

Planning Committee – 2 September 2015

Present: - Councillor Bowrah (Chairman)
Councillor Coles (Vice-Chairman)
Councillors M Adkins, Mrs J Adkins, Gage, Morrell, Nicholls,
Mrs J Reed, Ryan, Townsend, Watson, Wedderkopp and Wren

Officers: - Matthew Bale (Area Planning Manager), Julie Moore (Major Applications Co-ordinator), Roy Pinney (Legal Services Manager) and Tracey Meadows (Democratic Services Officer)

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

(The meeting commenced at 5.00 pm)

83. Apologies/Substitutions

Apologies: Councillors Mrs Floyd, C Hill and Martin-Scott

Substitutions : Councillor Ryan for Councillor C Hill;
Councillor Mrs J Adkins for Councillor Martin-Scott

84. Minutes

The minutes of the meeting of the Planning Committee held on 12 August 2015 were taken and read and were signed.

85. Declarations of Interest

Councillors M Adkins, Coles and Wedderkopp declared personal interests as Members of Somerset County Council. Councillor Townsend declared personal interests as he was 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 he was Clerk to Comeytrove Parish Council and a Member of the Fire Brigade Union.

86. 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 development:-

34/15/0020

Application for outline planning permission with all matters reserved for the erection of industrial units on land off Frobisher Way, Bindon Road, Taunton

Conditions

- (a) Approval of the details of the layout, scale, appearance, access 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 layout and alignment, widths and levels of the proposed roads, road junctions, and points of access, visibility splays, footpaths, parking and turning spaces shall be provided in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The roads, parking and turning areas shall be laid out prior to the occupation of any unit or in an agreed phase of the development that may have been agreed by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority;
- (c) The development shall provide for covered and secure bicycle storage facilities, details of which shall be indicated on the plans submitted in accordance with condition (a) above. Such facilities shall be provided prior to the occupation of any dwelling to which it relates and shall thereafter be retained for those purposes;
- (d) No development shall commence until a method statement for the protection of trees beyond the northern site boundary has been submitted to, and approved in writing by, the Local Planning Authority. The method statement shall indicate how the trees will be protected and how the development shall be carried out so as not to affect root structures. The approved method statement shall be strictly adhered to during the course of the development;
- (e) (i) Prior to 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;

- (f) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions (a) to (c) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (d) has been complied with in relation to that contamination.

a) Site Characterisation

An investigation and risk assessment, must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:-

- The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant linkages;
- If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants;
- An assessment of the potential risks to
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwater and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance;

b) Submission of Remediation Scheme

If any unacceptable risks are identified as a result of the investigation and assessment referred to in a) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be

undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures;

c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works;

d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of section a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section b), which is subject to the approval in writing of the Local Planning Authority;

e) Verification of remedial works

Following completion of measures identified in the approved remediation scheme a verification report (referred to in PPS23 as a validation report) must be produced. The report should demonstrate the effectiveness of the remedial works;

A statement should also be provided by the developer which is signed by someone in a position to confirm that the works detailed in the approved scheme have been carried out (The Local Planning Authority can provide a draft Remediation Certificate when the details of the remediation scheme have been approved at stage b) above);

The verification report and signed statement are subject to the approval in writing of the Local Planning Authority;

f) Long Term Monitoring and Maintenance

If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval until the remediation objectives have been achieved;

All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

(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 and had imposed planning conditions to enable the grant of planning permission; (2) Applicant was advised that where works are due 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. This will entitle the developer to have their plans checked and specifications supplied. The works will also be inspected by the Superintendence Team and will be signed off upon satisfactory completion.)

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

04/15/0006

Change of use of 2 No. outbuildings to holiday lets with replacement of third outbuilding with recreational area at Mistletoe Cottage, Forest Drove South, Bickenhall

Reason

The buildings are not sited near a public road and existing services and are accessed by a poor quality private bridleway contrary to Policy DM2 of Taunton Deane Core Strategy. In addition, it is considered that the existing buildings are not of a size suitable for conversion to the proposed use and includes a significant extension to 'Drovers Cottage' that would be contrary to paragraph 7 (a) of the above policy.

35/15/0006

Erection of a single storey extension with garage to the front and relocation of access at Heywood Cottage, Church Lane, Stawley

Reason

The proposed development, by reason of its height relative to the public highway and projection from the front of the dwelling will be visually intrusive in the street scene and will be overbearing on the amenity of the neighbouring property to the east. The proposed new access does not provide adequate visibility splays in the interests of highway safety and, if provided, would require the removal of the established hedgerow which would be detrimental to the visual amenities of the area. It is, therefore contrary to Policy DM1 of the Taunton Deane Core Strategy, retained Policy H17 of the Taunton Deane Local Plan and emerging Policy D5 of the Site Allocations and Development Management Plan.

87. Appeals

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

Resolved that the report be noted.

(The meeting ended at 6.45 p.m.)