

Planning Committee – 1 February 2017

Present: - Councillor Bowrah (Chairman)
Councillor Mrs Hill (Vice-Chairman)
Councillor M Adkins, Mrs Adkins, Booth, Brown, Cavill, Coles, C Hill,
Morrell, Mrs Reed, Townsend, Watson, Wedderkopp and Wren

Officers: - Matthew Bale (Area Planning Manager), Gareth Clifford (Principal
Planning Officer), Martin Evans (Shape Partnership Services) and
Tracey Meadows (Democratic Services Officer)

Also present: Councillor Hall in connection with application No. 38/16/0345.
Councillor Berry and Mrs A Elder, Chairman of the Standards Advisory
Committee.

(The meeting commenced at 5 pm)

5. Welcome

The Chairman welcomed Councillor Mrs Adkins to the meeting as a new
Member of the Planning Committee.

6. Apologies/Substitutions

Apologies: Councillors Gage, Martin-Scott and Nicholls

Substitutions: Councillor Cavill for Councillor Gage
Councillor Coles for Councillor Nicholls

7. Declarations of Interest

Councillors M Adkins, Coles and Wedderkopp declared personal interests as
Members of Somerset County Council. Councillor Coles also declared a
personal interest as he was a member of the Devon and Somerset Fire and
Rescue Service. Councillor Mrs Hill declared personal interests as a trustee
to Hestercombe House and Gardens, a trustee to the Somerset Building
Preservation Trust and as a Director of Apple FM. Councillor Townsend
declared personal interests as Vice-Chairman of Kingston St Mary Parish
Council and Chairman of the Kingston St Mary Village Hall Association.
Councillor Wren declared a personal interest as he was Clerk to Milverton
Parish Council. All Councillors declared that they had received
correspondence from the Quantum Group in respect of application No.
38/16/0345 and knew the applicant for application No. 48/16/0066.

8. Applications for Planning Permission

The Committee received the report of the Area Planning Manager on an

application for planning permission and it was **resolved** that it be dealt with as follows:-

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

48/16/0066

Replacement of garage and greenhouse with erection of 1 No. detached dwelling with parking and alterations to access in garden to the side of Woodlands, Yallands Hill, Monkton Heathfield

- (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;
 - (A2) DrNo 1068 002 Rev A Proposed Site Plan;
 - (A1) DrNo X16263_3D_SX Rev A Topographical Survey;
 - (A1) DrNo 1608 001 Rev A Proposed Floor Plans and Elevations;
 - (A4) Access Elevations;
- (c) No development shall take place until details 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) The building(s) shall not be occupied/use shall not commence unless the access to the site has been provided in accordance with the approved plans. The access shall thereafter be retained in the approved form;
- (e) There shall be no obstruction to visibility greater than 900mm above the adjoining carriageway level within the visibility splays shown on the approved plans; Such visibility splays shall be fully provided before the new access is brought into use/buildings are occupied/use commences and shall thereafter be maintained in the approved form;
- (f) The development hereby approved shall not be occupied or the use commenced until space has been laid out, drained and surfaced within the site in accordance with the approved plan(s) for the parking and turning of vehicles, and such areas shall not thereafter be used for any purpose other than the parking and turning of vehicles associated with the development;
- (g) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order

revoking and re-enacting that Order, with or without modifications, no vehicular access gates shall be erected at any time unless they are set back a minimum distance of 6 m behind the highway boundary and hung so as to open inwards only;

- (h) Before any part of the permitted development is commenced, the hedges to be retained on the site shall be protected by a chestnut paling fence 1.5 m high, placed at a minimum distance of 2 m from the edge of the hedge and the fencing shall be removed only when the development has been completed. During the period of construction of the development the existing soils levels around the base of the hedges so retained shall not be altered;
- (i) For a period of five years after the completion of the development, the boundary hedges, as shown in drawing No. 1608/002A, shall be 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;
- (j) The cycle storage facilities shown on the approved plan shall be constructed and fully provided prior to the building being occupied and shall thereafter be retained for those purposes;
- (k) 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;

(Notes to applicant:- (1) 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;(2) Applicant was advised that a new water supply and waste water connections would be required from Wessex Water to serve this development. As from 1 October 2011, all sewer connections serving more than a single dwelling would require a signed adoption agreement with Wessex Water before the connection can be made.)

