

Planning Committee – 25 February 2015

Present: - Councillor Coles (Vice-Chairman) (In the Chair at the start of the meeting)
Councillors Mrs Allgrove, Bowrah, Denington, C Hill, Mrs Hill, Miss James, Morrell, Mrs Reed, Tooze, Watson, A Wedderkopp, D Wedderkopp and Wren

Officers: - Matt Bale (Development Management Lead), Gareth Clifford (Principal Planning Officer), Julie Moore (Major Applications Co-ordinator), Tim Burton (Assistant Director of Planning and Environment), Roy Pinney (Legal Services Manager), Maria Casey (Planning and Litigation Solicitor) and Tracey Meadows (Democratic Services Officer)

Also present: Councillor Cavill in connection with application No. 48/14/0051.
Councillor T Slattery in connection with application No. 38/14/0424.
John Fellingham and Helen Vittery from Somerset County Council Highways in connection with application No. 48/14/0051 and Mrs A Elder, a Co-opted Member of the Standards Committee.

(The meeting commenced at 5.00 pm)

19. Appointment of Chairman

Resolved that Councillor Bowrah be appointed Chairman of the Planning Committee for the remainder of the Municipal Year. Councillor Bowrah took the Chair.

20. Apologies/Substitution

Apologies : Councillors Bishop and Gaines

Substitution: Councillor Denington for Councillor Bishop

21. Minutes

The minutes of the meetings of the Planning Committee held on the 7 and 28 January 2015 were taken and read and were signed.

22. Declarations of Interest

Councillors Coles, A Wedderkopp and D 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 Tooze declared a personal interest as an employee of the UK Hydrographic Office. Councillor Wren declared a personal interest as he was Clerk to Milverton Parish Council.

23. 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:-

48/14/0051

Construction of new link road between A38 and the A3259 to the south west of Monkton Heathfield (option C)

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 plans:-

- (A1) DrNo MJ004007-PL-OPTC-001 Location Plan;
- (A1) DrNo MJ004007-PL-OPTC-002 Red Line Plan;
- (A1) DrNo MJ004007-PL-OPTC-003 General Arrangement;
- (A1) DrNo MJ004007-PL-OPTC-004 Longitudal Sections String MC200 & String MC51 A3259 to Milton Hill;
- (A1) DrNo MJ004007-PL-OPTC-005 Cross Sections - M200;
- (A1) DrNo MJ004007-PL-OPTC-006 Cross Sections - M200;
- (A1) DrNo MJ004007-PL-OPTC-007 Cross Sections - M200;
- (A1) DrNo MJ004007-PL-OPTC-008 Cross Sections - M200;
- (A1) DrNo MJ004007-PL-OPTC-009 Cross Sections - M200;
- (A1) DrNo MJ004007-PL-OPTC-010 Cross Sections - MC51;
- (A1) DrNo MJ004007-PL-OPTC-011 Typical Sections;
- (A1) DrNo MJ004007-PL-OPTC-012 Landcaping & Ecological Mitigation;
- (A1) DrNo MJ004007-PL-OPTC-013 Street Lighting Plan;

- (c) (i) Before any part of the permitted development is commenced, other than the A38 bus gate, 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 and shall include replacement hedgerow and orchard habitat; (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 applicant shall undertake all the recommendations made in Somerset County Council's Ecological Appraisal report dated March 2014 (Revised June 2014), including an up to date Badger Survey, pre-construction checks for (non-Horseshoe) bat roosts and fencing for Otters and Badgers at Allens Brook. A strategy shall be submitted which shall include:-

- Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
- Details of the timing of works to avoid periods of work when the species could be harmed by disturbance; and
- 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 brought into use until the scheme for the maintenance and provision of the new resting places and related accesses have been fully implemented;

(e) Details in respect of noise mitigation measures including surfacing and a noise barrier shall be submitted to, and agreed in writing by, the Local Planning Authority and carried out before the road is brought into use and shall thereafter be maintained as such;

(f) Prior to the development hereby permitted being brought into use details of the lighting columns and lights including baffles to the lights adjacent to Allens Brook shall be submitted to, and approved in writing by, the Local Planning Authority and the applicant shall demonstrate that light levels will not exceed 1 Lux on Allens Brook, its bankside vegetation and other habitat used by Lesser Horseshoe Bats. Development shall be carried out in accordance with the approved details and thereafter maintained as such;

