

Planning Committee – 13 June 2007

Present:- Councillor Mrs Hill (Chairman)
Councillor Mrs Allgrove (Vice Chairman)
Councillors Bishop, Bowrah, Critchard, Denington, Floyd, C Hill,
House, Miss James, McMahon, Mrs Smith, Stuart-Thorn,
Ms Webber, A Wedderkopp, D Wedderkopp and Woolley.

Officers:- Mr T Burton (Development Control Manager), Mr J Hamer
(Development Control Area Manager – West), Mr A Pick (Principal
Planning Officer), Mrs J Moore (Development Control Principal
Officer – East), Mrs J M Jackson (Senior Solicitor), Ms M Casey
(Planning and Litigation Solicitor) and Mr R Bryant (Democratic
Support Manager).

Also present:- Councillor Coles, Councillor Guerrier in relation to application No
34/2007/012 and Councillor Stone for application No 16/2007/001.

(The meeting commenced at 5.00 pm)

75. Apologies/Substitution

Apologies:- Councillors Henley and Watson.

Substitution:- Councillor Stuart-Thorn for Councillor Watson.

76. Minutes

The minutes of the meeting held on 23 May 2007 were taken as read and
were signed.

77. Declarations of Interest

Councillor Bowrah declared a personal interest in application No 46/2006/032,
as he knew the applicant.

78. Applications for Planning Permission

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

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

13/2007/002

**Erection of two storey extension to rear at Redwood Cottage, Cushuish,
Cothelstone.**

Conditions

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

Reason for granting planning permission:-

The scale and design of the extension was considered to be acceptable and it was not thought that it would harm the appearance of the street scene, or neighbouring amenity. Therefore, the scheme accorded with Taunton Deane Local Plan Policies S1, S2 and H17.

16/2007/001

Erection of agricultural buildings and formation of access track and yard on land east of Curry Lane, Higher Durston.

Conditions

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) No development shall commence until the public footpath across the site has been diverted and the new route brought into use;
- (d) C201 – landscaping;
- (e) The layout to be submitted shall make adequate provision for a temporary car park within the site to accommodate operatives and construction vehicles during the contract period and shall indicate the eventual use of that area;
- (f) The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (g) The proposed development shall be served by a new access constructed as shown on drawing No R3311-10 and provided prior to the use commencing;
- (h) The gradient of the access shall not at any point be steeper than 1:10 for a distance of 10m from its junction with the public highway;
- (i) 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;
- (j) The access and buildings hereby permitted shall be used for agricultural purposes of Lodge Farm only;
- (k) The existing vehicular access to the site shall be stopped up, its use permanently abandoned and the verge crossing re-instated, in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority. Such works shall be completed within one month of the new vehicular access hereby permitted being first brought into use;
- (l) Before the access hereby permitted is first brought into use, the turning space shown on the submitted plan shall be properly consolidated and surfaced to the satisfaction of the Local Planning Authority. Such turning space shall be kept free of obstruction at all time;

- (m) At the proposed access there shall be no obstruction to visibility greater than 600mm above adjoining road level within splays based on minimum co-ordinates of 2.4m x 160m to the west. Such visibility shall be fully provided before the access hereby permitted is first brought into use and shall thereafter be maintained at all times;
- (n) At the proposed access there shall be no obstruction to visibility greater than 600mm above adjoining road level within splays based on minimum co-ordinates of 2.4m x 120m to the east. Such visibility shall be fully provided before the access hereby permitted is first brought into use and shall thereafter be maintained at all times;
- (o) No development approved by this permission shall be commenced until a surface water run-off limitation scheme has been submitted to, and approved in writing, by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details;
- (p) The site shall be drained on a separate system with all clean roof and surface water being kept separate from foul drainage;
- (q) No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface water has been approved by, and implemented to the reasonable satisfaction of, the Local Planning Authority;
- (r) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund;
- (s) Details of any external lighting of the building and yard shall be submitted to, and approved in writing by, the Local Planning Authority prior to its installation;
- (t) C716 - prohibited working hours;
- (u) The development hereby permitted shall not be commenced (including any demolition or site clearance) until there has been submitted to, and approved in writing by, the Local Planning Authority a Badger Mitigation Plan. The plan shall contain details of protective measures and sensitive working practices to avoid impacts during all stages of development, including ground works and construction. The mitigation in respect of Badgers shall be based upon a Badger Survey, completed within 12 months prior to the submission of the plan;
- (v) No site clearance works or development (or specified operations) shall take place between 1 March and 31 July without the prior written approval of the Local Planning Authority.

