

Planning Committee – 31 January 2018

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

Officers: - Matthew Bale (Area Planning Manager), John Burton (Major Applications Co-ordinator) Tim Burton (Assistant Director-Planning and Environment), Francis Wadsley (Planning Officer), Martin Evans (Solicitor, Shape Partnership Services) and Tracey Meadows (Democratic Services Officer)

Also present: Bryn Kitching (Area Planning Manager), Julie Moore (Monkton Heathfield Project Team Leader),

Councillors Berry, Cavill and Horsley.

Mrs A Elder, Chairman of the Standards Advisory Committee.

(The meeting commenced at 6.15 pm)

5. Apologies/Substitutions

Apologies: Councillors Brown and Mrs Reed

Substitutions: Councillor Sully for Councillor Mrs Reed

6. Declarations of Interest

Councillor Bowrah declared that he was a member of Wellington Town Council and application No. 43/17/0110 had been discussed at various meetings. He declared that the Vice-Chairman would take the chair for this item.

7. 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 development:-

43/17/0110

Application for approval of reserved matters following outline application 43/11/0104 for the erection of 119 No. dwellings with

associated access, scale, appearance and layout at Phase 3 on land at Longforth Farm, Wellington

Conditions

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

- SW096-PD-752 Floor Plans & Elevations plots Garage;
- SW096-PD-751 Floor Plans & Elevations plots Garage;
- SW096-PD-750 Floor Plans & Elevations plots Garage;
- SW096-PD-503 Floor Plans & Elevations plots 368-369;
- SW096-PD-502 Floor Plans & Elevations plots 350-351;
- SW096-PD-501 Floor Plans & Elevations plots 348-349, 364-365, 366-367;
- SW096-PD-500 Floor Plans & Elevations plots 370-371;
- SW096-PD-145 Floor Plans plots 385-386;
- SW096-PD-144 Elevations plots 385-386;
- SW096-PD-143 Rev A Floor Plans plots 390-395;
- SW096-PD-142 Rev A Elevations plots 390-395;
- SW096-PD-141 Floor Plans plots 396-401;
- SW096-PD-140 Elevations plots 396-401;
- SW096-PD-139 Floor Plans & Elevations plots 326;
- SW096-PD-138 Floor Plans & Elevations plots 331, 359, 417;
- SW096-PD-137 Floor Plans & Elevations plots 317, 360;
- SW096-PD-136 Rev A Floor Plans & Elevations plots 334, 353, 353, 378, 406, 410, 416, 418;
- SW096-PD-135 Rev A Floor Plans & Elevations plots 316, 321, 347, 354, 384;
- SW096-PD-134 Rev A Floor Plans & Elevations plots 329, 412, 415;
- SW096-PD-133 Rev A Floor Plans & Elevations plots 31, 324, 405, 414;
- SW096-PD-132 Rev A Floor Plans & Elevations plot 333;
- SW096-PD-131 Rev B Floor Plans & Elevations plot 424;
- SW096-PD-130 Rev A Floor Plans & Elevations plot 330;
- SW096-PD-129 Rev A Floor Plans & Elevations plot 328;
- SW096-PD-128 Rev A Floor Plans & Elevations plots 325, 429;
- SW096-PD-138 Rev A Floor Plans & Elevations plots 325, 429;
- SW096-PD-127 Rev A Floor Plans & Elevations plot 327;
- SW096-PD-126 Rev A Floor Plans & Elevations plots 408, 411, 430;
- SW096-PD-125 Rev A Floor Plans & Elevations plots 377, 413;
- SW096-PD-124 Rev A Floor Plans & Elevations plot 343;
- SW096-PD-123 Rev A Floor Plans & Elevations plot 344;
- SW096-PD-122 Rev A Floor Plans & Elevations plot 337, 343;
- SW096-PD-121 Rev A Floor Plans & Elevations plots 312, 428;

