

Planning Committee – 12 November 2015

Present: - Councillor Bowrah (Chairman)
Councillor Coles (Vice-Chairman)
Councillors M Adkins, Brown, Mrs Floyd, C Hill, Martin-Scott, Morrell,
Nicholls, Townsend, Watson, Wedderkopp and Wren

Officers: - Matthew Bale (Area Planning Manager), Gareth Clifford (Principal
Planning Officer), Roy Pinney (Legal Services Manager) and Tracey
Meadows (Democratic Services Officer)

Also present: Matthew Hill (Scientific Officer), Councillors D Durdan and Miss
Durdan in connection with application No. 14/15/0020 and
Mrs A Elder, Chairman of the Standards Advisory Committee

(The meeting commenced at 5.00 pm)

106. Apologies

Councillors Gage and Mrs Reed

107. Public Question Time

Councillor Coles reported that the wording regarding the deferral of the Comeytrove/Trull planning application 42/14/0069, Minute No.104 on the 4 November 2015 was not a full and proper reflection of the reasons given and accepted by the Planning Committee. He stated that Members had been concerned that the applicant had not complied with Taunton Deane Borough Council's Policy SS7 and that without reference to a broader picture of the effect of such a large development it would require further Master Planning around the issues raised. There was likely to be traffic impact particularly on the A38 Wellington Road and the Honiton Road at Compass Hill with the attendant air quality and pollution. The lack of provision of suitable school places without necessitating journeys through town at peak traffic flow times and a lack of sufficient flooding mitigating were also matters of concern. This all needed a broader holistic approach to understanding and mitigating the cumulative effects of a major development of this kind. It was the wish of the Planning Committee that meaningful consultations should take place with all the interested parties - including the developers, Somerset County Council's Highways and Education Departments, the Environment Agency, Taunton Deane Borough Council and Trull/Comeytrove Parish Councils along with the Comeytrove Residents Action Group (CRAG), to seek solutions to these issues.

In response, the Legal Services Manager stated that Policy SS7 provided a great deal of reassurance to most of the points mentioned by Councillor Coles. The points relating to traffic and education needed to be directed to Somerset County Council.

108. Declarations of Interest

Councillors M Adkins, Coles and Wedderkopp declared personal interests as Members of Somerset County Council. 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 Nicholls declared personal interests as a Member of Comeytrowe Parish Council and a Member of the Fire Brigade Union. Councillor Martin-Scott declared personal interests as a trustee to the Home Service Furniture Trust, trustee to Bishop Fox's Educational Foundation and a trustee to Trull Memorial Hall. Councillor Wren declared a personal interest as he was Clerk to Milverton Parish Council. All Members declared that they had received correspondence from the objectors for item No. 14/15/0020. Councillor Bowrah declared that he had spoken to an objector in connection with application No. 14/15/0020. He declared that he had not 'fettered his discretion'

109. Applications for Planning Permission

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

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

49/15/0037

Outline planning application with some matters reserved for the repositioning of the vehicular and pedestrian access with alterations to driveway for the erection of 2 No. dwellings on land at Tor House, 48 Ford Road, Wiveliscombe

Conditions

- (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 development hereby permitted shall be carried out in accordance with the following approved plans:-
 - (A1) DrNo 2406.08 Site Layout and Access as Proposed;
 - (A1) DrNo 2406.09 Access Plan and Elevations Existing and Proposed;

- (A1) DrNo 2406.10 Turning Head Area Existing and Proposed;
- (A4) DrNo 2406.11 Location Plan for Outline Planning Application;

- (c) No dwelling hereby permitted shall be occupied until the means of vehicular access to the site has been constructed in its entirety in accordance with the plans hereby approved;
- (d) Before any dwelling hereby permitted is first occupied, the visibility splays shown on approved plan DrNo 2406.08 and 2406.09 shall be fully constructed before any dwelling hereby permitted is first occupied. Thereafter the visibility splays shall remain unobstructed above a height of 900mm adjoining the carriageway level to the satisfaction of the Local Planning Authority;
- (e) Details of the relative heights of the existing and proposed ground levels and the height of the ground floor of the proposed dwellings shall be submitted as part of the reserved matters application, as required by Condition (a) and the development shall be carried out wholly in accordance with the approved plans;
- (f) Prior to implementation, a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to, and approved in writing by, the Local Planning Authority. The agreed boundary treatments shall be completed before the dwellings are first occupied 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 entered into pre-application discussions to enable the grant of planning permission.)