9. Demolition of office block and erection of care led facility inclusive of 62 No. ensuite bedroom care home, 58 No. assisted living extra care apartments, ground floor retail space (Classes A1, A3, D1 and D2), car parking, mobility scooter parking, cycle stores, ancillary buildings with public and private landscaping at Quantock House, Paul Street, Taunton as amended (38/16/0345)

Reported this application.

Resolved that:-

- (1) Subject to the applicant entering into a Section 106 Agreement to secure the following:-

- Improvements to the pedestrian crossing facilities at the signalised Paul Street/Mary Street junction;
- A Travel plan; and
- The inclusion of public art within the development; and

(2). Subject to the receipt of no further representations raising new issues following the expiration of the public consultation period on the amended plans on 3 February 2017, the Assistant Director – Planning and Environment be authorised to determine the application in consultation with the Chairman or Vice-Chairman of the Committee and, if planning permission was granted, the following conditions be imposed:-

(In the event that any such representations were received, the Chairman or Vice-Chairman be authorised to decide whether the decision should be delegated to the Assistant Director - Planning and Environment or whether the matter should be referred back to the Committee.)

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:-

- (A1) DrNo 903-100 Existing Location Plan;
- (A1) DrNo 903-200 Proposed Location Plan;
- (A1) DrNo 903-201 Rev B Site Plan - LGF Level;
- (A1) DrNo 903-202 Rev B Site Plan - UGF Level;
- (A1) DrNo 903-203 Rev B Site Plan - LGF Level Delivery Entrance;
- (A1) DrNo 903-204 Rev A Site Plan - Pedestrian Routing Plan;
- (A1) DrNo 903-205 Rev A Site Plan - Parking Arrangement Plan;
- (A1) DrNo 903-300 Proposed Level 00 Floor Plan (car park);
- (A1) DrNo 903-301 Proposed Level 01 Floor Plan (retail/care home);
- (A1) DrNo 903-302 Proposed Level 02 Floor Plan (care home);
- (A1) DrNo 903-303 Proposed Level 03 Floor Plan (care home);
- (A1) DrNo 903-304 Proposed Level 04 Floor Plan (Assisted living);
- (A1) DrNo 903-305 Proposed Level 05 Floor Plan (Assisted Living);
- (A1) DrNo 903-306 Proposed Level 06 Floor Plan (Assisted Living);
- (A1) DrNo 903-307 Proposed Level 07 Floor Plan (Assisted Living);
- (A1) DrNo 903-308 Rev B Proposed Level 08 Floor Plan (Assisted Living);

- (A1) DrNo 903-400 Rev E Proposed South and East Elevations;
- (A1) DrNo 903-401 Rev E Proposed North and West Elevations;
- (A1) DrNo 903-500 Rev C Section A-A and B-B;
- (A1) DrNo 903-600 Proposed Refuse and Cycle Stores;

(c) No development including demolition and site clearance works shall commence unless a Construction Traffic Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:-

- Construction vehicle movements;
- Construction operation hours;
- Construction vehicular routes to and from site;
- Construction delivery hours;
- Expected number of construction vehicles per day;
- Car parking for contractors;
- Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
- A scheme to encourage the use of Public Transport amongst contractors; and
- Measures to avoid traffic congestion impacting upon the Strategic Road Network;

(d) Before development commences (including demolition and 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.