(g) No development approved by this permission, other than the bus gate on the A38, shall be commenced until a surface water run-off limitation scheme has been submitted to, and approved in writing by, the Local Planning Authority. The submitted details shall clarify the intended future ownership and maintenance provision for all drainage works serving the site. The approved scheme shall be implemented in accordance with the approved programme and details prior to the road being brought into use;

(h) No new road construction 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;

- (i) Prior to the development hereby permitted being brought into use the bus gate feature on the A38 shown on drawing PL-OPTC-003 shall be fully implemented;
- (j) No development approved by this permission in catchments 3 and/or 4 of the Option 1 drainage strategy report (December 2014) shall be commenced until details of the Allens Brook bridge crossing have been submitted to, and approved in writing by, the Local Planning Authority. The approved crossing shall be implemented in accordance with the approved construction details unless otherwise agreed in writing by the Local Planning Authority;
- (k) No work shall commence on the development hereby permitted, other than the A38 bus gate, until all details of the proposed Western Relief Road (WRR) including design drawings, layout and longitudinal sections, cross sections, construction details, street lighting and any crossing details have been submitted to, and agreed in writing by, the Local Planning Authority. The development shall then be fully constructed in accordance with the approved plans to the agreed specification prior to the WRR being opened for public use;
- (l) Details of the type and position of fencing to the Farriers Green Play Area shall be submitted to, and approved in writing by, the Local Planning Authority and shall be erected prior to the new road being brought into use;

(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 with the applicant and had negotiated amendments to the application to enable the grant of planning permission; (ii) Applicant was advised to submit a C3 Notice in accordance with the New Roads and Street Works Act arrangements to consider constraints and costs of mitigation works in relation to protection of Wessex Water infrastructure; (iii) Applicant was advised that there must be no interruption to the surface water and/or land drainage system of the surrounding land as a result of operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively. Land Drainage Consent from the Lead Local Flood Authority may be required for any temporary or permanent works affecting the flow in the Allens and Dyers Brooks which lie in close proximity to the new road scheme; (iv) Applicant was advised that the developer in delivering the necessary highway works associated with the development hereby permitted was 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 had evolved through the technical approval process. This is not the responsibility of the

Highway Authority; (v) Applicant was advised that the proposed development would obstruct the right of way and a diversion would be necessary. The right way would need to remain open and available until the (stopping up/diversion) Order had come into effect. Failure to comply with this request may result in the developer being prosecuted if the path was built on or otherwise interfered with. The County Council would request to be consulted on the surface of any diverted public right of way; (vi) Applicant was advised that Section 5.3.22. and 5.3.23 of the Noise Assessment give the potential qualification under the Noise Insulation Regulations (NIR) for the two options of road layout. However, Section.4.4 states that any determination of eligibility under the NIR should be based on revised/updated road traffic flows and detailed design drawings. It also recommends that further baseline monitoring is carried out prior to the start of any works, in order to determine the accuracy of any updated/revised flows. This is something that the Highway Authority should carry out in liaison with the affected properties).

24. 34/14/0020

Replacement of flat roof areas to dwelling and garage with pitched roofs at 1 Stoneleigh Close, Staplegrove

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 WEL1182 Proposed and Existing Roof Plans;
 - (A3) DrNo WEL1182 Existing Elevations;
 - (A3) DrNo 1182 Location and Site Plan;
 - (A3) DrNo WEL1182 Proposed Elevations;

(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 granted planning permission).

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

38/14/0424

Erection of dwelling with attached garage in the garden to the rear of 48 Charles Crescent, Taunton (resubmission of 38/14/0143)

Reason

The proposed dwelling, by reason of its design and proximity to neighbouring dwellings would lead to unacceptable overlooking and overbearing impacts

upon those neighbouring dwellings, detrimental to their amenities and contrary to Policy DM1 of the Taunton Deane Core Strategy.

25. Appeals

Reported that and three appeals and three decisions were received details of which were submitted.

Resolved that the report be noted

(The meeting ended at 6.45 p.m.)