma Street, accessed via a central arch opening between the properties. The site was formerly used as a Builders Yard, where there were once larger two storey buildings. These buildings have been removed with some smaller single storey lean to buildings remaining. The area does not serve as a garden to the existing residential properties and still retains a concrete surface.

Given the previous use of the site, its existing use now, and that access already exists, this is not a development that proposes the loss of a residential garden, or one that would harm the character of the area. Given the above, the proposal is not considered to create a precedent for other garden development.

The small scale single storey dwellings are not considered to harm the character of the area and are not readily visible to the public.

Amenity

Unit 1 is not overlooked and a landscaped area to the front of the building provides a buffer between the side of the building and the occupiers walking by to units 2 and 3. Again there is no direct overlooking between the proposed units. The kitchen window of unit 2 would be visible to the living room window of unit 3, but given the obscure angle of these windows any overlooking would be minimal and acceptable.

A rooflight window serving the shower room to unit 1 should have obscure glazing to prevent any loss of privacy.

Highways

The proposed flats will be located within an area close to the town centre, its

facilities, public transport and public car parks. As such, whilst parking spaces would be required in accordance in the Somerset Parking Strategy, car free development is acceptable in this location.

A covered, lockable cycle store would be required and can be accommodated within the site. Details of which will need to be submitted and conditioned.

With regard to the adjoining properties, the height of the buildings only exceed the height of the existing wall by 1.4m, giving a total height of 4m. Given this height, and that the roof slopes to a lower height, the buildings are not considered to harm the amenity of the neighbouring properties.

Conclusion

The proposal is sited in a suitable and sustainable location for and the dwellings can be constructed without any detrimental harm to the visual or residential amenity of the area. The proposal is therefore considered acceptable and recommended for approval.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

CONTACT OFFICER: Mr D Addicott Tel: 01823 356463

APPEAL DECISIONS FOR COMMITTEE AGENDA – 09 APRIL 2014

APPEAL	PROPOSAL	REASON(S) FOR INITIAL DECISION	APPLICATION NUMBER	INSPECTOR'S REMARKS
APP/D3315/A/13/2207133	OUTLINE APPLICATION WITH ALL MATTERS RESERVED FOR A RESIDENTIAL DEVELOPMENT FOR 30 DWELLINGS AND ASSOCIATED PUBLIC OPEN SPACE AND ALLOTMENTS AT LAND TO THE NORTH WEST OF OVERLANDS, NORTH CURRY	The application site lies outside of the settlement limits of North Curry as defined in the adopted Core Strategy (proposals map) and is therefore considered to be contrary to policies SP1 and DM2 of the Taunton Deane Core Strategy. The proposal does not provide a suitable means for securing the appropriate affordable housing and community and leisure facilities, maintenance of on site facilities, including any Sustainable Urban Drainage scheme for the site, Travel Plan or education contributions	24/13/0032	<p>The Inspector found there was no good reason for refusing the proposal on the grounds of prematurity and concerns about drainage can be addressed by means of a scheme to be agreed by the Council prior to commencement of development as provided for in the S106 Agreement. Furthermore, having regard to the not inconsiderable benefits of the proposal, when weighing these against the less than substantial harm to its setting, the Inspector concluded the proposal would preserve the setting of Manor Farmhouse; nor would it adversely impact on any features of special architectural</p> <p>The Inspector's overall conclusion was the proposal is acceptable and would not conflict with CS Policies SP1 and DM2 or the relevant advice, guidance and</p>

				policies of the Framework promoting sustainable development. The appeal was ALLOWED with suggested conditions.
APP/D3315/D/13/2207667	CHANGE OF USE OF LAND TO INCORPORATE INTO DOMESTIC CURTILAGE, CONVERSION OF OUTBUILDINGS TO FORM LINKED ANCILLARY GRANNY ANNEXE, ERECTION OF FIRST FLOOR, TWO STOREY AND SINGLE STOREY EXTENSION TO THE MAIN DWELLING TO INCLUDE DOUBLE GARAGE AND CONVERSION AND EXTENSION OF ROOF SPACE TO PROVIDE ADDITIONAL ACCOMMODATION AT THE GOLDINGS, RED LANE, CHURCHINFORD	The existing cottage is of traditional character and scale, typical within the landscape of the Blackdown Hills Area of Outstanding Natural Beauty. The proposed extensions, by virtue of their size, scale and design do not respect the style of the existing dwelling and appear as incongruous additions, which totally dominate the traditional cottage and obliterate it's original features, to the detriment of the existing form of the dwelling and the rural beauty of the Blackdown Hills Area of Outstanding Natural Beauty. As such, the proposal is contrary to Policies DM1 (General Requirements) and CP8 (Environment) of the Taunton Deane Core Strategy and retained Policy H17 (Extensions to Dwellings) of the Taunton Deane Local Plan.	10/13/0019	The Inspector was aware the property was not listed but, as it is in an AONB in a prominent roadside location and clearly visible, it would form an incongruous feature that would be at odds with the special qualities of the AONB. He also stated that the large size and complex design and form of the proposed extension would significantly and harmfully alter the host dwelling. The Inspector found that the proposed development would harm the character and appearance of The Goldings and surrounding area, landscape character and scenic beauty of the Blackdown Hills AONB. The Appeal was therefore DISMISSED.