- SW096-PD-120 Floor Plans & Elevations plots 335, 383;
- SW096-PD-119 Rev A Floor Plans & Elevations plots 358, 376, 409, 419;
- SW096-PD-118 Floor Plans & Elevations plots 332;
- SW096-PD-117 Rev A Elevations plots 322;
- SW096-PD-116 Floor Plans plots 318-319, 356-357;
- SW096-PD-115 Elevations plots 318-319, 356-357;
- SW096-PD-114 Floor Plans plots 335-336, 345-346;
- SW096-PD-113 Floor Plans & Elevations plots 335-336, 345-346;
- SW096-PD-112 Floor Plans & Elevations plot 320;
- SW096-PD-111 Floor Plans & Elevations plot 323;
- SW096-PD-110 Floor Plans & Elevations plots 338, 352, 407;
- SW096-PD-109 Rev A Floor Plans & Elevations plots 361, 387;
- SW096-PD-108 Floor Plans & Elevations plots 339, 340;
- SW096-PD-107 Floor Plans & Elevations plots 341-342;
- SW096-PD-106 Floor Plans & Elevations plots 341-342;
- SW096-PD-105 Rev A Floor Plans & Elevations plots 313-314, 379-382, 388-289;
- SW096-PD-100 Floor Plans & Elevations plots 372-373, 374-375;
- SW096-PD-101 Elevations plots 402-404;
- SW096-PD-102 Floor Plans plots 402-404;
- SW096-PD-103 Elevations plots 425-427;
- SW096-PD-104 Floor Plans plots 425-427;
- SW096-EN-3293 Rev A Proposed Planning Levels Sheet 3 of 3;
- SW096-EN-3292 Rev B Proposed Planning Levels Sheet 2 of 3;
- SW096-EN-3291 Rev B Proposed Planning Levels Sheet 1 of 3;
- SW096-EN-3290 Rev B Proposed Planning Levels overview;
- SW096-EN-3010 Rev B Section 38 Adoption;
- SW096-EN-3002 Rev D Refuse Vehicle Tracking;
- SW096-EN-3001 Rev E Junction and Forward Visibilities;
- SW096-SL-902C Refuse and Parking Strategy;
- SW096-SL-060C Means of Enclosure;
- SW096-SL-020C Material Layout;
- SW096-SL-001C Site Layout;
- SW096-SL-001c-COL Site Layout;
- SW096-PD-062A Street Scene;
- SW096-PD-061A Street Scene;
- SW096-PD-060A Street Scene;
- SW-LS-012B Landscape Concept;
- SW0996-LS012b Landscape Concept and Phase 3;
- SW096-En-3292 Rev B Misc Engineering Planning Levels Sheet 2;
- SW096-EN-3291 Rev B Misc Engineering Planning Levels Sheet 1;
- EN-3290B Misc Engineering and Planning Levels Overview;

- SW096-PD-131 Floor Plans and Elevations;
- SW096-SL-902C Refuse and Parking Strategy;
- SW096-SL-060c Means of Enclosure;
- SW096-SL-020c Materials Layout;
- SW096-SL-001c Site Layout;

- (b) Prior to the commencement of the development hereby permitted a detailed schedule of works for the laying out and planting of the new orchard including the translocation of existing dead and alive trees from the existing orchard and a timing of works shall be submitted to, and approved in writing by, the Local Planning Authority. The detailed schedule of works and timings shall be strictly adhered to in the carrying out of the works;
- (c) (i) A landscaping scheme shall be submitted to, and approved in writing by, the local Planning Authority prior such a scheme being implemented. The scheme shall include details of the species, siting and numbers to be planted; (ii) The scheme shall be completely carried out within the first available planting season from the date of occupation of 50% of the dwellings hereby approved; (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;
- (d) Prior to the occupation of the dwellings hereby approved, a lighting design taking into account the need to protect bats shall be submitted to, and approved in writing by, the local planning authority. The strategy shall:
- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through the provision of lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory; All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority;
- (e) The materials specified within the drawings hereby approved shall be used in the carrying out of the development hereby permitted unless otherwise agreed in writing by the Local Planning Authority. The facing materials for each plot shall be installed prior to the occupation of that plot and shall thereafter be maintained as such;

- (f) 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 for phase 3 of the development. The strategy shall be based on the advice of Clarkson Woods's updated Ecological survey dated June 2017 and the Bat survey report dated May 2017 and 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 species could be harmed by disturbance. Measures for the enhancement of places of rest for the wildlife. An updated Construction Environmental management Plan (CEMP) and Landscape Spring Ecological Management plan (LEMP)
Details of lighting for Phase 3; 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 bats and nesting birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bat and bird boxes and related accesses have been fully implemented;

- (g) Prior to the construction of plots 329, 332, 338, 348-352, 361-363, 364-370, 385-389, full details of the proposed measures of achieving the required sound reduction performance as set out in Table 5.1 to the submitted Acoustic Report 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 plot to which it relates and shall thereafter be maintained as such;
- (h) Prior to the occupation of unit 389-404 a 2m high acoustic fence shall be erected along the western site boundary in accordance with details that shall previously have been submitted to, and approved in writing by, the Local Planning Authority. The fence shall thereafter be maintained as such;

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

03/17/0004

Relocation and formation of agricultural access with erection of an agricultural building for livestock and storage with associated yard and landscaping on land west of Cobhay, Milverton