(Notes to applicant:- (1) Applicant was advised that in order for the visibility splay to be implemented, the existing speed limit sign will need relocating by Somerset County Council at a cost to be borne by the applicant; (2) The note

on drawing No R3311.10 states “existing entrance to be stopped up using timber post and rail fence with style/kissing gate”. Applicant was advised that this is considered inadequate and a more permanent design would be suitable; (3) Applicant was advised that any demolition waste brought onto site to be used during the construction of the buildings or access track must be clean and uncontaminated. The use of such material must be covered under an exemption from Waste Management Licensing; (4) Applicant was recommended to investigate the use of sustainable drainage systems (SUDS) for surface water drainage on this site, in order to reduce the rate of run off and to reduce pollution risks. These techniques involve controlling the sources of increased surface water and include:- (i) interception and re-use; (ii) porous paving/surfaces; (iii) infiltration techniques; (iv) detention/attenuation; and (v) wet lands; (5) Applicant was advised that any culverting of a watercourse requires the prior written approval of the Environment Agency under the terms of the Land Drainage Act 1991 or Water Resources Act 1991. The Environment Agency resists culverting on conservation and other grounds and consent for such works will not normally be granted except for access crossings; (6) Applicant was advised that the development lies up stream of Curry and Hay Moors Site of Special Scientific Interest, part of the Somerset Levels and Moors Special Protection Area Ramsar Site. Any discharge from the proposed development would appear to require assessment under the Habitats Regulations. Applicant was advised to discuss any requirements with the Environment Agency; (7) Applicant was advised that under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is normally required for any discharge of sewage or trade effluent into controlled waters and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld; (8) The foul drainage should be kept separate from the clean surface and roof water and connected to the public sewage system after conferring with the sewerage undertaker.)

Reason for granting planning permission:-

The proposed development was not considered to adversely affect the landscape character of the area and therefore, accorded with Taunton Deane Local Plan Policies S1, S2, S7, C6 and EN29.

34/2007/013

Revised application (34/2006/038 and 34/2006/023) to sub-divide property to create two dwellings at Calypso, Rectory Close, Staplegrave.

Conditions

- (a) C001A – time limit;
- (b) C215 – walls and fences;
- (c) P001A – no extensions;
- (d) The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason for granting planning permission:-

The proposed development was considered to comply with Taunton Deane Local Plan Policies S1, S2, H2, H17 and M4 and material considerations did not indicated otherwise.

38/2007/131

Alteration to raised timber cladding on south, east and west elevations at second, third and fourth floor levels and alterations to two upper levels to Multi-Storey Car Park at Taunton and Somerset Hospital, Musgrove Park, Taunton.

Conditions

- (a) C001A – time limit;
- (b) C102A – materials;
- (c) The new timber cladding shall be counter battened to match the existing;
- (d) Any construction work shall be restricted to the hours of 0730-1900 hours Monday to Friday and 0800-1300 hours on Saturdays. No work shall be carried out on Sundays and Public Holidays;
- (e) The works for which consent is hereby granted shall be begun within three months from the date of this consent.

(Notes to applicant:- (1) Applicant was advised that the works should be carried out at the earliest opportunity; (2) Applicant was advised that lighting internally to the building, particularly on the ground floor, is causing problems and needs to be addressed through additional ground floor screening.)

Reason for granting planning permission:-

The proposed alteration to the building was considered acceptable and in compliance with Taunton Deane Local Plan Policies S1 and S2.

38/2007/165

Conversion of dwelling to two flats at 10 Salisbury Street, Taunton.

Conditions

- (a) C001A – time limit;
- (b) C331 – provision of cycle parking;
- (c) Provision of waste storage areas shall be as indicated on the approved plan and permanently retained as such.

Reason for granting planning permission:-

The proposal was considered not to have a detrimental impact upon visual or residential amenity and was therefore considered acceptable and, accordingly, did not conflict with Taunton Deane Local Plan Policies S1 and S2.

