

Planning Committee – 6 January 2016

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

Officers: - Matthew Bale (Area Planning Manager), Gareth Clifford (Principal Planning Officer), Tim Burton (Assistant Director Planning and Environment), Roy Pinney (Legal Services Manager), Maria Casey (Planning and Litigation Solicitor) and Tracey Meadows (Democratic Services Officer)

Also present: Councillors D and K Durdan for application No.14/15/0027. Councillor Horsley for application No. 38/15/0491. Mrs A Elder, Chairman of the Standards Committee

(The meeting commenced at 5.00 pm)

1. **Apology**

Apology: Councillor Mrs Floyd

2. The minutes of the meetings of the Planning Committees held on the 12, 25 of November and 9 December 2015 were taken and read and were signed.

3. **Proposed change to the Constitution part 4, paragraph 6, revised wording.**

Resolved that this was agreed at the Constitutional Sub Committee and Translated into a formal amendment at Full Council on the 15 December 2015.

4. **Public Question Time**

(a) Councillor Martin-Scott referred to the Comeytrowe/Trull application which had been considered at the meeting on 4 November 2015. He was slightly confused as to the current status of this application. His understanding was that be deferring the application the consortium was being provided with sufficient time for the preparation of a comprehensive Masterplan which would involve engagement with relevant stakeholders and placed particular emphasis on the issues on the highways, education and health. Was this still the situation?

In response the Assistant Director – Planning and Environment, Tim Burton, confirmed that a Masterplan was submitted by the Consortium with their application. Since the November meeting a further document had been produced which had set out to address the reasons for deferral that had been accepted by the Committee. This document had been made available to Members.

The Consortium had also requested that the application be returned to the Planning Committee for determination at the earliest opportunity. Mr Burton informed Members the provisional arrangements had been made for the application to be considered at the scheduled meeting of the Planning Committee on 27 January 2016. The likely venue was The Castle School, Wellington Road, Taunton.

Councillor Martin-Scott went on to ask for clarification as to the Consortium's request that there should be a Strategic Environmental Assessment (SEA) undertaken in respect of the Trull Neighbourhood Plan which was a significant part of this application.

The legal Services Manager, Roy Pinney, informant Members that he had given specific consideration to the issue of whether an SEA was required, in response to a legal view put forward by the Consortium. While not all elements of the Consortium's legal views were acceptable, it was the view of the Legal Services Manager that an SEA was indeed required, and this view had been communicated to others, the Leader of the Council and the Portfolio Holder. He added that the application had included an Environmental Impact Assessment at the time of submission, so that aspect of the application had already been fully covered.

- (b) Mr Steve Smith also sought clarification as to the correct wording of the deferral motion made by the Committee in November. He was aware of four different versions currently being available.

Mr Pinney confirmed that the Minutes of the meeting held on 4 November 2015 recorded details of the deferral. From this it was clear that the Committee desired the applicants undertake further masterplanning to encompass the effects of the development on the wider area including highways, education and health, but not limited solely to these elements.

5. Declarations of Interest

Councillors Coles, M Adkins and Wedderkopp declared personal interests as Members of Somerset County Council. Councillor Townsend declared personal interests as Vice-Chairman of Kingston St Mary Parish Council and Chairman of the Kingston St Mary Village Hall Association. Councillor Martin-Scott declared personal interests as a trustee to the Home Service Furniture Trust, trustee to bishop Fixes Education Foundation and a trustee to Trull Memorial Hall. Councillor Nicholls declared personal interest as a Member of the Fire Brigade. Councillor Wren declared a personal interest as he was Clerk to Milverton Parish Council. Councillor Wedderkopp declared that he had met with a member of the public on application No. 38/15/0491, he stated that he had not 'fettered his discretion'. Councillor Bowrah declared he had brought application No. 43/14/0105 to the committee under delegated powers as he felt that this should be dealt with by the Planning Committee. He also declared that application No. 43/15/0082 was discussed at the Wellington

Town Council meeting, he declared that he did not participate in the discussion.

6. 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:-

38/15/0491

Conversion and extension to detached garage to form an annexe at 17A The Avenue, Taunton (amended scheme to 38/15/0346) as amended by plans received 14 December 2015

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 J133/02C Proposed Floor Plan, Elevations and Block Plan;
- (c) The extension (building) hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 17A The Avenue.