- (2) That **Planning permission be granted** for the undermentioned developments:-

16/15/0003

Conversion from store/workshop to stable incorporating raising of the eaves and roof ridge plus addition of canopy to the west elevation, construction of a manege to the south at Kinleigh, Frog Lane, Durston

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 plan:-

- (A3) DrNo 0615/278/010 Proposed Stable Plan;
- (A3) DrNo 0615/278/0011 Proposed Stable Elevations;
- (A3) DrNo 0615_278_020 Proposed Manege Plan;
- (A3) DrNo 0615_278_021 Proposed Manege Elevations;
- (A2) DrNo 0615_278_022 Proposed Block Plan;
- (A4) DrNo 0615_278_023 Proposed Location Plan;
- (A3) DrNo 0615_278_030 Proposed Manege Construction;

(c) The use of the manege and stables hereby permitted shall be limited to private use only and shall not be used for any business or commercial use.

(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 and had imposed planning conditions to enable the grant of planning conditions.)

49/15/0038/LB

Formation of repositioned vehicular access from Ford Road, new driveway within site including associated new walls and alterations to existing walls at Tor House, 48 Ford Road, Wiveliscombe

Condition

- (a) The work 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:-
- (A1) 2406.08 LB Site Layout and Access As Proposed;
 - (A1) 2406.09 Access Plan And Elevations Existing And Proposed;
 - (A1) 2406.10 Turning Head Area Existing And Proposed;
 - (A3) 2406.12 Location Plan For Listed Building Application;
- (c) Only those materials specified in the application and identified on the approved plans shall be used in carrying out the development hereby permitted unless otherwise agreed in writing with the Local Planning Authority;
- (d) No development, excluding site works, shall begin until a panel of the proposed stonework for the walls to be erected in accordance with the approved plans and measuring at least 1 m x 1 m has been built on the site. 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 prior to application and 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 entered into pre-application discussions to enable the grant of planning permission.)

38/15/0375

Conversion of roof space at 56 Mountfields Road, Taunton

Condition

- (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 plan:-
 - (A1) DrNo J134/03 Survey and Proposal Drawing;
- (c) The window(s) in the side (west) elevation 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 windows in this elevation without the further grant of planning permission;

(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 and has granted planning permission.)

38/15/0394

Erection of two storey extension to the side and rear of dwelling and formation of vehicle hardstanding/vehicle crossing at 11 Belmont Road, Taunton

Condition

- (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:-
 - (A2) DrNo J118/02B Proposed Plans and Elevations;
 - (A3) DrNo J118/01 Existing Ground and First Floor Plan, Existing S,E and N Elevation Location Plan;
- (c) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) Order 2015 (or any order revoking and re-enacting the 2015 Order) (with or without modification), no window/dormer windows shall be installed in the west or east elevation of

the development hereby permitted without the further grant of planning permission.

(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.)

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

14/15/0020

Change of use from storage and distribution (Use Class B1/B8) to general industrial (Use Class B2) for wood processing and storage at Walford Cross Units, Walford Cross, Taunton

Reasons

Insufficient information has been submitted to demonstrate that the proposal would not lead to an unacceptable adverse impact to the amenities of neighbouring residents by reason of the likelihood of noise and dust nuisance and air pollution; or that the potential impacts can be satisfactorily monitored, contrary to Policy DM1 (e) of the Taunton Deane Core Strategy.

110. Proposed changes to the Constitution – Amendments to recommendations at Planning Committee

Following recent meetings of the Planning Committee, officers had been considering possible changes to the procedures under which Members of the Committee consider applications for planning permission, as set out in Part 4 of the Council's Constitution (Rules of Procedure).

At present, Part 4 paragraph 6 limited the range of potential amendments to substantive motions which might be proposed at Planning Committee. In particular, paragraph 6 stated that amendments as proposed "*shall not have the effect of introducing a significantly different proposal or of negating the motion*".

Although the current arrangements within the Council's Constitution operated well at Full Council and at most of the Council's Committees it was arguable that they did not align satisfactorily with the decision making process under which the Planning Committee determined applications for planning permission.

Specifically, paragraph 6 prevented Members from proposing that an application be refused where the officer recommendation was that planning permission should be granted.