(2) That **planning permission be refused** for the under-mentioned development, subject to the standard reasons adopted by Minute No 86/1987

of the former Planning and Development Committee and such further reasons as stated:-

46/2006/032

Retention of covered display areas and ancillary uses associated with garden centre at Blackdown Garden Centre, Piccadilly, Wellington.

Reasons

- (a) No Flood Risk Assessment has been submitted for this site and consequently, without evidence to the contrary, the development fails to meet the provisions of Taunton Deane Local Plan Policies EN28 or EN29 and guidance contained within Planning Policy Statement 25 (Development and Flood Risk) as the site lies within an area which has been identified as at risk of flooding. Therefore, the application provides insufficient information to enable the Local Planning Authority to fully determine the planning merits of the development proposal;
- (b) Insufficient information has been submitted in order to assess the impact of the intensification of the garden centre on the highway network and the existing access to the site. As such, the proposal fails to provide a safe access to the site to accommodate the intensification of the use. Furthermore, a full Transport Assessment and Travel Plan is required in order to fully assess the impact of the use. As such, the development is contrary to the provisions of the Somerset and Exmoor National Park Joint Structure Plan Review Policy 49;
- (c) The submitted information fails to clearly identify and define the development for which retrospective consent is sought. As such, the Local Planning Authority is unable to fully assess the merits and intensification of the proposed development against the relevant Local Plan Policy.

Also RESOLVED that enforcement action be taken seeking the removal of unauthorised works from the site and the land being returned to its former condition.

79. Residential development to provide 145 dwellings together with infrastructure and associated works, land adjacent to Silk Mills Lane, Staplegrove (34/2007/012).

Reported this application.

RESOLVED that subject to:-

- (1) The receipt of further wildlife surveys and the further views of the Nature Conservation Officer, including any additional conditions;
- (2) The receipt of further information on archaeological remains and the further views of the County Archaeologist, including any additional conditions;
- (3) The views of the Environmental Health Officer and the County Education Officer including any conditions and Section 106 Agreement heads they may request;

- (4) The further views of the Environment Agency following the receipt of the flood risk assessment, including any further conditions they might request;
- (5) The Applicants entering into a Section 106 Agreement to secure:-
 - (i) 35% of the units to be Affordable Housing, of which 50% to be social rented, 25% shared ownership and 25% low cost outright purchase;
 - (ii) The contribution of £1750 per dwelling with two or more bedrooms to fund additional children's play provision on open space close by and a capital sum of £1023 per dwelling for the improvement of existing nearby sports pitch facilities. Both these sums to be index linked to building costs;
 - (iii) The provision of a 10m wide landscape buffer zone to the Silk Mills Lane frontage with a further 5m depth with no buildings, such landscape buffer zone to be maintained by a Management Company or adopted by the Borough Council and not conveyed to the individual dwelling owners;
 - (iv) Contributions to secure a public transport subsidy of £400 per household in the form of a one year bus pass per dwelling;
- (6) The receipt of satisfactory amended plans to incorporate the views of the County Highway Authority and the receipt of no further representations raising new issues on the amended plans being received by 19 June 2007,

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

- (a) C007 – outline - reserved matters;
- (b) C010 – drainage;
- (c) C013 – site levels;
- (d) C014A – time limit;
- (e) C009 – outline - time limit;
- (f) C101 – materials;
- (g) C204 – landscaping scheme (planting) – phasing;
- (h) C205 – hard landscaping;
- (i) C207A – existing trees to be retained;
- (j) C208E – protection of trees to be retained;
- (k) C208B – service trenches beneath trees;
- (l) C209 – protection of hedges to be retained;
- (m) C210 – no felling or lopping;
- (n) The existing hedges on the boundaries of the site shall be retained (except at the point of access), to the satisfaction of the Local Planning Authority;
- (o) C215 – walls and fences;
- (p) C246 – landscape completion check;
- (q) C247 – temporary site building and storage compound;
- (r) C301 – highways – In accordance with County Highway Authority's booklet;
- (s) C302 - highways – roads, footpaths and turning spaces to be surfaced;
- (t) C304 – access point;
- (u) There shall be no vehicular access to the site other than from Silk Mills Lane;
- (v) C314 – visibility splays;