(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.)

38/15/0144

Demolition of garage blocks and erection of 3 No. four bedroomed terraced dwellings with associated parking and amenity space on land to the side of 79 Belvedere Road, Taunton

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The development hereby permitted shall be carried out in accordance with the following approved plans:-

- (A1) Dr No 2542 201 Rev A Proposed Elevations;
 - (A1) 2542 101 Proposed Floor & Roof Plans;
 - (A1) Dr No 2542 003 Rev A Proposed Site Plan;
 - (A1) 2542 004 Existing Site Plan;
 - (A4) Dr No 2542 001 Rev A Site Location & Block Plan;
 - (A4) Floorplan;
- (c) 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) the first floor window to be installed in the east and west elevations of the building shall be obscured glazed and non-opening (unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed). The type of obscure glazing shall be submitted to, and agreed in writing by, the Local Planning Authority prior to its installation and shall thereafter be so retained;
- (d) 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 types described in Schedule 2 Part 1 Class' A, B & C of the 2015 Order other than that expressly authorised by this permission shall be carried out without the further grant of planning permission;
- (e) No dwelling shall be occupied until space has been laid out within the site in accordance with the approved plan for 6 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear;
- (f) The development shall provide for bin storage facilities, details of which shall be submitted and approved in writing prior to occupation of the dwellings. Such facilities shall be provided prior to the occupation of any dwelling to which it relates and shall thereafter be retained for those purposes;
- (g) (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;
- (h) No site clearance works or development (or specified operations) shall take place between March and September without the prior written approval of the Local Planning Authority;

- (i) The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to, and approved in writing by, the Local Planning Authority; The strategy shall be based on the advice of a First Ecology's Ecological Appraisal dated May 2015 and include:

A further bat activity survey to ascertain the usage of the garages by bats. In the event that evidence of bats is found a dusk emergence and pre-dawn survey shall be required. The surveys shall be undertaken by an appropriately qualified person between May-October and use techniques and equipment appropriate to the circumstances; A reptile mitigation survey to ascertain the usage of the site by reptiles. It shall be undertaken by an appropriately qualified person at an appropriate time of year and use techniques and equipment appropriate to the circumstances; 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 thereafter any resting places and agreed accesses for the relevant species shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new resting places and related accesses have been fully implemented;

(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 with the applicant and had negotiated amendments to the application to enable the grant of planning permission.)

43/14/0105

Erection of 102 No. dwellings with associated landscaping, engineering, highways, parking and open space on land at Cades Farm, off Taunton Road, Wellington

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:-
- (A0) DrNo 100 Rev Y Planning Layout;
 - (A3) DrNo 101 Rev H Location Plan;
 - (A2) DrNo 104 Rev P Materials Key Plan;