On at least four recent occasions, Members – having voted down the recommendation to grant permission – were placed in a position where they then had to identify reasons which would support the refusal to which they had effectively already committed themselves.

This had the effect of depriving the Committee of the opportunity to discuss in detail potential reasons for refusal of the application – and if necessary obtain officers' advice on the issues – prior to the point at which Members had still to reach an overall view on the application.

It was therefore considered that such difficulties could be avoided in future by a straightforward amendment to paragraph 6 of the Rules of Procedure, insofar as it applied to the Planning Committee.

The effect of the proposed change would be to allow Members to propose a determination of any application in a manner contrary to the officer recommendation, subject to (a) any proposal being seconded and (b) the Member/s making the proposal indicating possible planning reasons for the proposal at the time that their proposal is made.

If the support of the Planning Committee was obtained, the matter would be reported to the Constitutional Sub-Committee and thereafter to Full Council on 15 December 2015.

Resolved that the proposed amendment to the Constitution set out in the report be approved.

111. Appeals

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

Resolved that the report be noted.

(The meeting ended at 7.40 p.m.)

Planning Committee – 25 November 2015

Present: - Councillor Bowrah (Chairman)
Councillor Coles (Vice-Chairman)
Councillors Brown, Cavill, Mrs Floyd, C Hill, Horsley, Martin-Scott,
Morrell, Mrs Reed, Ryan, Townsend, Mrs Webber and Wedderkopp

Officers: - Matthew Bale (Area Planning Manager), Gareth Clifford (Principal
Planning Officer), John Burton (Principal Planning Officer),
Julie Moore (Monkton Heathfield Project Team Leader), Roy Pinney
(Legal Services Manager) Maria Casey (Planning and Litigation
Solicitor) and Tracey Meadows (Democratic Services Officer)

Also present: Matthew Hill (Scientific Officer), Councillor Federica Smith in
connection with application No. 38/15/0374 and Mrs A Elder,
Chairman of the Standards Advisory Committee

(The meeting commenced at 5.00 pm)

112. Apologies/ Substitutions

Apologies: Councillors M Adkins, Gage, Nicholls and Wren

Substitutions: Councillor Cavill for Councillor Wren;
Councillor Horsley for Councillor Nicholls;
Councillor Ryan for Councillor M Adkins; and
Councillor Mrs Webber for Councillor Watson.

113. Minutes

The minutes of the Planning Committee held on the 4 November 2015 were
taken read and were signed.

114. Declarations of Interest

Councillors Coles and Wedderkopp declared personal interests as Members
of Somerset County Council. 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 Martin-Scott
declared personal interests as a trustee to the Home Service Furniture Trust,
trustee to Bishop Foxes Educational Foundation and a trustee to Trull
Memorial Hall. All Councillors declared that they had received emails and
photographs from the residents of Britons Ash in respect of application No.
48/15/0027. Also declared that they had received emails and correspondence
for application No. 02/15/0006 and application No. 38/15/0374. Councillor
Cavill declared that he was a Member of West Monkton Parish Council.
Councillor Webber declared that she was the Ward Councillor for West
Monkton.

115. Applications for Planning Permission

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

- (1) That **the detailed plans be approved** for the under-mentioned developments:-

53/15/0009

Application for approval of reserved matters following outline approval (53/12/0008) in respect of appearance, landscaping, layout and scale for the redevelopment of site and the erection of 28 No affordable dwellings with associated works at Orchard Lodge, Dene Road, Cotford St Luke

Conditions

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

- (A1) DrNo 14057/003 Rev E Proposed Site Layout Block Plan;
- (A1) DrNo 14057/005 Rev G Proposed Site Sections/Site Elevations;
- (A1) DrNo 14057/007 Rev D Proposed Block Elevations;
- (A1) DrNo 14057/008 Rev C Proposed Block Elevations;
- (A1) DrNo 14057/015 Rev A Typical House Layouts, Terraced Houses;
- (A1) DrNo 14057/016 Rev A Typical House Layouts, Flats & Semi-detached houses;
- (A3) DrNo 14057/020 Rev A Typical Canopy Details Type A;
- (A3) DrNo 14057/021 Rev A Typical Canopy Details Type B;
- (A3) DrNo 14057/023 Rev A Typical Bin Store Details;
- (A3) DrNo 14057/024 Rev A Typical Bin Store Details Elevations;