- (w) C416 – details of size, position and materials of meter boxes;
- (x) P005 – no garages;
- (y) P007 – no fencing in front of dwellings;
- (z) The site shall be drained by a separate system of foul and surface water drainage, with all clean roof and surface water being kept separate from foul water;
- (aa) Only clean uncontaminated surface water from roofs and untrafficked paved areas shall be discharged to any soakaway;
- (bb) Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor;
- (cc) Oil or chemical storage facilities shall be sited in bunded areas. The capacity of the bund shall be at least 10% greater than the capacity of the storage tank or, if more than one tank is involved, the capacity of the largest tank within the bunded area. Hydraulically interlinked tanks shall be regarded as a single tank. There shall be no working connections outside the bunded area;
- (dd) Details of the diversion of high and low voltage electricity lines and cables on the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of development;
- (ee) Details of any ground mounted electricity sub-station shall be submitted to, and approved in writing by, the Local Planning Authority.

(Notes to Applicant:- (1) N118 - disabled access; (2) N110 – design; (3) N112 - energy conservation; (4) N115 - water conservation; (5) N113 - street names; (6) N114 - meter boxes; (7) N117 - crime prevention; (8) N051B - health and safety; (9) N075 - Section 106 Agreement; (10) Applicant was advised that the soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (11) With regard to Condition (b), applicant should have regard to the attached “Guidance Notes for Developers on Surface Water Drainage Issues – Somerset Version”, which should be used to design the system and to accommodate flows from events up to and including the 1 in 100 year event allowing for climate change; (12) Applicant was strongly recommended to include sustainable design and construction measures which comply with the Code for Sustainable Homes within the proposed development. The development should aim to achieve the highest number of stars possible, preferably six. The Code includes sections on energy and water efficiency and will soon be compulsory for all housing. In a sustainable building, minimal natural resources and renewables are used during construction and the efficient use of energy is achieved during subsequent use. This reduces carbon-dioxide emissions and contributes to climate change mitigation. Running costs of the building are also reduced; (13) Applicant was advised that during construction the following comments apply:- (i) Construction vehicles should not cross or work directly in a river. Temporary bridges should be constructed for vehicles to

cross and excavations carried out from the bank; (ii) Pumps used for pumping out water from excavations should be sited well away from water courses and surrounded by absorbent material to contain oil spillages and leaks; (iii) Discharge of silty or discoloured water from excavations should be irrigated over grassland or a settlement lagoon be provided to remove gross solids. The Environment Agency must be advised if a discharge to a watercourse is proposed; (iv) Storage of fuels for machines and pumps should be sited well away from any water courses. The tanks should be bunded or surrounded by oil absorbent material (regularly replaced when contaminated) to control spillage and leakage; (14) Applicant was advised that the Environment Agency must be notified immediately of any incident likely to cause pollution; (15) Applicant was advised that all waste produced during the development of the site must be disposed of at a suitably licensed waste management facility, if it is not to be reused on site; (16) Applicant was advised that if construction and demolition waste is to be brought onto site for the development, an exemption from Waste Management Licensing must be applied for; (17) Applicant was advised to contact Wessex Water to see if any of the on site drainage systems can be adopted under a Section 104 Agreement; (18) Applicant was advised of the following with regard to fire safety:- (A) Means of Escape – (i) Means of escape in case of fire should comply with Approved Document B1 of the Building Regulations 2000. Detailed recommendations concerning other fire safety matters will be made at the Building Regulations stage; (ii) The travelled distance from Flats 1, 6, 7 and 12 appear to be at the maximum length as specified in B1 2.20 diagram 7; (iii) It is noted that the protected staircase discharges into a vehicle access area and information is required on how road vehicles will be prevented from blocking this entrance/exit. (B) Fire Resistance - (i) The different purpose groups (commercial and residential) should be separated by fire resisting construction as defined in ADB Table A1 Minimum of 60 minutes; (ii) The doors from the flats and opening into the staircase enclosure should be of 30 minute fire resisting construction; (C) Access for Appliances – Access for Fire Appliances should comply with Approved Document B5 of the Building Regulations 2000; (D) Water Supplies – All new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards.)