- (A1) DrNo 105 Rev J Refuse Key Plan;
- (A2) DrNo 106 Rev M Affordable Housing Key Plan;
- (A1) DrNo 107 Rev B Fences & Enclosure Details;
- (A1) DrNo 150 Rev F Street Scenes;
- (A0) DrNo 202-3 Rev E Engineering Layout Sheet 3 of 5;
- (A0) DrNo 202-4 Rev D Engineering Layout Sheet 4 of 5;
- (A0) DrNo 202-5 Rev E Engineering Layout Sheet 5 of 5;
- (A1) DrNo 203-1 Rev B Road Construction Details Sheet 1 of 2;
- (A1) DrNo 203-2 Rev B Road Construction Details Sheet 2 of 2;
- (A1) DrNo 208-4 Rev A Road & Sewer Sections Roads 12,13 and 13 Turning Head;
- (A1) DrNo 208-5 Rev A Road & Sewer Sections Roads 14,15 and 14 Turning Head;
- (A0) DrNo 211 Rev F Section 38 Plan;
- (A0) DrNo 302 Rev H Landscaping Layout Sheet 3 of 5;
- (A0) DrNo 303 Rev F Landscaping Layout Sheet 4 of 5;
- (A0) DrNo 304 Rev G Landscaping Layout Sheet 5 of 5;
- (A2) DrNo 305 On-Plot Plant Schedule and Landscape Specification;
- (A0) DrNo 307 Rev H POS Landscaping Layout Sheet 1 of 5;
- (A0) DrNo 309 Rev F POS Landscaping Layout Sheet 3 of 5;
- (A0) DrNo 310 Rev F POS Landscaping Layout Sheet 4 of 5;
- (A0) DrNo 311 Rev F POS Landscaping Layout Sheet 5 of 5;
- (A2) DrNo 312 Rev B POS Plant Schedule and Specification;
- (A3) DrNo 800-3-1 Rev B House Type AI;
- (A3) DrNo 800-4-1 Rev B House Type AI;
- (A3) DrNo 800-6-1 Rev A House Type AI;
- (A3) DrNo 801-3-1 Rev B House Type Ha;
- (A3) DrNo 801-4-1 Rev D House Type Ha;
- (A3) DrNo 801-6-1 Rev A House Type Ha;
- (A3) DrNo 802-2-1 Rev C House Type Ro;
- (A3) DrNo 802-6-1 Rev C House Type Ro;
- (A3) DrNo 802-6-2 Rev B House Type Ro;
- (A3) DrNo 806-2-1 Rev B House Type Ru;
- (A3) DrNo 806-6-1 Rev B House Type Ru;
- (A3) DrNo 807-1-1 Rev B House Type Ht;
- (A3) DrNo 807-2-1 Rev A House Type Ht;
- (A3) DrNo 807-6-1 Rev / House Type Ht;
- (A3) DrNo 808-4-1 Rev B House Type 2B;
- (A3) DrNo 808-5-1 Rev B House Type 2B;
- (A3) DrNo 809-4-1 Rev B House Type 3B;
- (A3) DrNo 809-5-1 Rev B House Type 3B;
- (A3) DrNo 810-4-1 Rev B House Type 1B;
- (A3) DrNo 811-3-1 Rev A House Type Mo;
- (A3) DrNo 812-2-1 Rev / House Type Ha Corner;
- (A3) DrNo 812-6-1 Rev A House Type Ha Corner;
- (A3) DrNo 820 Rev A Garages;

Where there is any discrepancy between the details contained within the layout/house type drawings, the planning layout shall take precedence;

- (c) Prior to the commencement of the development hereby permitted, full details of the proposed means of surface water drainage shall be submitted to, and agreed in writing by, the Local Planning Authority. The strategy shall ensure that surface water run-off from the site is limited to no more than 2 litres per second per hectare of impermeable area unless otherwise agreed in writing by the Local Planning Authority. The approved surface water drainage details shall subsequently be implemented so as to ensure that each part of the site is not occupied/brought into use prior to being drained in accordance with the details so approved and such drainage facilities shall thereafter be maintained as such;
- (d) The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall be based on the advice of EDP's submitted report, dated October 2010 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 thereafter the resting places and agreed accesses for wildlife shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new resting places and related accesses have been fully implemented.
- (e) The proposed estate road, footways, footpaths, tactile paving, cycleways, verges, junctions, street lighting, sewers, drains, service routes, surface water outfall, vehicle overhang margins, 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. 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 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 roads and footways shall be completed in complete accordance with the approved plans prior to the occupation of the 90th Dwelling hereby permitted unless otherwise agreed in writing by the Local Planning Authority;

- (f) Prior to the occupation of plots 185-202 a post and wire mesh fence shall be installed along the boundary of these properties with the adjoining hedge in accordance with details that shall previously have been submitted to, and approved in writing by the Local Planning Authority;
- (g) Prior to the occupation of any dwellings hereby permitted, full details of the proposed layout of the public open space identified on drawing 309 Rev F hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority; The details shall indicate the location of any equipment, benches, bins, footpaths and other facilities that may be provided together with details of these items. The approved details shall be implemented prior to the occupation of the 50th dwelling hereby permitted and shall thereafter be maintained as such;

43/15/0083

Variation of condition No. 2 (approved plans) of application 43/13/0127 to move development further north on land to the rear of 39A Mantle Street, Wellington

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 MS.2 Elevations;
 - (A3) Block Plan & Floor Plan;
- (c) Prior to the occupation of the dwelling hereby permitted, full details of the proposed bin storage facilities, shall be submitted to, and approved in writing by, the Local Planning Authority. 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) Prior to the occupation of the dwellings hereby permitted covered and secure spaces for no less than 2 bicycles shall be provided in accordance with further details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be implemented and available for use prior to the occupation of the dwelling hereby permitted and shall thereafter be retained as such;