- (b) Prior to their installation, full details of the proposed hard surfacing including to the roads, footways, parking areas, demarcation of parking areas, and shared surfaces shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be implemented prior to the occupation of the dwelling to which they relate and shall thereafter be maintained as such;

- (c) (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 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;

- (d) The proposed estate roads, footways, footpaths, tactile paving, 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. 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;

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;

The proposed roads, including footpaths and turning spaces shall be finished in complete accordance with the details approved pursuant to this condition prior to the occupation of the 25th dwelling hereby permitted and shall thereafter be maintained as such;

- (e) 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 modification) the first floor bathroom window in the south elevation of plot 28 shall be obscure glazed and non-opening (unless the parts of the window which can be opened are more than 1.7 m above the floor of the room in which the window is installed). The type of obscure glazing shall be submitted to, and agreed in writing by, the Local Planning Authority prior to its installation and shall thereafter be so retained;
- (f) Prior to the occupation of each of plots 10-28, bin storage facilities shall be provided in accordance with details indicated on drawings 14057/023 rev A and 14057/024 rev A for the plot to which it relates and shall thereafter be maintained as such;
- (g) Prior to their installation, samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be 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.

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

02/15/0006

Construction of Solar Farm for up to 5MW of generating capacity comprising of installation of solar photovoltaic panels and associated infrastructure including transformer cabins, sub-station buildings, access tracks, fencing and CCTV on land at Pixford Fruit Farm, Raleighs Cross Road, Combe Florey

Reason

The proposed development, by reason of its size and form would introduce an alien feature into a rural landscape. By reason of the location of the site and its open nature, it is considered that no amount of new landscaping could adequately assimilate the development into the rural landscape, contrary to policy CP1 of the Taunton Deane Core Strategy.

38/15/0374

Change of use from office space to car dealership with servicing facility for Vospers Motorhouse at Goodwood House, Blackbrook Park Avenue, Taunton

Reason

Blackbrook Business Park is a highly prestigious business park and Taunton's premier office location. The proposed development would introduce a use that does not complement the existing uses on the business park detracting significantly from the high quality office environment of the park and may set an undesirable precedent that over time would see Somerset's prestigious Business Park being reduced to a trading estate. Such would reduce the high quality of the park and in turn substantially harm the contribution that it makes to the local economy in the future.

- 116. Application for approval of reserved matters following outline application 48/05/0072 for the erection of a 420 place primary school, incorporating a nursery facility with associated landscaping, access and parking and community facilities on land east of Bridgwater Road, Monkton Heathfield (48/15/0027)**

Reported this application.

Resolved that subject to the alteration in the hours of operation in proposed Condition (n) from 21:00 to 18:00 and the receipt of no further representations raising new issues by 4 December 2015, the Assistant Director for

Planning and Environment be authorised to determine the application in consultation with the Chairman or Vice-Chairman and, if the detailed plan were approved, the following conditions be imposed:-

Conditions

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

- (A3) DrNo AP(00)01 Site Location Plans;
 - (A1) DrNo AP(00)02 Rev D Site Location Plan;
 - (A1) DrNo AP(00)03 Ground Floor Plan;
 - (A1) DrNo AP(00)04 Elevations Sheet 1/2;
 - (A1) DrNo AP(00)05 Elevations Sheet 2/2;
 - (A1) DrNo AP(00)06 Perspectives;
 - (A1) DrNo AP(00)07 Sections;
 - (A1) DrNo AP(00)20 Rev A Site Sections;
 - (A1) DrNo 30814_LP(00)02 Rev L Proposed Landscape Plan;
 - (A1) DrNo 30814_LP(90)003 Rev F Boundary Treatment Plan;
 - (A1) DrNo 30814_LP(00)06 Rev C Landscape Materials Plan
 - (A1) DrNo 30814_LP(00)07 Rev C Landscape Materials Plan 2/2;
- Planting Schedule 30814_Y(90)_01_P2;
- (A1) DrNo C-02 Rev P6 Drainage Strategy 2/2;
 - (A1) DrNo C-01 Rev P6 Drainage Strategy 1/2;
 - (A1) DrNo 30814_LP(00)008 Rev A Sprinkler Tank and Bin Store Enclosure;

(b) No commencement of use of the primary school hereby permitted shall take place until full details of traffic calming measures along the A38, to the west of the school frontage are submitted to, and approved in writing by, the Local Planning Authority and fully constructed on site in strict accordance with the approved details;

