

Planning Committee – 8 January 2014

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

Officers: - Bryn Kitching (Development Management Lead), Julie Moore (Major Applications Co-ordinator), 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)

1. Apologies/Substitution

Apologies: Councillors C Hill and Morrell.

Substitution: Councillor Denington for Councillor C Hill.

2. Minutes

The minutes of the meeting of the Planning Committee held on 11 December 2013 were taken and read and were signed.

3. Declarations of Interest

Councillor Nottrodt declared a personal interest as a Director of Southwest One. Councillor Mrs Hill declared a personal interest as an employee of Somerset County Council. Councillors Coles and A Wedderkopp declared personal interests as Members of Somerset County Council. Councillor Tooze declared a personal interest as an employee of UK Hydrographic Office. Councillor Bowrah declared that he had attended a meeting at Wellington Town Council where application No 43/13/0133 had been discussed. He felt that he had not “fettered his discretion”. Councillor Wren declared a personal interest as an employee of Natural England.

4. 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 **outline planning permission be granted** for the under-mentioned developments:-

43/13/0133

Development of land for B1(c) light industrial, B2 general industrial and B8 warehouse uses and formation of access at land adjoining Westpark 26 Business Park, Chelston House Farm, Wellington

Conditions

- (a) Approval of the details of the layout, scale, appearance, and landscaping of the site (hereinafter called “the reserved matters”) shall be obtained from the Local Planning Authority in writing before any development is commenced. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of eight 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) None of the units hereby approved shall be used or occupied until a means of vehicular access has been constructed in accordance with the plans hereby permitted unless otherwise agreed in writing by the Local Planning Authority;
- (c) (i) Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to, and approved in writing by, the Local Planning Authority. (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority. (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority;
- (d) Before any part of the development hereby approved is commenced, the hedges to be retained on the site shall be protected by a Chestnut paling fence 1.5 m high, placed at a minimum distance of 2 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;
- (e) Before the commencement of any works hereby permitted, details or samples of the materials to be used for all the external surfaces of the building(s) shall be submitted to, and be approved in writing by, the Local Planning Authority, and no other materials shall be used without the written consent of the Local Planning Authority;

- (f) Before any of the permitted development is commenced, details of the arrangements to be made for the disposal of foul and surface water drainage from the proposed development shall be submitted to, and approved in writing by, the Local Planning Authority. The works shall thereafter be implemented in accordance with the agreed details prior to any building being occupied;
- (g) The development hereby permitted shall not be commenced until details of a strategy to deal with protected species has been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall be based on the advice contained in the 'Ecological Assessment Update' of October 2013, prepared by First Ecology, 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 the species could be harmed by disturbance;
 - 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 permanently maintained as such at all times thereafter. The development shall not be occupied until the scheme as may be approved has been fully implemented;
- (h) Provision shall be made for the parking of cycles in accordance with details to be submitted to, and approved by, the Local Planning Authority. Such provision shall be made before each phase of the development hereby permitted is occupied / use hereby permitted is occupied;
- (i) Before any development commences, details of lighting on the site shall be submitted to, and approved in writing by, the Local Planning Authority. Such details shall include the use of appropriate location, orientation, timing, shading and power to avoid any illumination of off-site areas;
- (j) All services shall be placed underground unless otherwise agreed in writing by the Local Planning Authority;
- (k) No retail sales, or the direct sale of goods to the general public, except ancillary trade sales, shall take place from any of the buildings hereby approved;
- (l) No raw materials, finished or unfinished products or parts, crates, packing materials or waste shall be stacked or stored on the site except within the buildings or within designated storage areas that shall previously have been agreed in writing with the Local Planning Authority;
- (m) Before the use hereby permitted is implemented or used, each of the buildings as may be agreed shall be soundproofed in accordance with a scheme that shall have previously been submitted to and agreed by the Local Planning Authority. The soundproofing scheme as may be agreed

shall thereafter remain in place at all times thereafter unless a variation is first agreed in writing with the Local Planning Authority;

- (n) Prior to the commencement of the development, a Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority. Such Travel Plan shall include soft and hard measures to promote sustainable travel as well as targets and safeguards by which to measure the success of the plan. There shall be a timetable for implementation of the measures and for the monitoring of travel habits. The development shall not be occupied unless the agreed measures are being implemented in accordance with the timetable. The measures shall continue to be implemented as long as any part of the development is occupied;
- (o) Prior to the commencement of the development, a scheme for the parking and manoeuvring of vehicles on site shall have been agreed in writing by the Local Planning Authority. Such a scheme shall be implemented strictly in accordance with the plans to be approved, including being physically marked out on site, and provided in relation to the individual units before they are first used or occupied. The parking area and access thereto shall thereafter be retained at all times to serve the development, being kept clear of obstruction at all times and not used other than for the parking of vehicles in connection with the development hereby permitted or the purpose of access.

(Notes to Applicant: - Applicant was advised to take the following matters into account:-

(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) Your attention is drawn to the requirements of the Building Regulations 2000, Part M Access and Facilities for Disabled People, the advise in BS 8300 and the Disability Discrimination Act. Generally speaking a level access will be required for your proposed building(s). An early assessment of site levels will avoid expensive alterations at a later date; (iii) WILDLIFE AND THE LAW. 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.)

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

31/13/0021

Construction of first floor with raising of roof and erection of rear extension at Tirohanga Ra, Ruishton Lane, Ruishton

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The development hereby permitted shall be carried out in accordance with the following approved plan:-
- (A4) Site Plan;
 - (A4) Location Plan;
 - (A1) DrNo 1630/2 Proposed Plans and Elevations; and
 - (A1) DrNo 1630/1 Existing Plans and Elevations;
- (c) All existing trees on site shall be protected in accordance with BS5837:2005 Trees in relation to construction;

(Notes to Applicant: - Applicant was advised to take the following matters into account:-

- (i) In accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council had worked in a positive and pro-active way with the applicant and entered into pre-application discussions to enable the grant of planning permission; (ii) Whilst it would appear from the application that the proposed development is to be entirely within the curtilage of the application site, care should be taken upon the commencement and during the course of building operations to ensure that no part of the development, including the foundations and roof overhang will encroach on, under or over the adjoining property.)

30/13/0044

Variation of condition No 2 (approved plans) in relation to Plot 12 of application number 30/10/0032 at Sellicks Green Farm, Pitminster

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:-
 - (A3) DrNo 02 Rev J Site Plan;
 - (A2) DrNo 77 Rev E Proposed Plans and Elevations Plot 12; and
 - (A2) DrNo 69 Rev P Proposed Site Layout Sketch Scheme XXXII.

(Note to Applicant:- Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has 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.)

5. E/0227/30/13 – Unauthorised works to listed building to create Post Office and unauthorised advertisement in association with the same at The Lamb and Flag Inn, Blagdon Hill Road, Blagdon Hill

Reported that an erection of a non-illuminated hanging sign and the removal of a small section of internal wall to facilitate a Post Office counter had taken place without listed building consent at the Lamb and Flag Inn, Blagdon Hill Road, Blagdon Hill.

Pre-application discussions had been undertaken with the Heritage Lead regarding the introduction of a Post Office facility within the building. This had been agreed in principle but advice was given to the owner as to the need for consent to be obtained for the proposed alterations.

An application had been submitted but, due to missing information had not been validated.

Unfortunately, the works had subsequently been implemented without the benefit of listed building consent.

In the view of the Development Management Lead, if an application had been validated, consent would have been granted.

Resolved that no further action be taken.

6. Appeals

Reported that three appeals had been lodged, details of which were submitted.

(The meeting ended at 5.55pm)