05/15/0035

Change of use of land from amenity to domestic and repositioning of boundary wall at 15 Waterfield Close, Bishops Hull

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The development hereby permitted shall be carried out in accordance with the following approved plans:-
- (A4) DrNo P.01 Site Location Plan;
 - (A3) DrNo P.03 Rev A Site plan As Proposed;
 - (A3) DrNo P.05 Elevations As Proposed;
- (c) 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 types described in Schedule 2 Part 1 Class E of the 2015 Order other than that expressly authorised by this permission shall be carried out without the further grant of planning permission;

(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 imposed planning conditions to enable the grant of planning permission.)

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

10/15/0026

Erection of single storey holiday let, demolition of stables and erection of two storey holiday let at Cleve Farm, Oatens farm Lane, Churchstanton

Reason

The National Planning Policy Framework seeks to locate developments in areas that facilitate the use of sustainable modes of transport, while development plan policies specifically direct permanently built holiday accommodation to within existing settlements, which are accessible by public transport, cycling and on foot, unless the proposal would support the vitality and viability of the rural economy in a way that cannot be sited within the defined settlement limits. The proposed holiday accommodation would not utilise existing buildings, but would require the erection of two new purpose-built buildings in a remote, rural location, distanced from adequate services and facilities, which would result in future occupiers being largely reliant upon the use of the private car. The proposal would not support the rural economy in a way that could not be achieved if located within the defined limits of a settlement, nor would it support economic diversification of existing farming or service enterprises. As such, the proposal is contrary to the provisions of policies DM1 (General Requirements) and DM2 (Development in the

Countryside) of the Taunton Deane Borough Council Core Strategy and the relevant sections of the National Planning Policy Framework;

(Note to applicant:- Applicant was advised that in accordance with paragraphs 186 and 187 of the national Planning Policy Framework the Council works in a positive and pro-active way with the applicants and looks for solutions to enable the grant of planning permission. However in this case the applicant was unable to satisfy the key policy test and as such the application had been refused.)

14/15/0027

Erection of 4 No. detached dwellings with associated works in the garden to the rear of Somersby Lodge, Langaller Lane, Creech St Michael

Reason

The proposed development, particularly as a consequence of the location of the proposed access point would impact upon the setting of the listed building and the amount of development proposed would detract from the historic pattern of the settlement. The proposal would result in less than substantial harm to the setting of the listed building. However, given the limited public benefits that would arise from the development, these are not considered to outweigh this harm identified and the proposal is, therefore, contrary to Policy CP8 of the Taunton Deane Core Strategy.

43/15/0082

Variation of condition No. 2 (approved plans) of application 43/12/0081 on land to the rear of 39A Mantle Street, Wellington as amended

Reason

The development is considered to be unacceptably overbearing in relation to the neighbouring garden of 37 Mantle Street, detrimental to the amenity of that dwelling. It is, therefore, contrary to Policy DM1 of the Taunton Deane Core Strategy.

7. Appeals

Reported that two appeals and one decision were received details of which were submitted.

Resolved that the report be noted.

(The meeting ended at 9.10 p.m.)

Planning Committee – 27 January 2016

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

Officers: - John Burton (Principal Planning Officer), Tim Burton (Assistant Director
Planning and Environment), Roy Pinney (Legal Services Manager),
Kate Murdoch (Planning Policy Officer), Matthew Bale (Area Planning
Manager) and Tracey Meadows (Democratic Services Officer)

Also present: Ian White (Advisory, ATLAS), Helen Vittery (Somerset County Council
- Highways), Mrs A Elder, Chairman of the Standards Advisory
Committee.

(The meeting commenced at 6.00 pm)

13. Welcome

The Chairman welcomed everyone to the meeting – the first time the Planning Committee had met at The Castle School, Wellington Road, Taunton.

14. Apologies/Substitutions

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

Substitutions: Councillor Mrs J Adkins for Councillor C Hill;
Councillor Cavill for Councillor Martin-Scott;
Councillor Horsley for Councillor Nicholls;
Councillor Mrs F Smith for Councillor Mrs Floyd.

15. Declarations of Interest

Councillors M Adkins, Coles and Wedderkopp declared personal interests as Members of Somerset County Council. Councillor Townsend declared personal interests as Vice-Chairman of Kingston St Mary Parish Council and Chairman of the Kingston St Mary Village Hall Association. Councillor Wren declared a personal interest as he was Clerk to Milverton Parish Council.