(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) (i) The landscaping/planting scheme shown on the submitted plan shall be completely carried out within the first available planting season from the date of commencement of the development; (ii) For a period of five years after the completion of the 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 other appropriate trees or shrubs as may be approved in writing by the Local Planning Authority;

- (e) Within two months of the date of this permission full details of the proposed footpath cycle link lying at the north of the site shall be submitted to, and approved in writing by, the Local Planning Authority. Such details shall include proposed route and construction of the path, lighting, landscaping and boundary treatments (In particular the wall boundary treatment adjacent to 154A Bridgwater Road). Prior to the commencement in the use of the primary school the approved footpath/cycleway, including all boundary treatments, shall be provided in strict accordance with the approved details and shall thereafter be maintained as such;
- (f) There shall be no obstruction to visibility greater than 600mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43m either side of the access. Such visibility shall be fully provided before the development hereby permitted is occupied and shall thereafter be maintained at all times;
- (g) The area allocated for turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted;
- (h) 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 5m behind the highway boundary and hung so as to open inwards only;
- (i) Prior to the commencement of use, a School Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority. Such Travel Plan shall include soft and hard measures to promote sustainable travel as well as targets and safeguards by which to measure the success of the plan. There shall be a timetable for implementation of the measures and for the monitoring of travel habits. The development shall not be occupied unless the agreed measures are being implemented in accordance with the agreed timetable. The measures shall continue to be implemented as long as any part of the development is occupied;
- (j) Notwithstanding the provisions of the Use Classes Order 19987 (as amended) the community facilities shall be available for use by the general public and at no time shall be used solely for education purposes in connection with the adjacent primary school;
- (k) Prior to the commencement of the use of the building hereby permitted the agreed drainage strategy shall be fully implemented and operational and shall thereafter be maintained as such;
- (l) Prior to the commencement of the use of the primary school hereby permitted the details of the proposed boundary fencing around the site (in

particular the acoustic fencing proposed along the boundary with Brittons Ash and the mechanism for restricting access to the land between the new fence and the existing boundary fences of the rear gardens of Brittons Ash) shall be submitted to, approved in writing by, the Local Planning Authority and erected on site in strict accordance with the approved details and shall thereafter be maintained as such;

(m) No external lighting shall be provided on the site until full details of all such external lighting has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include details of the location and type of lighting and its hours of illumination. No other lighting shall be installed without the prior approval of the Local Planning Authority;

(n) The land to the rear of the primary school, including the playing field and sports pitches, shall not be used between the hours of 18:00 and 08:00 at any time.

(Note to applicant:- Applicant was advised that the developer in delivering the necessary highway works associated with the development hereby permitted is required to consult with all frontage's affected by said highway works as part of the delivery process. This should be undertaken as soon as reasonably practicable after the granting of planning consent and prior to the commencement of said highway works, especially if the design has evolved through the technical process. This is not the responsibility of the Highway Authority.)

117. E/0035/14/15 – Alleged unauthorised B2 (wood chipping) business use of former B1/B8 industrial unit at Langdon Industries, Walford Cross, Taunton

Reported that complaints had been received regarding noise, dust and smoke from a former B1/B2 industrial Unit at Walford Cross, Taunton. Initial investigations had revealed that the owner proposed to use the site for wood chipping, packaging and distribution. As a result the owner was advised that he needed to apply for planning permission as the intended use was a change of the authorised use of the premises.

A subsequent site visit in June 2015 had identified that the site was being used for the drying, packing and distribution of wood chip. It was also noted that, a new flue had been erected on the roof and large dryers had been installed in the yard all without planning consent.

Reported that a planning application had been received relating to the change of use of the premises, but this had been refused by the Planning Committee at its meeting on 12 November 2015.

Resolved that:-

- (1) An enforcement notice be served requiring (a) the cessation of use of the site for wood processing and associated storage; and (b) the removal of all equipment and materials associated with the unauthorised use from the site at Langdon Industries, Walford Cross, Taunton;
- (2) Any enforcement notice served should have a one month compliance period for (a) above and a two month compliance period for (b);
- (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.

118. Appeals

Reported that one appeal had been received details of which were submitted.

Resolved that the report be noted.