Planning Committee – 9 April 2014

Present: - Councillor Nottrodt (Chairman)
Councillors Mrs Allgrove, Bishop, Bowrah, Gaines, C Hill, Mrs Hill,
Miss James, Watson, A Wedderkopp, D Wedderkopp and Wren

Officers: - Bryn Kitching (Development Management Lead), Gareth Clifford (Area
Co-ordinator – East), Matthew Bale (Area Co-ordinator – West), Roy
Pinney (Legal Services Manager), and Tracey Meadows (Corporate
Support Officer)

Also present: Mrs A Elder, a Co-opted Member of the Standards Committee.

(The meeting commenced at 5.00 pm)

43. Apologies

Apologies: Councillors Coles, Morrell and Tooze.

44. Minutes

The minutes of the meeting of the Planning Committee held on 19 March 2014 were taken and read and were signed.

45. Declarations of Interest

Councillor Nottrodt declared a personal interest as a Director of Southwest One. Councillor Mrs Hill declared a personal interest as an employee of Somerset County Council. Councillors A Wedderkopp and D Wedderkopp declared personal interests as Members of Somerset County Council. Councillor Bishop declared that application No.27/14/0002 had been discussed at the Parish Council meeting when he was present. He felt that he had not “fettered his discretion”. Councillor Miss James declared that she was no longer an employee of Somerset College. Councillor Watson declared that he was the Ward Councillor for application No.13/13/0004/LB, but felt he had not “fettered his discretion”. Councillor Wren declared a personal interest as an employee of Natural England.

46. 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 development:-

13/13/0004/LB

Installation of an 18 tube solar thermal hot water system on the south facing left hand side roof of The Lodge, Cothelstone

Conditions

- (a) The works for which consent is hereby granted shall be begun not later than the expiration of three years from the date of this consent;
- (b) The development hereby permitted shall be carried out in accordance with the following approved plans:-
- (A4) Site Plan;
 - (A4) Location Plan;
 - (A3) Dr No A149/7474/1 South Elevation and Basic Roof Plan;
- (c) Only those materials specified on the application shall be used in carrying out the works hereby approved unless otherwise agreed in writing with the Local Planning Authority.

15/14/0001

Replacement of single storey side lean to with two storey extension and erection of single storey lean to to rear at New England, Curland

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 following approved plans:-
- (A3) DrNo J60/02C Proposed Floor Plans, Site Plan and Location Plan;
 - (A3) DrNo J60/03C Proposed Elevations;

(Notes to applicant:- (i) Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council had worked in a positive and pro-active way with the applicant and had negotiated amendments to the application to enable the grant of planning permission; (ii) If the local population of European Protected species are affected in a development, applicant was advised that a license must be obtained from Natural England in accordance with the above regulations. Natural England requires that the Habitats Directive is justified prior to issuing such a licence; Most resident nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended); It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.)

27/14/0002

Formation of vehicular access to serve dwelling and boarding cattery and blocking up of original access a Higher Knapp Farm, Hillfarrance