Reason for outline planning permission, if granted:-

The site was allocated for residential development in the Taunton Deane Local Plan and it was considered that the proposed development would be in compliance with Taunton Deane Local Plan Policies H1 and T13.

- 80. Erection of five storey building comprising 65 Category II Sheltered Apartments for older people together with communal facilities, guest suite, Estate Managers Office over two retail units, a Class A3 café/restaurant with outside terrace and covered parking area, spectator stands and Groundsmans store at land adjacent to West Stand and Coal Orchard Car Park, Somerset County Cricket Club, Taunton (38/2007/070).**

Reported this application.

RESOLVED that subject to the applicants entering into a Section 106 Agreement to secure a lower limit to the age range of occupants of the elderly persons flats and a contribution towards the provision of a sum to secure the landscaping of Somerset Square, the Development Manager be authorised to determine the application in consultation with the Chairman and, if Planning Permission was granted, the following conditions be imposed:-

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) C201 – landscaping;
- (d) Details and samples of the materials to be used for the surfaces of the access road, turning area, terrace and square shall be submitted to, and approved in writing by, the Local Planning Authority and no other materials shall be used without the written consent of the Local Planning Authority;
- (e) C910B – archaeological programme;
- (f) C911 – aerials – combined system.
- (g) The ground levels of the development must be set to a minimum of 16.14m AOD and the finished floor levels of the mixed use development at 16.44m AOD;
- (h) A strip of land 8m wide adjacent to the top of the banks of the River Tone must be kept clear of all new buildings and structures (including gates, walls and fences). Ground levels must not be raised within such a strip of land and details of the final landscaped levels within this area shall be submitted to, and approved in writing by, the Local Planning Authority prior to landscaping commencing;
- (i) No construction approved by this permission shall be commenced until a scheme for the provision and implementation of the flood defence improvements along the riverside boundary are raised as part of Phase One. The defences must be raised to a minimum of 16.14m AOD;
- (j) During construction no development approved by this permission shall be commenced until a scheme for the prevention of pollution during the construction phase has been approved by the Local Planning Authority. The scheme shall include details of the following:- (i) Site security; (ii) Fuel oil storage, bunding, delivery and use, pollution incident containment; (iii) How both minor and major spillage would be dealt with; (iv) Containment of silt/soil contaminated run off; (v) Disposal of contaminated drainage, including water pumped from excavations; (vi) Site induction for workforce highlighting pollution prevention and awareness; (vii) Details of Construction Restriction Zones, for example rivers/working in/near water;
- (k) The development hereby approved shall not commence until a Wildlife Plan, produced in conjunction with a Construction Environmental Management Plan, has been submitted to, and formally approved in writing by, the Local Planning Authority;
- (l) All lighting within the proposed public space shall be low level and directional to minimise light straying out over the River Tone or its banks

and details shall be submitted to, and approved in writing by, the Local Planning Authority prior to installation;

- (m) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank or the combined capacity of interconnected tanks plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund;
- (n) No development approved by this permission shall be commenced until a scheme for the provision of foul drainage works has been submitted to, and approved in writing by, the Local Planning Authority;
- (o) Prior to being discharged into any watercourse, surface water sewer or soakaway system all surface water drainage from parking areas and hard standings shall be passed through trapped gulleys with an overall capacity compatible with the site being drained;
- (p) Prior to the commencement of development approved by this planning permission, a scheme to deal with the risks associated with contamination of the site shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority:- (A) A desk study identifying:- (i) all previous uses; (ii) potential contaminants associated with those uses; (iii) a conceptual model of the site indicating sources, pathways and receptors; (iv) potentially unacceptable risks arising from contamination at the site; (B) A site investigation scheme based on (A) to provide information for an assessment of the risks to all receptors that may be affected, including those off site; (C) The results of the site investigation and risk assessment and a method statement based on those results giving full details of the remediation measures required and how they are to be undertaken; (D) A verification report on completion of the works set out in (C) confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance, further monitoring and reporting. Any changes to these agreed elements require the express consent of the Local Planning Authority;
- (q) 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 and obtained written approval from the Local Planning Authority for an amendment to the method statement detailing how this unsuspected contamination shall be dealt with;
- (r) Piling or any other foundation designs using penetrative methods will not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site

where it has been demonstrated that there is no resultant unacceptable risk to ground water;