- (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:-

- (A3) DrNo 303B-PL-01 Proposed Barn Location Plan;
 - (A3) DrNo 303B-PL-02 A Proposed Barn Floor Plan;
 - (A3) DrNo 303B-PL-03 A Proposed Barn Elevations & Section A-A;
 - (A3) DrNo 303B-PL-04 A Proposed Barn Block & Roof Plan;
 - (A3) DrNo 303B-PL-05 A Proposed Barn Street Elevations;
- (c) Prior to the erection of the building hereby permitted a detailed landscaping scheme which shall include numbers, density and size of all new trees and shrubs to be planted and a programme for their implementation shall be submitted to, and approved in writing by, the Local Planning Authority. The landscaping scheme shall also identify the northern and western boundary hedgerows to be maintained at a height of 3m; For a period of five years after the completion of the landscaping scheme, the trees and shrubs shall be protected, (including the maintenance of the boundary hedgerows to a height of 3 metres) and maintained in a healthy weed free condition and any trees or shrubs which cease to grow, shall be replaced with others of similar size and species or other appropriate trees or shrubs as may be approved in writing by the Local Planning Authority;
- (d) Prior to the use of the development hereby permitted the proposed access over at least the first 10 metres of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced not loose stone or gravel, in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority. Once constructed the access shall thereafter be maintained in that condition at all times;
- (e) Any entrance gates erected shall be hung to open inwards, shall be set back a minimum distance of 10 metres from the carriageway edge and shall thereafter be maintained in that condition at all times;
- (f) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority. Such provision shall be installed before the site is first brought into use and thereafter maintained at all times;
- (g) At the proposed access there shall be no obstruction to visibility greater than 300 mm above the adjoining road level within the visibility splays shown on the submitted plan Drawing No. 303B-PL-04 Revision A dated July 2017. Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times;
- (h) Before any internal or external lighting is installed, erected, placed or operated on the site, details shall have been first submitted to, and approved in writing by, the Local Planning Authority. Details should include the lighting (manufacturer's specifications), number(s) of lights and

their siting. The proposals shall be accompanied by drawings showing the light spill (lux diagrams) from the proposed lighting. The works shall thereafter be carried out and maintained in accordance with the approved details and in no circumstances shall external illumination be operated on the site other than in accordance with the approved scheme;

- (i) 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 type described in Schedule 2, Part 6, Class A of the 2015 Order other than that expressly authorised by this permission shall be carried out within the field without the further grant of planning permission;
- (j) Prior to the erection of the building hereby permitted details for the surface water drainage works to serve the development shall be submitted to, and approved in writing by, the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to the use of the building. The works shall thereafter be retained in that form;
- (k) Prior to the use of the development hereby permitted commencing the existing access to the north west of the application site shall be closed up, details of which shall have previously been submitted to, and agreed in writing with the Local Planning Authority and shall thereafter be maintained in accordance with the approved details;
- (l) The applicant shall undertake all the recommendations made in Quantock Ecology's hedgerow assessment report dated August 2017; 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;
- (m) Prior to the building hereby permitted being brought into use a scheme for the treatment of effluent shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be thereafter fully complied with in the operation of the building;

(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 on Biodiversity (i) Most resident nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended); (ii) 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; (3) Applicant was advised that any proposals submitted for condition 8 should show that there was no light spill outside the area surrounding the building.)

25/17/0031

Construction of first floor with erection of a two storey extension to the front of Brookside View, Wiveliscombe Road, Norton Fitzwarren

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

- (A4) DrNo 5083_PL_001 Proposed Site Location Plan;
- (A1) DrNo 5083_PL_101 Rev A Proposed Elevations;
- (A1) DrNo 5083_PL_100 Rev A Proposed Floor Plans;
- (A4) Dr No 5083_PL_002 Rev A Proposed Block Plan;

(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 there was always a possibility that any building or structure may be used by bats and nesting birds. We would therefore like to draw you attention to the following; (i) The applicant and contractors should be aware that all bats are fully protected by law under the Wildlife and Countryside Act 1981 (as amended) and under European legislation. Should a bat or bats be encountered whilst work is being carried out on the property, work should cease immediately and advice should be sought from the Government's advisers on wildlife, Natural England. When working on the property special care should be taken when roof tiles or slates are removed (advise removing by hand and checking underside for bats before stacking, particularly the ones over the gable ends and ridge tiles.) Eaves and external cladding may also provide roost opportunities for bats and should be disturbed with care. As a further precaution, undertaking roof work during the months of March - May or September - November will avoid the main hibernation and breeding seasons when bats are most sensitive to disturbance. Bats should preferably not be handled (and not unless with gloves) but should be left in place, gently covered, until advice is obtained; (ii) most resident nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended); (iii) 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.)

8. Erection of 20 No. dwellings with associated public open space, landscaping and external works on land at Stonegallows (Phase 2 Abbeyvale), Bishop's Hull (05/17/0054)

Reported this application.

Resolved that subject to the applicant entering into a Section 106 Agreement to secure the following:-

- (1) 25% Affordable Housing;
- (2) Additional play equipment at Kinglake – Wicksteed Basket Spinner, including installation and relocation/extension of perimeter fencing;
- (3) Maintenance of the surface water drainage features;
- (4) An agreed travel plan;

the Assistant Director – Planning and Environment be authorised to determine the application in consultation with the Chairman or Vice-Chairman and, if outline planning permission was granted, the following conditions be imposed:-