Note: The protective fencing should be as specified at Chapter 9 and detailed in figures 2 and 3 of BS 5837:2012;

(e) No development, including demolition and site clearance works, shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The development shall be carried out at all times in accordance with the agreed scheme or some other scheme that may otherwise be agreed in writing by the Local Planning Authority;

- (f) Other than the demolition of the existing building, site clearance and any highway works, no development shall be commenced until the detailed design for the surface water drainage scheme, based on the submitted proposed drainage strategy, together with a programme of implementation and maintenance for the lifetime of the development, have been submitted to, and approved in writing by, the Local Planning Authority. The drainage strategy shall ensure that surface water run off post development is attenuated on site and discharged at a rate and volume which provides a minimum of 30% betterment over existing run off rates and volumes. Such works shall be carried out in accordance with the approved details;
- (g) Prior to their installation, sample panels of the materials to be used in the construction of the external surfaces of the development measuring at least 1 m x 1 m shall be built on the site and both the materials and the colour and type of mortar for pointing used within the panel shall be agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed details and thereafter maintained as such;
- (h) The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to the commencement of development and thereafter maintained until the use of the site discontinues;
- (i) Other than the demolition of the existing building and other site preparatory works, no work shall commence on the development hereby permitted until the details of the access junctions generally in accordance with drawing Nos 903-201 Rev A Site Plan LGF Level, 903-202 Rev A Site Plan UGF Level, 903-203 Rev A Site Plan LGF Level Delivery Entrance have been submitted to, and approved in writing by, the Local Planning Authority. The access shall then be fully constructed in accordance with the approved plan, to an agreed specification before the development is first brought into use;
- (j) Prior to its installation, 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) (i) Prior to its implementation, 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 first occupation of the development; (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;

- (l) The applicant shall undertake all the recommendations made in Peach Ecology's Ecological Assessment report dated September 2016, and provide mitigation for bats and birds as recommended;

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;

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;

Thereafter the resting places and agreed accesses shall be permanently maintained;

- (m) Prior to first occupation a servicing statement detailing measures to ensure that deliveries and refuse collection vehicles can safely move into the delivery area and avoid any conflict with entering and exiting vehicles shall be submitted to, and approved in writing by, the Local Planning Authority. Following occupation of the building, the measures detailed in the approved statement shall thereafter be fully complied with;
- (n) Taxi and ambulance bays as detailed by drawing No 903-205 shall be formed at the point of access in accordance with the detailed plan and specifications. Such bay shall be completed before the development hereby permitted is first occupied and shall be available for the parking and checking of vehicles at all times. The bay shall at no time be used other than for the parking of vehicles on a short-stay basis;
- (o) The access, parking and turning spaces detailed on the drawings hereby permitted shall be properly consolidated and surfaced in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted;
- (p) The access on the east boundary of the site hereby permitted shall be used for the purpose of "Entry Only" and physical measures to ensure compliance with this arrangement, including the erection of appropriate signs, shall be approved in writing by the Local Planning Authority prior to their installation. Such arrangements shall be implemented before the new access is brought into use and shall thereafter be maintained at all times;

- (q) There shall be no obstruction to visibility greater than 300mm above adjoining road level in advance of lines drawn 2.4 m back from the carriageway edge on the centre line of the access/egress and extending to points on the nearside carriageway edge 33 m either side of the delivery and exit access. Such visibility shall be fully provided before the development hereby permitted is brought into use and shall thereafter be maintained at all times;
- (r) The Restaurant/Bistro/Community Meeting Room space (shown coloured light pink) on Level 01 (drawing No 903-301) may be used for any purpose within Classes A1, A3, D1 or D2 of the Schedule to the Use Classes Order 1987, as amended;

10. E/0154/24/12 – Untidy site at 12 Town Close, North Curry

Reference Minute No 83/2016, reported that further clearance had taken place on the site since the last visit.

Due to the reasons set out in the report it was felt that proceeding with prosecution at present would not achieve clearance of the site. Officers were requested to contact the family and work with them in order to reduce the visual impact of the site to remedy the harm to the amenity of neighbours.

Resolved to defer prosecution action and continue to monitor the situation for a further period of twelve months for the reasons provided.

11. Appeals

Reported that three appeal decisions and two new appeals had been received details of which were submitted.

Resolved that the report be noted.

(The meeting ended at 6.05 pm)