

Planning Committee – 16 July 2014

Present: - Councillor Nottrodt (Chairman)
Councillor Coles (Vice-Chairman)
Councillors Mrs Allgrove, Bishop, Gaines, Mrs Hill, Miss James,
Tooze, Watson, Mrs Webber, A Wedderkopp and Wren

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

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

(The meeting commenced at 5.00 pm)

75. Apologies/Substitutions

Apologies : Councillors Bowrah, C Hill, Morrell and D Wedderkopp

Substitution : Councillor Ms Webber for Councillor C Hill

76. Minutes

The minutes of the Planning Committee meetings held on the 25 June 2014 were taken read and were signed.

77. Declarations of Interest

Councillors Coles and A Wedderkopp declared personal interests as Members of Somerset County Council. Councillor Mrs Hill declared a personal interest as an employee of Somerset County Council. Councillor Nottrodt declared a personal interest as a Director of Southwest One. Councillor Tooze declared a personal interest as an employee of the UK Hydrographic Office. Councillor Wren declared a personal interest as the Clerk to Milverton Parish Council.

78. Applications for Planning Permission

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

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

14/14/0037

Erection of 16 residential units together with associated access, car parking and landscaping provision (re-plan of part of the approved scheme 14/12/0036 and 14/13/0049) to provide a revised housing mix and an additional 6 residential units

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 41SL02 Rev B Site Layout 02, revision B;
- (A1) DrNo 41SE02 Rev A Street Elevations 02;
- (A3) DrNo 41P.7010p Plot 7-10 Floor Plans;
- (A3) DrNo 41P.7-10e2 Plots 7-10 Elevations;
- (A3) DrNo 41P.7-10e1 Plots 7-10 Elevations;
- (A1) DrNo 41ML02 Materials Layout 02, revision B;
- (A1) DrNo 41LP01 Location Plan 01.revision A;
- (A1) DrNo 41 AHL02 Rev B Affordable Housing Layout 02;
- (A1) DrNo 41 BP02 Rev B Boundary Plan 02;
- (A3) DrNo 41 HT.1845.p House Type 1845 Floor Plans;
- (A3) DrNo 41HT.1845.e House Type 1845 Elevations;
- (A3) DrNo 41HT.1526.p. House Type 1526 Floor Plans;
- (A3) DrNo 41HT.1526.e House Type 1526 Elevations;
- (A3) DrNo 41HT.910A.p House Type 910 Floor Plans Variation A;
- (A3) DrNo 41HT.910A.e House Type 910 Elevations Variation A;
- (A3) DrNo 41HT.2BH.p House type 2BH (HQI) Floor Plans-Affordable;
- (A3) DrNo 41HT.2BH.e House Type 2BH (HQI) Elevations-Affordable;
- (A3) DrNo 41HT.1332A.p House Type 1332 Floor Plans – Variation A;
- (A3) DrNo 41HT.1332A.e House Type 1332 Elevations-Variation A;
- (A3) DrNo 41HT.1281A.p House Type 1281 Floor Plans – Variation A;
- (A3) DrNo 41HT.1281A.e House Type 1281 Elevations – Variation A;
- (A3) DrNo 41PL.15 36.pe plots 15 and 36 Floor plans and elevations Affordable (social rent);
- (A3) DrNo 41GAR.06pe Garage type 6 Floor Plans and Elevations;
- (A3) DrNo 41GAR.05pe Garage Type 5 Floor Plans and Elevations;

- (A3) DrNo 41GAR.04pe Garage Type 4 Floor Plans and Elevations;
 - (A3) DrNo 41GAR.03pe Garage Type 3 Floor Plans and Elevations;
 - (A3) DrNo 41GAR.02pe Garage Type 2 Floor Plans and Elevations;
 - (A3) DrNo 41GAR.01pe Garage Type 1 Floor Plans and Elevations;
 - (A0) DrNo 4901:05 Engineering Layout;
 - (A1) DrNo TD724_02 Landscaping Plan;
 - (A1) DrNo TD724_01 Landscaping Plan;
- (c) No development approved by this permission shall be commenced until such time as a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved;
- (d) No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to, and approved in writing by, the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall also include:
- details of which areas drain to which attenuation facility and the associated volumes projected; and
 - details of how the scheme shall be maintained and managed after completion.
- The scheme shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority;
- (e) The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall be based on the advice of the submitted Sunflower International Ecological Consultancy's Environmental (Ecological) Impact Assessment and Extended Phase 1 Habitat survey report, dated August 2011 and the updated report submitted Sunflower international Ecological Consultancy's dated 1 May 2014 and shall include:
1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
 2. Details of the timing of works to avoid periods of work when the species could be harmed by disturbance
 3. Measures for the retention and replacement and enhancement of places of rest for the species