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

- (A3) DrNo BHL 130 Rev P1 Location Plan;
- (A2) DrNo D11 75 P6 Tree Protection Plan;
- (A3) DrNo 501-1 Rev P3 Hanbury Housetype Design Sheet 1 Elevations & Floor Plans;
- (A3) DrNo 501-1 Rev P3 Hanbury Housetype (AFF) Design Sheet 1 Elevations & Floor Plans;
- (A3) DrNo 502-1 Rev P3 Hatfield Housetype Design Sheet 1 Elevations & Floor Plans;
- (A3) DrNo 503-1 Rev P3 Rosebury Housetype Design Sheet 1 Elevations & Floor Plans;
- (A3) DrNo 504-1 Rev P3 Clayton Housetype Design Sheet 1 Elevations & Floor Plans;
- (A3) DrNo 506-1 Rev P2 Souter Housetype Design Sheet 1 Elevations & Floor Plans;
- (A3) DrNo 507-1 Rev P2 Alnwick Housetype Design Sheet 1 Elevations & Floor Plans;
- (A1) DrNo 120 Rev P4 Phase 2 Planning Layout;
- (A1) DrNo 121 Rev P4 Phase 2 Materials Plan;
- (A1) DrNo 122 Rev P1 Phase 2 Affordable Housing Distribution Plan;
- (A1) DrNo 125 Rev P1 Street Scenes;
- (A1) DrNo 126 Rev P1 Phase 2 Storey Height Plan;
- (A1) DrNo 2100 Rev P04 Section 38 Layout;
- (A1) DrNo 1003 Rev P01 Flood Flow Routing Plan;;
- (A1) DrNo 1002 Rev P01 Impermeable Area Plan
- (A1) DrNo 1001 Rev P01 Drainage Strategy Plan;
- (A1) DrNo 2101 Rev P03 Highway Layout;

- (A1) DrNo 2102 Rev P02 Vehicle Tracking Layout;
- (A1) DrNo 2402 Rev P05 External Levels Layout;

- (b) No development shall be commenced until details of the surface water drainage scheme based on sustainable drainage principles together with a programme of implementation and maintenance for the lifetime of the development have been submitted to, and approved in writing by, the Local Planning Authority. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. Such works shall be carried out in accordance with the approved details;
- (c) 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(or similar) 1.5 m high, placed at a minimum distance of 2.0 m from the edge of the hedge and the fencing shall be removed only when the development has been completed. During the period of construction of the development the existing soils levels around the base of the hedges so retained shall not be altered;
- (d) Prior to the commencement of the development hereby permitted, a full badger survey shall be carried out. The findings of the survey together with any proposed mitigation required shall be submitted to, and approved in writing by, the Local Planning Authority. The approved mitigation shall be strictly adhered to and maintained for the duration specified in the approved report;
- (e) The applicant shall undertake all the recommendations made in Tor ecology's report dated June 2017, and provide mitigation for bats and birds as recommended; The works shall be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme for the maintenance and provision of the new bird and bat boxes and related accesses have been fully implemented. Thereafter the resting places and agreed accesses shall be permanently maintained;
- (f) Prior to the occupation of the dwellings hereby permitted a 1.8m high post and mesh fence shall be erected along the hedge line to form a trim line for the hedge in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority beforehand. The fence shall thereafter be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority;
- (g) (i) The landscaping/planting scheme shown on drawing 300 Rev B 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 development, 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;

- (h) The developer 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 commencement of development and thereafter maintained until the use of the site discontinues;
- (i) Prior to their construction, full details of the proposed estate road, footways, footpaths, tactile paving, cycleways, 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 submitted to, and 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 accordance with the approved details 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 approved details shall be fully implemented in accordance with the approved details prior to the occupation of the 16th dwelling and shall thereafter be maintained as such;

9. Proposed employment site consisting of 1 No. B1 commercial building and amenities (48/17/0043)

Reported this application.

Resolved that subject to the applicant entering into a Section 106 Agreement to secure the following:-

- (1) S106 Travel Plan;

The Assistant Director – Planning and Environment be authorised to determine the application in consultation with the Chairman or Vice-Chairman and, if outline planning permission was granted, the following conditions be imposed:-

- (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 17-16.01 Rev A Location & Block Plan;
 - (A1) DrNo 17-16.03 Rev H Proposed Site Layout Plan;
 - (A1) DrNo 17-16.04 Rev C Proposed Site Sections;
 - (A2) DrNo 17-16.08 Rev B Block D Proposed Plans, Elevations & Section;
 - (A3) DrNo 201 Rev P1 Drainage Plans;
 - (A3) DrNo 301 Rev P2 Access Road Details;
 - (A3) DrNo 302 Rev P2 Access Road Sections 1 of 2;
 - (A3) DrNo 303 Rev P2 Access Road Sections 2 of 2;
 - (A3) DrNo 304 Rev P1 Road Construction Details;
 - (A3) DrNo 305 Rev P1 Site Entrance Layout;
- (c) Prior to the construction of the buildings samples of the materials to be used in the construction of the external surfaces of the development shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter maintained as such;
- (d) (i) A landscaping scheme shall be submitted to, and approved in writing by the local Planning Authority prior to a scheme being implemented. The scheme shall include details of the species, siting and numbers to be planted; (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development; (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species;
- (e) Prior to occupation of the building(s) works for the disposal of sewage and surface water drainage shall be provided on the site to serve the development, hereby permitted, in accordance with the approved details. The works shall be retained in that form;
- (f) No deliveries or vehicle movements, other than staff arriving and leaving, to and from the premises, shall take place within the site outside the hours of 7.30hrs – 19.00hrs Monday – Friday, or 8.00hrs – 13.00hrs on Saturdays and shall not take place on Sundays, Bank or Public Holidays;
- (g) No business operations, other than within the building, including staff arriving and leaving the premises, shall take place within the site outside

the hours of 6.00hrs – 22.00hrs Monday – Friday, or 8.00hrs – 13.00hrs on Saturday and shall not take place on Sundays, Bank or Public Holidays;