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 following approved plans:-
- (A4) Location Plan;
 - (A4) Block Plan;
 - (A4) Visibility Splay;
 - (A3) Proposed New Access (Elevations);
 - (A3) Proposed New Access (Plan);
- (c) (i) Prior to the implementation of a landscaping scheme the scheme shall be submitted to, and approved in writing by, the Local Planning Authority. This scheme shall include details of the species, siting and numbers to be planted; (ii) The scheme shall be completely carried out within the first available planting season from the date of closure of the access in accordance with Condition (e) below, 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 each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition 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;
- (d) There shall be no obstruction to visibility greater than 900 mm above adjoining road level in advance of lines drawn 2.4 m back from the carriageway edge on the centre line of the access and extending to points in the nearside carriageway edge 43 m either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced into use and shall thereafter be maintained at all times;
- (e) The existing access shall be stopped up and its use permanently abandoned within one month of the new access hereby permitted being first brought into use;
- (f) Any entrance gates erected shall be hung to open inwards, shall be set back a minimum distance of 5 m from the carriageway edge and shall thereafter be maintained in that condition at all times;
- (g) Prior to the access hereby permitted being first brought into use, the proposed access over the first 10 m of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated an

surfaced in accordance with the details shown on the 'Proposed New Access Plan' Scale 1:200. Once constructed the access shall thereafter be maintained in that condition at all times;

- (h) Prior to the access hereby permitted being first brought into use, 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;
- (i) The removal of the hedgerow shall be carried out in accordance with the details submitted in the Wildlife and Ecology Plan received 2 April 2014 unless otherwise agreed in writing by the Local Planning Authority; Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority.

(Notes to applicant:- (i) Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council had worked in a positive and pro-active way and had imposed planning conditions to enable the grant of planning permission; (ii) Having regard to the powers of the Highway Authority under the Highways Act 1980, applicant was advised that the creation of the new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager. Application for such a permit should be made at least four weeks before access works are intended to commence; (iii) The condition relating to wildlife requires the submission of information to protect species. Applicant was advised that the Local Planning Authority will expect to see a detailed method statement clearly stating how nesting birds and great crested newts will be protected through the development process and to be provided with a mitigation proposal that will maintain favourable status for the species that are affected by this development proposal; It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.)

38/14/0040

Erection of 3 No. single storey one bedroom flats on land to the rear of 17 and 18 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 following approved plans:-
 - (A4) DrNo 6922.5 Location Plan;
 - (A4) DrNo 6922.7 Site Plan;

- (A3) DrNo 6922.11 Block Plan as Existing;
- (A3) DrNo 6922.4 Block Plan as Proposed;
- (A3) DrNo 6922.1 Floor Plan;
- (A3) DrNo 6922.2 Elevations;
- (A3) DrNo 6922.3 Roof Plan and Section;
- (A4) DrNo 6922.6 Photographs;

(c) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority;

(d) Lockable cycle and bin storage shall be provided on site prior to occupation of the dwellings hereby permitted, and shall thereafter be retained for those purposes, unless otherwise agreed in writing by the Local Planning Authority;

(e) The rooflight window in Unit 1 shall be glazed with obscure glass to be agreed in writing by the Local Planning Authority and shall thereafter be so retained. There shall be no alteration or additional rooflight windows within this roof without the further grant of planning permission.

(Notes to applicant:- (i) Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council had worked in a positive and pro-active way and had imposed planning conditions to enable the grant of planning permission; (ii) Applicant was advised new water supply and waste water connections will be required from Wessex Water to serve this development. Please note that DEFRA intend to implement new regulations that will require the adoption of all new private sewers. All connections subject to these regulations will require a signed adoption agreement with Wessex Water before connection can be made.)

47. Reserve Matters Application in respect of the residential development of 35 No. dwelling houses and recreational open space and drainage works at land south of Hyde Lane, Creech St Michael (outline 14/12/0036)

Reported this application.

Resolved that subject to no objection from the Environment Agency, the Assistant Director - Planning and Environment be authorised to determine the application in consultation with the Chairman/Vice Chairman and if the detailed plans were approved the following conditions be imposed:-

Conditions

(a) The development hereby permitted shall be carried out in accordance with the following approved plans:-