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

- (f) Prior to the construction works commencing a Construction Management Plan (CMP) shall be submitted to the Local Planning Authority, in consultation with the Highways Agency, and approved in writing. The plan as approved shall be implemented throughout the development works;
- (g) There shall be no obstruction to visibility greater than 300 mm above adjoining road level in advance of lines drawn 2.4 m back from the carriageway edge on the centre line of the service road and extending to points on the nearside carriageway edge 25m either side of the junction. Such visibility shall be fully provided before the development hereby permitted is occupied and shall thereafter be maintained at all times;
- (h) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, and a drainage scheme for the site showing details of gullies, connections, soakaways and means of attenuation on site shall be submitted to, and approved in writing by, the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority. Such provision shall be installed before occupation of the dwellings and thereafter maintained at all times;
- (i) The proposed estate roads, footways, footpaths, tactile paving, cycle ways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority;
- (j) 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;
- (k) The gradients of the proposed drives to the dwellings hereby permitted shall not be steeper than 1 in 10 and shall be permanently retained at that gradient thereafter at all times;

- (l) 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, including a connection with footpath number T 10/26 along the southern edge of the site and connecting with Hyde Lane;
- (m) No work shall commence on the development hereby permitted until works to provide the access onto Hyde Lane have been carried out in accordance with a design and specification to be approved in writing by the Local Planning Authority and to be fully implemented in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

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

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

BATS. The applicant and contractors must be aware that all bats are fully protected by law under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Natural Habitats and Species (Amendment) Regulations 2012, also known as the Habitat Regulations. It is an offence to intentionally or recklessly damage, destroy or obstruct access to structures or places of shelter or protection used by bats, or to disturb bats whilst they are using these places; Trees with features such as rot holes, split branches or gaps behind loose bark, may be used as roost sites for bats. Should a bat or bats be encountered while work is being carried out on the tree(s), work must cease immediately and advice must be obtained from the Government's advisers on wildlife, Natural England. Bats should preferably not be handled (and not unless with gloves) but should be left in situ, gently covered, until advice is obtained; (iii) Having regard to the powers of the Highway Authority under the Highways Act 1980, applicant was advised that the creation of the new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager at the Taunton Deane Area Highways Office. Application for such a permit should be made at least four weeks before

access works are intended to commence; (iv) Applicant should be aware that it is likely that the internal layout of the site will result in the laying out of a private street, and as such, under Sections 219 to 225 of the Highway Act 1980, will be subject to the Advance Payment Code (APC). The road should be built and maintained to the standards that the Highway Authority is able to adopt. The Highway Authority encourages developers to enter into an Agreement under Section 38 of the Highways Act as an alternative to the deposit of money required by section 219. Such an Agreement will be based on approved drawings and be supported by a Bond to cover the due performance of the works.)

05/14/0009

Erection of a detached dwelling in the garden to the side of 1 Smithy, Bishop's Hull

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The development hereby permitted shall be carried out in accordance with the following approved plans:-
 - (A3) DrNo 2014004 001 Rev A Location and Site Plans;
 - (A3) DrNo 2014004 002 Existing Site Plan ;
 - (A3) DrNo 2014004 005 Proposed Site Plan;
 - (A3) DrNo 2014004 004 Proposed Floor Plans and Elevations;
 - (A3) DrNo 2014004 003 Existing Street Elevations;
 - (A3) DrNo 2014004 008 Proposed Street Elevations;
 - (A3) DrNo 2014004 007 West Elevation and Site Plan;
- (c) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building unless otherwise agreed in writing with the Local Planning Authority;
- (d) 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 modification) the first floor window to serve the ensuite, to be installed in the rear elevation, and the bathroom window to be installed in the front elevation, of the proposed dwelling shall be obscured 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;
- (e) Notwithstanding the details shown on the plans hereby permitted, prior to the occupation of the dwelling hereby permitted, full details of the proposed boundary treatments 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 and shall thereafter be maintained as such.

(Notes to applicant:- (i) Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council had worked in a positive and pro-active way and had imposed planning conditions to enable the grant of planning permission (ii) Applicant was advised that or the avoidance of doubt, when providing details pursuant to condition (e), the provision of a close boarded fence to the front of the property was not considered appropriate).

79. Appeals

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

Resolved that the report be noted.

(The meeting ended at 6pm)