(The meeting ended at 10.05pm)

Planning Committee – 9 December 2015

Present: - Councillor Bowrah (Chairman)
Councillor Coles (Vice-Chairman)
Councillors Mrs Adkins, M Adkins, Brown, Mrs Floyd, Gage, C Hill,
Morrell, Nicholls, Mrs Reed, Townsend, Watson, Ms Webber and
Wedderkopp

Officers: - Matthew Bale (Area Planning Manager), Gareth Clifford (Principal
Planning Officer), Julie Moore (Monkton Heathfield Project Team
Leader), Maria Casey (Planning and Litigation Solicitor) and Tracey
Meadows (Democratic Services Officer)

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

(The meeting commenced at 5.00 pm)

119. Apologies/ Substitutions

Apologies: Councillors Martin-Scott and Wren

Substitutions: Councillor Mrs Adkins for Councillor Martin-Scott;
Councillor Ms Webber for Councillor Wren

120. Declarations of Interest

Councillors Coles and Wedderkopp declared personal interests as Members of Somerset County Council. 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 Nicholls declared a personal interest as a Member of the Fire Brigade Union. Councillor Ms Webber declared that she was one of the the Ward Councillors for the West Monkton Ward. Councillor Bowrah declared that he was the Deputy Mayor of Wellington and a Member of Wellington Town Council. Councillor Coles declared that as he was a Member of the Somerset County Cricket Club he had a prejudicial interest. He left the room during the consideration of application No. 38/15/0424. Councillor Brown declared that he knew a member of the public in respect of application No. 38/15/0424. Councillor Mrs Reed declared that she had 'fettered her discretion' on application No. 08/15/0012 and therefore took no part in the consideration of the application. Councillor Gage declared a personal and prejudicial interest for application No. 08/15/0012. He left the room during the consideration of the application.

121. Applications for Planning Permission

The Committee received the report of the Area Planning 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:-

47/15/0002

Erection of a Scout Hall with toilet facilities with link to Chapel, use of Chapel for scouting (D2 use) and replacement of lean to extension with the erection of a single storey extension to the rear of West Hatch Chapel, Slough Green, West Hatch

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 Site Location Plan;
 - (A3) DrNo WH/08 Site Location Plan;
 - (A3) DrNo WHN/01A Proposed Site Plan;
 - (A3) DrNo WH/03 Proposed Chapel Floor Plan;
 - (A3) DrNo WH/04 Proposed Chapel Elevations;
 - (A2) DrNo WH/05 Proposed New Hall Floor Plan;
 - (A3) DrNo WH/06 Proposed New Hall Elevations;
 - (A3) DrNo WH/15 Entrance Elevations;
- (c) Prior to work commencing on the new building and extension hereby approved, samples of the materials to be used in the construction of the external surfaces shall be 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) (i) The landscaping/planting scheme shown on the submitted plan WHN/01 A shall be completely carried out within the first available planting season from the date of commencement of the development; (ii) For a period of five years after the completion of the 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 other appropriate trees or shrubs as may be approved in writing by the Local Planning Authority;
- (e) 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, details of which must first be submitted to, and approved in writing the Local Planning Authority. During the period of construction of the development the existing soils levels around the base of the hedges so retained shall not be altered;

- (f) The access shall be hard surfaced before it is brought into use. It shall be made of porous material (not loose stone or gravel), or alternatively provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface with the curtilage of the site, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (g) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, 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 3 m from the carriageway edge and hung so as to open inwards only;
- (h) The area allocated for parking on the submitted plan WHN/01 A shall be properly consolidated, surfaced, drained and marked out before the use commences or the building(s) are occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (i) The visibility splays shown on approved drawing WHN/01 A shall be fully provided before the use of the Scout Hall hereby permitted is first used and shall thereafter be maintained at all times;
- (j) Details of the means of foul and surface water disposal shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter carried out as agreed prior to the use of the Scout Hall being implemented and shall thereafter be maintained as such;
- (k) The windows to be installed in the south elevation of the building shall be obscure glazed with restricted opening as shown on approved drawing WH/06 and shall not be modified thereafter without the prior written consent of the Local Planning Authority;

(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 with the applicant and had negotiated amendments to the application to enable the grant of planning permission; (2) Applicant was advised that new water supply connections would be required from Wessex Water.)