- (A0) DrNo 4901:P01 Rev E Preliminary Drainage Strategy;
- (A1) DrNo AHL01 Rev C Affordable Housing Layout 01;
- (A1) DrNo BP01 Rev D Boundary Plan 01;
- (A1) DrNo EL01 Existing Site Layout;
- (A1) DrNo LP01 Location Plan 01;
- (A1) DrNo ML01 Rev E Materials Layout 01;
- (A1) DrNo SE01 Rev B Street Elevations 01;
- (A1) DrNo SL01 Rev E Site Layout 01;
- (A1) DrNo TD699_01H Landscape Plan 1 of 2;
- (A1) DrNo TD699_02H Landscape Plan 2 of 2;
- (A2) DrNo SK01 Proposed Site Access Arrangement and Footway Links;
- (A3) DrNo HT.1281A.e House Rev A Type 1281 Elevations Variation A;
- (A3) DrNo HT.1281A.p Rev A House Type 1281 Floor Plans Variation A;
- (A3) DrNo HT.1281AR.e Rev A House Type 1281 Elevations Variation A – Render;
- (A3) DrNo HT.1332.e House Type 1332 Elevations;
- (A3) DrNo HT.1332.p House Type 1332 Floor Plans;
- (A3) DrNo HT.1332A.e House Type 1332 Elevations Variation A;
- (A3) DrNo HT.1332A.p House Type 1332 Floor Plans Variation A;
- (A3) DrNo HT.1332B.e House Type 1332 Elevations Variation B;
- (A3) DrNo HT.1332B.p House Type 1332 Floor Plans Variation B;
- (A3) DrNo HT.1332R.e House Type 1332 Elevations Render;
- (A3) DrNo HT.1526.e Rev A House Type 1526 Elevations;
- (A3) DrNo HT.1526.p Rev A House Type 1526 Floor Plans;
- (A3) DrNo HT.1845.e Rev A House Type 1845 Elevations;
- (A3) DrNo HT.1845.p Rev A House Type 1845 Floor Plans;
- (A3) DrNo HT.1845R.e Rev A House Type 1845 Render Elevations;
- (A3) DrNo HT.910.e House Type 90 Elevations;
- (A3) DrNo HT.910.p House Type 90 Floor Plans;
- (A3) DrNo HT.910A.e House Type 90 Elevations Variation A;
- (A3) DrNo HT.910A.p House Type 90 Floor Plans Variation A;
- (A3) DrNo P.7-10.e1 Rev B Plots 7-10 Elevations Sheet 1 Affordable (Shared Ownership);
- (A3) DrNo P.7-10.e2 Rev B Plots 7-10 Elevations Sheet 2 Affordable (Shared Ownership);
- (A3) DrNo P.7-10.p Rev B Plots 7-10 Floor Plans Affordable (Shared Ownership);
- (A3) DrNo PL.11-15.e1 Rev B Plots 11-15 Elevations Sheet 1 Affordable (Social Rent);
- (A3) DrNo PL.11-15.e2 Rev B Plots 11-15 Elevations Sheet 2 Affordable (Social Rent);
- (A3) DrNo PL.11-15.p Rev B Plots 11-15 Floor Plans Affordable (Social Rent);
- (A1) DrNo 4901:20 Pond & Pump Station Details;

- (A3) DrNo GAR.01pe Rev A Garage Type 1 Floor Plans and Elevations;
- (A3) DrNo GAR.04pe Rev A Garage Type 4 Floor Plans & Elevations;
- (A3) DrNo GAR.03pe Rev A Garage Type 1 Floor Plans and Elevations;
- (A3) DrNo GAR.05pe Rev A Garage Type 1 Floor Plans and Elevations;
- (A3) DrNo GAR.06pe Rev A Garage Type 1 Floor Plans and Elevations;
- (A3) DrNo GAR.07pe Rev A Garage Type 1 Floor Plans and Elevations;
- (A3) DrNo GAR.08pe Rev A Garage Type 1 Floor Plans and Elevations;
- Communal Areas Landscape Plan;

(b) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner, or at such other time as may be agreed by the Local Planning Authority in writing, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

(Notes to applicant:- (i) Applicant was advised that the application provides acceptable details for the layout, scale, appearance and landscaping of the site that will not impact unacceptably upon the character and appearance of the area or the amenities of other nearby property. It would, therefore, be acceptable in accordance with Policies DM1 (General Requirements), CP5 (Inclusive Communities), CP6 (Transport and Accessibility), CP8 (the Environment) of the Taunton Deane Core Strategy and guidance contained in the National Planning Policy Framework; (ii) Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission; (iii) Applicant was advised of the following - BREEDING BIRDS Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered must not be disturbed. If works are to be carried out during the breeding season (from February to August, possibly later) then the tree(s) should be checked for nesting birds before work begins; BATS. The applicant and contractors must be aware that all bats are fully protected by law under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Natural Habitats and Species (Amendment) BREEDING BIRDS; Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered must not be disturbed. If works are to be carried out during the breeding season (from February to August, possibly later) then the tree(s) should be checked for

nesting birds before work begins; BATS. The applicant and contractors must be aware that all bats are fully protected by law under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Natural Habitats and Species (Amendment).

48. Appeals

Reported that two decisions were received details of which were submitted.

Resolved that the reports be noted.

(The meeting ended at 6.25pm)