- (h) The use of the building shall not be commenced until space has been laid out, drained and surfaced within the site in accordance with the approved plan for the parking, turning, loading and unloading of vehicles, and such areas shall not thereafter be used for any purpose other than the parking, turning, loading and unloading of vehicles associated with the development;
- (i) Prior to the use commencing the cycle parking shall be provided on site in accordance with the approved details and shall be maintained thereafter in connection with the use hereby granted;
- (j) The waste storage facilities shown on the approved plan shall be constructed and fully provided prior to the use of the building commencing, and shall thereafter be retained for those purposes;
- (k) There shall be no storage of materials and waste other than that in the designated areas shown on the approved plan;
- (l) 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 fences or means of enclosure shall be erected on the site other than that expressly authorised by this permission shall be carried out without the further grant of planning permission;
- (m) The Travel Plan approved for this development shall be implemented within two months of the development being first used or occupied. A transport mode and travel pattern survey shall thereafter be conducted not less than every 12 months for a minimum period of five years from the first use or occupation of the development and shall examine the contribution that can be made by cycling, public transport, car sharing, the provision and control of car parking, teleworking, and emergency taxi cover. A person shall be identified as a co-ordinator and point of contact for the purposes of the Plan. The Travel Plan shall be carried out as approved. The Local Planning Authority shall be notified of the results of the survey not later than the end of each calendar year;
- (n) Notwithstanding the provisions of Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) the windows to be installed in the north elevation of all of the blocks shall be constructed with tinted glass. The details of the tinted glass shall be submitted to, and agreed in writing by, the Local Planning Authority prior to its installation and shall thereafter be so retained;
- (o) Prior to the use of the building commencing, the details of external lighting shall be submitted to and approved in writing by the Local Planning

Authority. The external lighting shall be carried out in accordance with the approved details and thereafter maintained as such; 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) no other external lighting shall be erected without the benefit of planning permission;

(p) The development hereby permitted shall not be commenced until details of a strategy to protect and enhance the development for wildlife has been submitted to, and approved in writing by the Local Planning Authority. The strategy shall be based on the advice of Richard Green Ecology's Preliminary Ecological appraisal dated August 2017, and 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 nesting birds could be harmed by disturbance;
3. Measures for the enhancement of places of rest for reptiles, bats and, nesting birds;

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;

The development shall not be occupied until the scheme for the maintenance and provision of the new reptile hibernacula, bat and bird boxes and related accesses have been fully implemented. Thereafter the resting places and agreed accesses shall be permanently maintained;

(q) Development shall be constructed in accordance with the levels shown on the approved plans;

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

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

10. Application for Outline Planning Permission with all matters reserved, except for access, for a residential development of up to 71 No. dwellings with associated access and infrastructure on land off Burges Lane, Wiveliscombe (49/17/0060)

Reported this application.

Resolved that subject to the applicant entering into a Section 106 Agreement to secure the following:-

- (1) Affordable housing – provision of 25% of the dwellings for affordable housing, of which 60% based on social rent and 40% intermediate model;
- (2) Travel Plan – Implementation of an agreed (pre completion of the S106 Agreement) Travel Plan including all necessary fees, safeguarding sums and implementation and monitoring framework;
- (3) Additional play equipment to be provided on the existing public open space developed as part of phases 1 and 2;

The Assistant Director – Planning and Environment be authorised to determine the application in consultation with the Chairman or Vice-Chairman and, if outline planning permission was granted, the following conditions be imposed:-

- (a) Approval of the details of the (a) layout (b) scale (c) appearance (d) internal access roads and (e) landscaping of the site (hereinafter call '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 two years from the date of this permission. The development hereby permitted shall be begun not later than the expiration of two years from the 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:-

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

- DrNo 13115/1030 C Location Plan;
- DrNo 13115/4010 B Access and Movement Parameter Plan;

- (c) No work shall commence on the development hereby permitted until details of the proposed accesses to Burgess Lane and Heathstock Hill have been submitted to, and approved in writing by, the Local Planning Authority. Such works for each access shall then be fully constructed in

accordance with the approved plan(s), to an agreed specification, before any dwelling served by that access is first occupied and thereafter retained as such;

- (d) The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to the commencement of development, and thereafter maintained until construction work discontinues;
- (e) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority. Such provision shall be installed before first occupation and thereafter maintained at all times;
- (f) The proposed estate roads, footways, footpaths, tactile paving, cycleways, 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;
- (g) 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;
- (h) 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;
- (i) None of the dwellings hereby permitted shall be occupied until the developer has applied for a Traffic Regulation Order(s) (TRO) involving the movement of the 30 mph zone and any necessary infrastructure work on Heathstock Hill, and a second TRO to restrict on street parking near the newly installed junction onto Ford Street/ Heathstock Hill. Both TROs shall then be advertised and if successful implemented at the developer's expense to the satisfaction of the Local Planning Authority prior to first occupation or as agreed by the Local Planning Authority;