16. Outline planning application with all matters reserved (except points of access) for a residential and mixed use urban extension at Comeytrove/Trull to include up to 2000 dwellings, up to 5.25 hectares of employment land, 2.2 hectares of land for a Primary School, a mixed use local centre, and a 300 space 'park and bus' facility on land at Comeytrove/Trull (42/14/0069)

Reported this application.

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

- (a) 25% affordable housing;
- (b) Highway works comprising bus priority measures near school and at Silk Mills roundabout;
- (c) Heatherton Park Crossroads safety scheme;
- (d) Galmington/Trull Road improvements;
- (e) Provision of park and bus and associated junction works;
- (f) Comeytrove Lane Access junction including works to Comeytrove Manor Farm;
- (g) Honiton Road access junction;
- (h) Travel Plan and Car Club benefits;
- (i) Improvements to bus services serving the site;
- (j) Timing of the spine road; and
- (k) Provision of on-site play equipment and sports facilities;

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 layout, scale, appearance and landscaping of each phase of the development (hereinafter called "the reserved matters") shall be submitted to, and approved in writing by, the Local Planning Authority before any development in that phase is commenced and the development of that phase shall (unless otherwise agreed with writing by the Local Planning Authority) be carried out as approved. Application for approval of the reserved matters of the first phase shall be made to the Local Planning Authority not later than the expiration of three years from the date of this permission. Application for the final phase of the development shall be submitted to the Local Planning Authority not later than the expiration of fifteen years from the date of this permission. Each phase of the development hereby permitted shall be begun, not later than the expiration of two years from the final approval of the reserved matters for that phase, or in the case of approval on different dates, the final approval of the last such matter to be approved;
- (b) An application for approval of reserved matters shall not be submitted until there has been submitted to, and approved in writing by, the Local Planning Authority a phasing and place-making strategy covering (where relevant) the phasing of the delivery of housing, infrastructure, transport links and community facilities within the development. The Phasing Strategy shall set out information on how the delivery of these elements will be integrated through green infrastructure to ensure that a cohesive and high quality place is created. The strategy shall identify any potential

opportunities for the consultation with or the involvement of the local community or other stakeholders in the delivery and/or maintenance of community facilities. Thereafter each application for approval of reserved matters shall include an explanation of how the development of the phase or sub-phase it covers relates to the phasing strategy of the overall development. The development shall be carried out in accordance with the approved Phasing and Place Making Strategy unless otherwise agreed in writing by the Local Planning Authority;

- (c) An application for approval of reserved matters for a phase or sub-phase shall not be submitted until there has been submitted to, and approved in writing by, the Local Planning Authority a Neighbourhood Masterplan and Design Guide for the Neighbourhood Area to which that application for approval of reserved matters relates. The Neighbourhood Masterplan and Design Guide shall be accompanied by a statement explaining how they accord with the Masterplan Principles Document and Parameter Plans or if they do not so accord, why they do not. The Neighbourhood Masterplan and Design Guide shall provide information on the proposed arrangement of development blocks, streets and spaces for the Neighbourhood Area to which they relate. The Neighbourhood Masterplan and Design Guide shall demonstrate how the Neighbourhood Area will function and its overall character and gain;
- (d) An application for approval of reserved matters shall not be submitted until there has been submitted to, and approved in writing by, the Local Planning Authority, an Appearance Palette which includes the phase or sub-phase to which that application for approval of reserved matters relates. The Appearance Palette shall include details of individual character areas, guidance on building design, building materials, surface materials, street furniture and tree species for the phase or sub-phase to which it relates. Any subsequent revisions to an approved Appearance Palette shall be subject to the approval of the Local Planning Authority;
- (e) An application for approval of reserved matters which encompasses a geographical area shown in the Urban Design Framework Plan on pages 12 and 13 of the Masterplan Principles Document (September 2015) as being subject to a Design Brief, shall not be submitted until such a Design Brief has been submitted to, and approved in writing by, the Local Planning Authority. The Design Brief shall, for the area to which it relates, provide information on the principles for the detailed design of the following matters - areas of public open space and public realm and the landscaping of those spaces; streets; buildings including the proposed approach to architectural design and material; 'Key Buildings' as shown on the Urban Design Framework Plan at pages 12-13 of the Masterplan Principles Document;
- (f) Applications for the approval of reserved matters shall be accompanied by a statement explaining how they accord with the Parameter Plans, Masterplan Principles Document and with the applicable approved Detailed Masterplan and Design Guide, Appearance Palette,