38/15/0424

Erection of 5 No 54m high floodlight masts and 2 No substations placed around The County Ground, Somerset County Cricket Club, St James 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:-

- (A3) Dr No EKV0015 Western Power Distribution Sub Station Surround;
- (A3) Dr No 133410J (2) Musco Spill Lighting Calculations;
- (A3) Dr No 133410J (1) Musco Spill Lighting Calculations;
- (A3) Dr No 331 Floodlight Location C: Site Plan showing proposed changes to access steps & ground levels;
- (A1) Dr No 330 Rev B Site Plan Showing Mast Locations (A-E);
- (A4) Dr No LE15256-1B Floodlight mast and light detail;
- (A4) Dr No LE15256-2B Floodlight mast and light detail;

(c) No development 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;

(d) The floodlighting shall not be used between the hours of 23.00 and 10.00;

(e) The use of the lights hereby approved shall be limited to no more than 15 occasions in any cricket season and shall not be used more than two consecutive nights per week;

(f) The ecological enhancements and monitoring for bats specified in paragraphs 7.3 and 7.4 of the Clarkson and Woods Wildlife Impact Assessment dated October 2015 shall be carried out, once agreed in writing by the Local Planning Authority, prior to the lights being brought into use unless any variation thereto is 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.)

122. 38/15/0330

Change of use from dwelling (use class C3) to house in multiple occupancy (use class Sui Generis) at 24 Queen Street, Taunton

Noted that this application had been **withdrawn**.

123. Application for approval of reserved matters following outline application 08/10/0024 in respect of appearance, landscaping, layout and

scale for the erection of 260 no dwellings with associated works on land off Nerrols Drive, Taunton(08/15/0012)

Reported this application.

Resolved that subject to the submission of an acceptable affordable housing scheme including details and the two bed wheelchair accessible unit, the Assistant Director for Planning and Environment be authorised to determine the application in consultation with the Chairman or Vice-Chairman and, if the detailed plan were approved, the following conditions be imposed:-

- (a) Notwithstanding the materials listed on the submitted plans, 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;
- (b) (i) The landscaping/planting scheme shown on the submitted plan for each phase shall be completely carried out within the first available planting season from the date of commencement of the development of that phase;
(ii) For a period of five years after the completion of the 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 other appropriate trees or shrubs as may be approved in writing by the Local Planning Authority;
- (c) The applicant shall undertake all the recommendations made in the Ecology Solutions Limited's Ecological Management Strategy for the Nerrols development dated September 2015 along with the scheme for mitigation of Impact on the Lesser Horseshoe Bat Mitigation Strategy produced by AMEC in February 2014, to discharge Condition 13 of the outline planning application, and the Landscape Strategy and Management plan submitted in respect of Condition 15 (produced by Golby and Luck landscape architects); 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 provision and maintenance of the new bat roosts and bird boxes and related accesses have been fully implemented. Thereafter the resting places and agreed accesses shall be permanently maintained;
- (d) No dwelling shall be occupied on the development hereby permitted until the off-site highway works have been submitted to, and approved in writing by, the Local Planning Authority. The said works shall then be fully

constructed in accordance with the approved plan, to an agreed specification before the first dwelling is occupied;

- (e) 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 works and thereafter maintained until the use of the site discontinues;
- (f) The development hereby permitted shall not be brought into use until that part of the service road that provides access to it has been constructed in accordance with the approved plans;
- (g) No part of the access drives for the dwellings hereby permitted shall be laid out at a gradient steeper than 1 in 10;
- (h) 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;
- (i) There shall be no obstruction to visibility greater than 600mm 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 on the nearside carriageway edge 43 m either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times;
- (j) Prior to the commencement of works on site, a drainage scheme for the highway drainage of 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;
- (k) There shall be an area of hard standing at least 6 m 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;
- (l) Notwithstanding the submitted details full details of the play equipment for the LEAP and NEAP and their layout on site shall be submitted to, and approved in writing by, the Local Planning Authority;
- (m) The open spaces hereby permitted shall be laid out in accordance with the submitted details. Once provided on site the open spaces shall be available and maintained for the use of the general public at all times;

- (n) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking and re-enacting the 2015 Order with or without modification), no development of the types described in Schedule 2 Part 2 Class A of the 2015 Order other than that expressly authorised by this permission shall be carried out without the further grant of planning permission;
- (o) Prior to the commencement of construction works on site, details for the provision of a children' play area in the southern area of the application site (including the timetable for its delivery and maintenance schedule) shall be submitted to, and approved in writing by, the Local Planning Authority. The approved children's play area shall thereafter be maintained in a safe and useable condition in accordance with the approved details;
- (p) Prior to commencement of development, details for the lighting of the car parking courtyards shall be submitted to, and approved in writing by the Local Planning Authority. Prior to the occupation of the units which the car parking units serve, the approved lighting shall be installed and thereafter maintained in accordance with the approved details.