- (j) No development shall be commenced until details of the surface water drainage scheme based on sustainable drainage principles together with a programme of implementation and maintenance for the lifetime of the development have been submitted to, and approved in writing by, the Local Planning Authority. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than greenfield runoff rates and volumes. Such works shall be carried out in accordance with the approved details;
- (k) The parking spaces in any garages that may be approved shall at all times be kept available for the parking of vehicle/s and shall be kept free of obstruction for such use. Such garages shall not be converted into additional living accommodation without a further grant of planning permission;
- (l) The development hereby permitted shall not be carried out other than in complete accordance with the recommendations and biodiversity enhancements set out in the Extended Phase 1 Habitat report dated August 2017. All existing hedgerows bordering and within the site shall be fully protected by fencing prior to any works taking place. During the period of construction of the development the existing soil levels around the base of retained hedgerows shall not be altered. Specific measures to protect all retained hedgerows intended to be within gardens shall be submitted to, and agreed in writing as part of the detailed landscaping measures to be submitted as part of the application for Reserved Matters approval;
- (m) No development or phase of development hereby permitted, including any site clearance or vegetation removal, shall commence until a bat and dormouse mitigation and enhancement strategy has been submitted to, and agreed in writing by, the local planning authority. The strategy is to be informed by the surveys set out in the email from GS Ecology to Larry Burrows dated 19 January 2018. The measures in the strategy shall thereafter be implemented in full accordance with the submitted details unless otherwise agreed in writing by the local planning authority and thereafter retained as such;
- (n) Prior to the occupation of 75% of the total number of dwellings on the site the proposed allotments shall be delivered and completed and made available for use in accordance with a written scheme and plan to include matters of layout and levels etc. to be submitted to, and agreed in writing with the Local Planning Authority;

(Note to applicant:- Applicant was advised that there would be a requirement to secure appropriate legal agreement(s) for any works, within or adjacent to the public highway required as part of this development, and they are advised to contact Somerset County Council to make the necessary arrangements well in advance of such works starting. The developer is further advised of the stated shortcomings of the Transport Assessment submitted with the application. The Highway Authority may require further clarification and details submitted as part of any application for approval of reserved matters.)

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

Reference Minute No 10/2017 reported that further clearance had taken place on the site since the last visit. A new fence had been erected on the boundary with the open countryside and the garden was very tidy.

As set out in the report it was felt that proceeding with a prosecution was not appropriate at the present time.

Officers had considered alternative courses of action that could result in the clearance of the site should it become untidy again to remedy the harm to the residential amenity of neighbours.

Resolved that if the site becomes untidy again it would be brought back to committee.

12. Appeals

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

(The meeting ended at 9.42 pm)

Planning Committee – 28 February 2018

Present: - Councillor Bowrah (Chairman)
Councillor Mrs Hill (Vice-Chairman)
Councillors Brown, Coles, Gage, C Hill, Nicholls, Mrs Reed, Mrs Smith,
Sully, Townsend and Watson

Officers: - Bryn Kitching (Area Planning Manager), Martin Evans (Solicitor, Shape Partnership Services) and Tracey Meadows (Democratic Services Officer)

Also present: Councillors Berry and Habgood.

Mrs A Elder, Chairman of the Standards Advisory Committee.

(The meeting commenced at 6.15 pm)

13. Apologies/Substitutions

Apologies: Councillors Martin-Scott, Morrell and Wedderkopp

Substitutions: Councillor Sully for Councillor Martin-Scott
Councillor Mrs Smith for Councillor Wedderkopp

14. Minutes

The minutes of the meetings of the Planning Committee held on the 6 December 2016 and the 10 January 2018 were taken and were signed.

15. Public Question Time

Mr Michael Oliver, a Galmington resident stated that it was over two years since the committee resolved to approve the Comeytrowe Consortium application. The lack of progress with the application places the housing delivery strategy of the council in jeopardy. The committee and the community it served deserved to be informed in the public arena about precisely what all of the issues are that were holding up the determination of the application.

The following questions were put to the committee.

Question 1

Would the committee formally request that a progress report on the application is presented within the next two months and that the report detailed all of the issues that were delaying the determination of the application?

Road Safety Details

By now I had expected the planning application to be approved and I would be here asking that you instruct officers to secure changes to the proposals in the interests of highway safety.

Remembering that the Safety Audit recommended that the A38 ghost island priority junction should not be built, if it is the least that should be done would be to ban the right turn out onto the A38 from the Park and Bus facility and construct additional kerbing to physically secure that banned turn. The deletion of the Park and Bus proposals would obviously improve overall road safety at this location. It would also reduce overall development costs.