Neighbourhood Masterplan or Design Brief or (where relevant) explaining why they do not;

- (g) No development shall take place in an Archaeological Mitigation Area (those areas hatched in pink in Figure J2: Outline Archaeological Mitigation Area Plan drawing number SDP 782/115 which appears at Appendix 13.5 to the Environmental Statement) or in its immediate vicinity until a written scheme of archaeological investigation for that Archaeological Mitigation Area has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the written scheme of archaeological investigation shall be implemented in accordance with its terms;
- (h) Each application for approval of reserved matters shall include a hard and soft landscaping scheme for the phase or sub-phase of the development to which it relates. The hard and soft landscaping scheme shall include for the phase or sub-phase to which it relates details of the landscaping; details of the surface treatment of the open parts of the site; a programme of implementation; and a planting schedule to include numbers, density, size, species and positions of all new trees and shrubs. The landscaping/ planting scheme shown on the submitted plan shall be completely carried out within the first available planting season from the date of commencement of the development phase;
- (i) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner, or at such other time as agreed by the Local Planning Authority in writing, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species;
- (j) Prior the commencement of each phase of the development a foul water drainage strategy for that phase shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker. The foul water drainage strategy shall include appropriate arrangements for the points of connection and the capacity improvements required to serve the phase to which it relates. The foul water drainage strategy shall thereafter be implemented in accordance with the approved details;
- (k) The first application for approval of reserved matters shall be supported by an updated outline surface water drainage strategy for the whole site covered by this outline permission based on the Flood Risk Assessment (Ref. 24721/020 and dated May 2015). This strategy (including the design) shall be submitted to, and agreed in writing by, the Local Planning Authority and shall incorporate measures to manage flood risk and water quality utilising sustainable drainage techniques;

(l) Prior to the commencement of development in a phase of the development, a detailed scheme for surface water drainage and watercourse proposals for that phase shall be submitted to, and approved in writing by, the Local Planning Authority. The detailed scheme of surface water drainage shall include (a) evidence that an appropriate right of discharge for surface water and any necessary improvements has been obtained; (b) details of the drainage during construction of that phase or sub-phase; (c) details of the final drainage scheme for that phase or sub-phase (including, where applicable, gullies, connections, soakaways and means of attenuation) demonstrating how a 2 l/s/ha discharge rate can be accommodated; (d) identification of all future land-use limitations, ownership, operation and maintenance arrangements for the works over the lifetime of the scheme; (e) provision for exceedance pathways and overland flow routes; (f) a plan for the future maintenance and management of the system and overland flow routes; and (g) appropriate use of interception and porous paving/surfacing infiltration techniques detection/attenuation facilities and wetlands; The approved scheme will need to meet the requirements of both the Environment Agency and the Parrett Internal Drainage Board. Prior to occupation of each phase it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the scheme have been completed in accordance with the details and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details;

(m) No phase or sub-phase of development shall commence (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan for that phase or sub-phase has been submitted to, and approved in writing by, the Local Planning Authority. In discharging this condition the following information shall be supplied:-

(a) Locations for the storage of all plant, machinery and materials including oils and chemicals to be used in connection with the construction of that phase or sub-phase; (b) Construction vehicle routes to and from the site including any off site routes for the disposal of excavated material; (c) Construction delivery hours; (d) Expected number of construction vehicles per day; (e) Car parking for contractors; (f) A scheme to encourage the use of Public Transport amongst contractors; (g) Measures to avoid traffic congestion impacting upon the Strategic Road network; (h) Details of all bunds, fences and other physical protective measures to be placed on the site including the time periods for placing and retaining such measures; (i) The control and removal of spoil and wastes; (j) Measures to prevent the pollution of surface and ground water arising from the storage of plant and materials and other construction activities; (k) The proposed hours of operation of construction activities; (l) The frequency, duration and means of operation involving demolitions, excavations, drilling, piling, and any concrete production; (m) Sound attenuation measures incorporated to reduce noise at source; (n) Details of measures to be taken to reduce the generation of dust; and