(Notes to applicant:- (1) Applicant was reminded to check that all the relevant outline conditions are cleared prior to commencement of works on site; (2) Applicant was advised that where works are to be undertaken on or adjoining the publicly maintainable highway a licence under Section 171 of the Highways Act 1980 must be obtained from the Highway Authority. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services.

The developer should note that the works on or adjacent to the existing highway will need to be undertaken as part of a formal legal agreement with Somerset County Council. This should be commenced as soon as practicably possible, and the developer should contact Somerset County Council;

The developer in delivering the necessary highway works associated with the development hereby permitted is required to consult with all frontagers affected by said highway works as part of the delivery process. This should be undertaken as soon as reasonably practicable after the grant of planning consent and prior to the commencement of said highway works, especially if the design has evolved through the technical approval process. This is not the responsibility of the Highway Authority.)

124. E/0042/48/15 – Unauthorised B1/B8 Business use of agricultural land at Hyde Egg Farm, Hyde Lane, Bathpool

Reported that a complaint had been received regarding a new business operation on land at Hyde Egg Farm, Hyde Lane, Bathpool. The business related to a double glazing and conservatory company that had established

their office and workshop in one of the buildings. The complaint also made reference to the use of other buildings for car repair and car breaking.

An inspection had revealed that a number of different commercial activities were being undertaken on different parts of the site which appeared to have been leased to a number of different parties both formally and informally.

The owner of the site had been advised to submit a planning application to regularise the current situation on site, but to date no application had been forthcoming.

Resolved that:-

- (1) An enforcement notice be served requiring (a) the cessation of use of the site for B1 Office, B8 Storage and Distribution and sui generis use as a showroom and car repair; and (b) the removal of all equipment and materials associated with the unauthorised uses from the site at the former Hyde Egg Farm, Hyde Lane, Bathpool, Taunton;
- (2) Any enforcement notice served should have a six month compliance period for (a) above and a six month compliance period for (b);
- (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.

125. E/0120/43/15 – Unauthorised Dog breeding business, including erection of Kennels, at 18 Trinity Close, Wellington

Reported that a number of complaints had been received regarding the erection of a kennel structure and the operation of a dog breeding business in the rear garden of 18 Trinity Close, Wellington.

An inspection had revealed that there were several dogs in the kennel and two running loose in the rear yard. Five litter boxes were found inside the dwelling that each held a bitch and a litter of puppies. In total 18 dogs and five litters of puppies had been noted at the property.

The Enforcement Officer had also noted that there was a strong odour present and also noise from the dogs was significant and could be heard some distance from the site.

It was considered that the use of the site had an unacceptable adverse impact to the amenities of the surrounding residential properties by reason of noise, odour and traffic.

Resolved that:-

- (1) An enforcement notice be served requiring (a) the cessation of use of the site for the breeding and sale of puppies and dogs; (b) the removal of the kennel structure located in the rear yard from the site; and (c) the removal of all equipment associated with the breeding and sale of dogs from the site at 18 Trinity Close, Wellington;
- (2) Any enforcement notice served should have a one month compliance period for (a) above and three month compliance periods for both (b) and (c);
- (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.

126. E/0156/37/14 – Unauthorised change of signage at the Half Moon Inn, Stoke Road, Stoke St Mary

Reported that a complaint had been received regarding the replacement signage at the Half Moon Inn, Stoke St Mary.

It was noted that a number of signs had been replaced on the property and an additional sign had been erected on the other gable of the building.

Reported that a retrospective application for advertisement consent had been submitted which had resulted in a split decision being issued - the replacement signs were approved but the additional sign on the gable was refused.

The owner of the site had been instructed to remove the unauthorised sign on a number of occasions, however to date no action had taken place with regard this sign.

- (1) **Resolved** that subject to being satisfied with the evidence, the Solicitor to the Council be authorised to take prosecution action in respect of the continued unauthorised display of a sign erected on the gable furthest from the road at the Half Moon Inn, Stoke Road, Stoke St Mary.

127. Appeals

Reported that two appeals had been lodged and two decisions had been received details of which were submitted.

Resolved that the report be noted.

(The meeting ended at 7.36 p.m.)