From recollection, the planning application and environmental statement are silent about construction traffic. The section of Trull Road between Compass Hill and Galmington Road is particularly unsuitable for HGVs. Without restrictions in place perhaps 10,000 HGVs will use the road to facilitate construction of the second (south east) phase of the proposals during years 6 to 10 of the construction programme. Ensuring that the first phase's spine road from the A38 extends to Honiton Road as soon as ever possible and that no construction traffic could use Trull Road and Honiton Road until it does will place construction traffic on more suitable roads than Trull Road and Galmington Road.

I have a particular concern about the safety of pedestrians and cyclists as they use the section of Trull Road at and between Galmington Road and Broadlands Road. The existing mini-roundabout operates very efficiently whilst the proposed signals set back all give-way markings quite some distance decreasing the junction's efficiency, as will the all-red time of the system. Of greater concern is what I believe to be the inevitable increase in speed of vehicles as they travel down Trull Road when its lights are on green. Crossing Trull Road to and from Broadlands's Road is dangerous enough as it is with limited visibility for pedestrians in particular. The introduction of a 20 mph speed limit on this section of the road appears to me to be highly desirable in existing conditions and an absolute necessity if the mini roundabout is to be replaced with a signalised junction.

It may be that the apparent impasse about the proposals will facilitate a re-think that could address the above road safety concerns, or alternatively, they could be negotiated after the current proposals are approved but before they are completed.

Question 2

Would the committee please have regard to my road safety concerns and instruct officers to do all they can to secure my suggested remedies, either in negotiations to change the current proposals, or once they have been approved?

In response the Solicitor, Shape Partnership Services stated that in regards to the two questions raised by Mr Oliver he had spoken to both Mr Tim Burton, Assistant Director Planning & Environment and Mr John Burton, Major Applications Co-ordinator regarding the application and could confirm that an update would be received on the application within the next two months as requested by Mr Oliver.

Mr Oliver also raised an issue regarding the S106 Agreement. This was being looked at and the aim was to put some information onto the website regarding the terms of the S106 Agreement.

In terms of Road Safety and highway works, whilst permission had not yet been issued, the Committee considered and determined the details of the highway works at the time. Whilst your concerns were noted, you could raise the detail and design of the junction with the Highway Authority directly.

The committee's decision of two years ago still stands.

16. Declarations of Interest

Councillor Sully declared that he was the Ward Member for application No. 25/17/0026. He also declared that he had written an article on the application in the Norton News, he felt that he had not 'fettered his discretion.'

17. 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 development:-

25/17/0026

Application for approval of reserved matters following outline approval 25/12/0032 for the erection of 227 No. dwellings, greenways, the western LEAP, landscaping, infrastructure, highways, parking and road access on land parcels H1, H1A, H2 and H3 at Langford Mead, Norton Fitzwarren

Conditions

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

- (A1) DrNo 1730-P3-03 Rev F On Plot Planting Plan Sheet 1 of 2;
- (A1) DrNo 1730-P3-04 Rev F On Plot Planting Plan Sheet 2 of 2;
- (A1) DrNo 1730-L-05 Rev F LEAP;

- (A1) DrNo 1730-P3-02 Rev F Green Infrastructure Plan;
- (A1) DrNo 1730-P3-01 Rev F General Arrangement Plan;
- (A3) DrNo 1730-A-04 Tree Protection Plan;
- (A3) DrNo 35 Rev C Floor Plans & Elevations;
- (A1) DrNo 32-1 Rev A Screen Wall & Fencing Details;
- (A3) DrNo 31-1 Bin & Cycle Store Details Elevations & Floor Plans;
- (A3) DrNo 31-2 Bin & Cycle Store Details Sheet 2 Elevations & Floor Plans;
- (A3) DrNo 31-3 Bin & Cycle Store Details Sheet 3 Elevations & Floor Plans;
- (A3) DrNo 31-4 Bin & Cycle Store Details Elevations & Floor Plans;
- (A3) DrNo 30-2 Garage Floor Plans & Elevations Sheet 2;
- (A3) DrNo 30 Garage and Floor Plans & Elevations Sheet 1 (Sales Complex);
- (A0) DrNo 29 Rev D Material Layout;
- (A0) DrNo 28 Rev E Boundary Treatment;
- (A1) DrNo 27 Illustrated Perspectives;
- (A3) DrNo 26-01 Rev A Street Scenes;
- (A3) DrNo 26-02 Rev A Street Scenes;
- (A3) DrNo 25 Rev A House Type H4B1273 Floor Plans & Elevations;
- (A3) DrNo 24 Rev B Location Plan;
- (A3) DrNo 22-3 Rev B House Type H4B1348 V3 Elevations & Floor Plans;
- (A3) DrNo 22-2 Rev B House Type H4B1348 V2 Elevations;
- (A3) DrNo 22-1 Rev B House Type H4B1348V1 Floor Plans;
- (A3) DrNo 21-2 House Type H4B1209 V2 Floor Plans & Elevations;
- (A3) DrNo 21-1 Rev B House Type H4B1209 V1 Floor Plans & Elevations;
- (A3) DrNo 20-2 Rev B House Type H4B1203V2 Floor Plans & Elevations;
- (A3) DrNo 20-1 Rev B House Type H4B1203V1 Floor Plans & Elevations;
- (A3) DrNo 19 Rev A House Type H4B1149 Floor Plans & Elevations;
- (A3) DrNo 18 Rev A House Type H4B1044 Floor Plans & Elevations;
- (A3) DrNo 17-4 House Type H3B1002V4 Floor Plans & Elevations;
- (A3) DrNo 17-3 House Type H3B1002V3 Floor Plans & Elevations;
- (A3) DrNo 17-2 Rev B House Type H3B1002V2 Floor Plans & Elevations;
- (A3) DrNo 17-1 Rev B House Type H3B1002V1 Floor Plans & Elevations;