(o) Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;

The agreed Construction Environmental Management Plan shall thereafter be implemented in full;

- (n) Before each phase of the development is commenced the following shall in respect of that phase be submitted to, and approved in writing by, the Local Planning Authority:-
- (a) a plan showing the location of and allocating a reference number to each existing tree on the part of the site within that phase which has a stem with a diameter, measured over the bark at a point 1.5 m above ground level, exceeding 75 mm, showing which trees are to be retained, the crown spread of each retained tree and which are to be removed;
 - (b) details of the species, height, trunk diameter at 1.5m above ground level, age, vigour, canopy spread and root protection area of each tree identified in the plan prepared pursuant to paragraph (a);
 - (c) Details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;
 - (d) Details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site;
 - (e) Details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development;
 - (f) The development of that phase shall thereafter be carried out in accordance with the approved scheme. In this condition "retained tree" means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above;
- (o) The development of a phase of the development shall not be commenced until a scheme for prevention of pollution during the construction of that phase has been approved by the Local Planning Authority. The scheme shall include details of the following:-
- (a) Site security;
 - (b) Fuel oil storage, bunding, delivery and use;
 - (c) How both minor and major spillage will be dealt with;
 - (d) Containment of silt/soil contaminated run-off;
 - (e) Disposal of contaminated drainage, including water pumped from excavations;
 - (f) Site induction for workforce highlighting pollution prevention and awareness.
- Invitation for tenders for sub-contracted works must include a requirement for details of how the above will be implemented;
- (p) If, during development, contamination not previously identified is found to be present at the site, then no further development shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority to, a Remediation Strategy detailing how this unsuspected contamination shall be dealt with;
- (q) No works (including demolition, ground works, vegetation clearance) shall be commenced on any phase of the development hereby permitted until details of a wildlife strategy (incorporating an Ecological Construction

Method Statement [ECMS] and a Landscape and Ecological Management Plan [LEMP]) to protect and enhance that phase of 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 all the submitted wildlife reports to date (EDP's Extended Phase 1 survey, Hedgerow survey 2011 and 2013, Bat and Building assessments 2012 and 2013, Breeding bird survey 2012, Hobby Survey 2013, Dormouse Survey 2012 and 2013, Water vole and Otter surveys 2012, Badger surveys 2012 and 2013, Amphibian survey 2012 and Reptile survey 2012.), and up to date surveys and include:-

- (1) An Ecological Construction Method Statement (ECMS) containing details of protective measures to avoid impacts on protected species during all stages of development; (2) Details of measures to prevent pollution of Galmington Stream and other water courses on site; (3) Details of the timing of works to avoid periods of work when protected species could be harmed by disturbance; (4) Arrangements to secure an Ecological Clerk of Works on site; (5) Measures for the enhancement of places of rest for protected species; (6) A Landscape and Ecological Management Plan (LEMP) covering a period agreed by the LPA; (7) Details of a sensitive lighting strategy; (8) Use of protective fences, exclusion barriers and warning signs; (9) The preservation of the Galmington Stream corridor including that of any tributaries, in order to conserve the integrity of the watercourse and its riparian habitats as a linear feature, and to provide connectivity between the downstream Local Nature Reserve and the countryside beyond; Once approved the works shall be implemented in accordance with the approved details and timing of the works. The development shall not be occupied until the scheme for the maintenance and provision of the mitigation planting and maintenance of the hibernacula, bat, dormice and bird boxes and related accesses have been fully implemented. Thereafter the new planting and the wildlife resting places and agreed accesses shall be permanently maintained;
- (r) Prior to the commencement of the development an Ecological Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Ecological Management Plan shall demonstrate how the long-term conservation of new and retained environmental resources, including habitats and species of biodiversity value, shall be secured and shall include arrangements for implementation responsibilities for the operation of the Plan following completion of development of each phase or sub-phase of the development;
- (s) No more than 12 months prior to the commencement of works on a phase of the development in which breeding sites or resting places of European Protected Species may be present, updated surveys for that phase shall be undertaken. The species in question include but are not necessarily limited to; (a) Bats; (b) Dormice; (c) Great Crested Newts; and (d) Otters; The survey results shall be submitted in writing to the Local Planning Authority together with details of any required mitigation measures and the appropriate mechanism for delivery of such measures;