- (s) Detailed proposals for the disposal of surface water shall be submitted to, and approved in writing by, the Local Planning Authority before the commencement of development. The agreed details shall be fully implemented before the building is occupied;
- (t) Details of the exterior treatment to the parking area under the building shall be submitted to, and approved in writing by, the Local Planning Authority and carried out as agreed prior to the occupation of the building;
- (u) Prior to commencement of construction works, details of the provision for vehicle turning and servicing on the Brewhouse site shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter so provided;
- (v) Detailed drawings of the west elevation at a scale 1:50 shall be submitted to, and approved in writing by, the Local Planning Authority prior to any works commencing other than demolition and site clearance;
- (w) Details of the exterior treatment to the rear of the spectator stand shall be submitted to, and approved in writing by, the Local Planning Authority prior to any works commencing.

(Notes to applicant:- (1) Applicant was advised that all new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards; (2) Applicant was advised to contact Wessex Water to see if any of the on site or off site drainage systems could be adopted under a Section 104 Agreement and to agree protection of any apparatus on site and connection to Wessex systems; (3) With regard to Condition (j), applicant was advised that invitation for tenders for sub-contracted works must include a requirement for details of how the work will be implemented; (4) Applicant was advised that the Wildlife Plan shall detail provision for and mitigation of protected and national bio-diversity action plan species, especially those known to use the corridor of the River Tone. The Wildlife Plan should also include a maintenance scheme ensuring future bio-diversity of the site is maintained; (5) With regard to Condition (n), applicant was advised that this scheme should include drainage plans detailing the routes of both foul and surface water. Further to this, the Environment Agency will need reassurance from Wessex Water that there is sufficient capacity within the existing sewerage infrastructure to cope with additional flows without risk of causing deterioration in effluent quality or increased river loading; (6) Applicant was advised that the supporting information for this application includes a geo-environmental assessment which highlights that potential contamination (particularly hydro-carbons) has been identified on site. The information included in the assessment is very limited and further investigation and risk assessment is warranted. The Environment Agency recommends that a particular risk management framework should be followed; (7) Applicant was advised that under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8m of the top of the bank of a designated "main river"; (8) Applicant was advised that exemptions

from the Waste Management Licensing Regulations for moving waste spoil/subsoil off site will also be required and developers will need to contact the Environment Agency to apply for such activities; (9) Applicant was advised that foul drainage should be kept separate from clean surface and roof water; (10) Applicant was advised that the Environment Agency has land ownership rights by the Cricket Ground. They strongly recommend that the proposed development includes sustainable design and construction measures which comply with the Code for Sustainable Homes. The development should aim to achieve the highest number of stars possible, preferably six. The Code includes sections on energy and water efficiency and will soon be compulsory for all housing. In a sustainable building minimal natural resources and renewables are used during construction and the efficient use of energy is achieved during subsequent use. This reduces carbon-dioxide emissions and contributes to climate change mitigation. Running costs of the building are also reduced; (11) Applicant was advised that water efficiency measures should be incorporated into this scheme. These could include, for example, water butts, rainwater recycling and the use of water efficient internal appliances and systems. It would assist in conserving natural water resources and offer some contingency during times of water shortage; (12) Applicant was advised to contact the Doctors Surgery to discuss alleviation of parking concerns during the construction phase.)

Reason for planning permission, if granted:-

The proposed development was on a site within the settlement limits where redevelopment would enhance the facilities of the County Cricket Club and provide housing and was considered to accord with Taunton Deane Local Plan Policies S1, S2, H2, H4, M4 and T33.

81. Retention of external extraction ducting at China Capital, 87 Mountway Road, Bishops Hull.

Reported that it had been brought to the Council's attention that external extraction ducting had been installed at the side of the premises 87 Mountway Road, Bishops Hull in connection with its use as a Chinese Takeaway.

The owners had been notified that the ducting required planning permission and, to date, two applications to retain the ducting had been submitted. Both however had been refused.

RESOLVED that:-

- (1) Enforcement action be taken to secure the removal of the unauthorised extraction ducting which had been installed at 87 Mountway Road, Bishops Hull; and
- (2) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the enforcement notice not be complied with.

(The meeting ended at 8.38pm.)