- (A3) DrNo 16-2 House Type H3B965 V2 Floor Plans & Elevations;
- (A3) DrNo 16-1 Rev B House Type H3B965 V1 Floor Plans & Elevations;
- (A3) DrNo 15 Rev B House Type H3B920 Floor Plans & Elevations;
- (A3) DrNo 14 Rev B House Type H3B904 Floor Plans & Elevations;
- (A3) DrNo 13-2 House Type H3B947 V2 Floor Plans & Elevations;
- (A3) DrNo 13-1 Rev B House Type H3B947 V1 Floor Plans & Elevations;
- (A3) DrNo 12 Rev B House Type H2B835 Floor Plans & Elevations;
- (A3) DrNo 11-3 House Type H3B791 V3 Floor Plans & Elevations;
- (A3) DrNo 11-2 House Type H3B791 V2 Floor Plans & Elevations;
- (A3) DrNo 11-1 Rev B House Type H3B791 V1 Floor Plans & Elevations;
- (A3) DrNo 10-3 House Type H2B753 V3 Floor Plans & Elevations;
- (A3) DrNo 10-2 Rev A House Type H2B753 V2 Floor Plans & Elevations;
- (A3) DrNo 10-01 Rev B House Type H2B753 V1 Floor Plans & Elevations;
- (A3) DrNo 09-2 House Type H2B637 V 2 Floor Plans & Elevations;
- (A3) DrNo 09-01 Rev B House Type H2B637 V1 Floor Plans & Elevations;
- (A1) DrNo 08-2 Rev B H2B660, 664 & 680 Elevations;
- (A1) DrNo 08-1 Rev B H2B660, 664 & 680 Floor Plans;
- (A3) DrNo 07-2 Rev B House Type H1B550 Elevations;
- (A3) DrNo 07-1 Rev B House Type H1B550 Floor Plans;
- (A3) DrNo 06-2 Rev A House Type H1B539 & 605V2 Floor Plans & Elevations;
- (A3) DrNo 06-1 Rev B House Type H1B539 & 605V1 Floor Plans & Elevations;
- (A3) DrNo 05 Rev B House Type H1B538 & 615 Floor Plans & Elevations;
- (A0) DrNo 03 Rev M Planning Layout;
- (A0) DrNo 03-1 Rev L Coloured Planning Layout;
- (A0) DrNo 17121/8 Rev B Refuse Vehicle Tracking;
- (A0) DrNo 17121/3 Rev A Kerbing & Surfacing Plan;
- (A3) DrNo 17121/1 Rev C Drainage & Levels Strategy;
- (A0) DrNo 03 Rev M Planning Layout;
- (A0) DrNo 03-1 Rev L Coloured Planning Layout;
- (A0) DrNo 28 Rev E Boundary Treatment;

- (b) Prior to the commencement of the development hereby permitted a detailed schedule of works for the laying out and planting of the new orchard including the translocation of existing dead and alive trees from the existing orchard and a timing of works shall be submitted to, and approved in writing by, the Local Planning Authority. The detailed schedule of works and timings shall be strictly adhered to in the carrying out of the works;
- (c) The Locally Equipped Area for Play shall be laid out in accordance with the details shown on drawing 1730-L05 rev F and shall be implemented and made available for use to the public prior to the occupation of the 150th dwelling hereby permitted and shall thereafter be maintained as such, remaining permanently available and open to the general public;
- (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 occupation of the 100th dwelling hereby permitted; (ii) For a period of five years after the completion of the development, 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) Prior to their installation, full details of the proposed 'green screens' shall be submitted to, and approved in writing by, the Local Planning Authority. All private boundary treatments for the dwellings hereby approved shall be implemented in accordance with the details shown on the drawings hereby approved prior to the occupation of the dwelling to which they relate and shall thereafter be maintained as such. The green screens shall be maintained in accordance with condition 1 (ii) as part of the landscaping scheme;
- (f) The external materials specified on drawing 29 Rev D shall be used in carrying out the development hereby approved and shall thereafter maintained as such unless otherwise agreed in writing by the Local Planning Authority;

(2) That the following application **be deferred** for the reason stated:-

36/17/0028

Change of use of public house and curtilage to 1 No. residential dwelling at Rose and Crown Inn, Woodhill Road, Stoke St Gregory

Reason – The application should be deferred for 6 months pending clarification on marketing in particular viewings and offers received. Investigation of alternative uses and the opportunity for the Parish Council to submit a business plan.

18. Appeals

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

(The meeting ended at 8.06 pm)