- (t) No one phase of the development shall commence until a Lighting Strategy for Biodiversity for that phase has been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall:-
- (a) Identify those areas/features of the site within that phase or sub=phase that are particularly sensitive for Bats, Dormice and Otters and that are vulnerable to light disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging;
 - (b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places;
 - (c) Show that street lighting will be directed so as to avoid light spillage and pollution on habitats used by light sensitive species, and will demonstrate that light levels falling on wildlife habitats do not exceed an illumination level of 0.5 Lux. Shields and other methods of reducing light spill will be use where necessary to achieve the required light levels;

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and shall be maintained thereafter in accordance with the strategy;

- (u) Prior to the commencement of the phase of the development within which the road bridge crossing the Galmington Stream will lie, a detailed specification for the bridge shall have been submitted to, and approved by, the Local Planning Authority. In discharging this condition the Local Planning Authority will expect to see design details which assist protected wildlife species associated with the Galmington Stream, particularly Dormice and Otters, to continue to disperse along the stream corridor unhindered. The agreed bridge specification shall thereafter be implemented in full and retained as such at all times thereafter;
- (v) The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus laybys, 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. 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 before the commencement of each phase of the development;
- (w) The proposed roads, including footpaths and where applicable turning spaces and cycle way connections, 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;

- (x) No phase of the development hereby permitted shall be occupied or brought into use until the part of the Spine Road that provides access to that phase has been constructed in accordance with plans that shall previously have been submitted to, and approved by, the Local Planning Authority;
- (y) In the interests of sustainable development none of the dwellings in the first phase (as will be agreed by condition (b) of this permission) shall be used or occupied until a network of cycleway and footpath connections has been constructed within the development site in accordance with a scheme to be submitted to, and approved in writing by, the Local Planning Authority;
- (z) No more than 150 dwellings within the development hereby permitted shall be occupied until a site of at least 2.2 hectares for a primary school (being one of the two sites shown on Land Use Parameter Plan drawing No. 9600 RW L) has been offered for transfer to the Education Authority, unless otherwise agreed with the Local Planning Authority. If the offer is accepted, the site once transferred shall be fully serviced, level and in a condition suitable for the immediate construction of the school with access to the public highway constructed to an adoptable standard in accordance with a timetable to be agreed with the Local Planning Authority;
- (aa) The vehicular access shown off Comeytrove Lane shall be for emergency service vehicles and public transport vehicles only and shall be retained as such at all times by means of a 'bus gate' system, the details of which shall have been submitted to, and approved in writing by, the Local Planning Authority before the road becomes operational. There shall be no vehicular access to individual residential properties whatsoever, except as provided for by this condition;
- (bb) No development shall commence on any phase until a proposed layout scheme to include the provision for access to other parts of the Comeytrove/Trull site as identified in Policy TAU1 of the publication draft of the Site Allocation and Development Management Plan has been submitted for approval in writing to the Local Planning Authority. The layout scheme will be in a form that is adequate to accommodate public transport, vehicles, cycleways and footpath linkages for the future development of the Comeytrove/Trull site. The development shall be carried out strictly in accordance with the approved details;

(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 entered into pre-application discussions to enable the grant of planning permission; (2) Applicant was also advised on WILDLIFE AND THE LAW . The protection afforded to wildlife under UK and EU legislation is irrespective of the planning system and any activity undertaken on the tree(s) 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; (3) Applicant was advised that the condition relating to wildlife requires the submission of information to protect species. The Local Planning Authority will expect to see a detailed method statement for each phase of the development clearly stating how wildlife will be protected through the development process and to be provided with a mitigation proposal that will maintain favourable status for these species that are affected by this development proposal; (4) Applicant was advised that Dormice and Bats were known to be present on site as identified in submitted ecological surveys. Both species concerned are European Protected Species within the meaning of The Conservation of Habitats and Species Regulations 2010. If the local population of European Protected Species are affected in a development, a licence must be obtained from Natural England in accordance with the above regulations; (5) Applicant was advised that It should be noted that the protection afforded to Badgers under the Protection of Badgers Act 1992 is irrespective of the planning system and the applicant should ensure that any activity they undertake on site must comply with the legislation; (6) Applicant was advised that nesting birds were present on site and all operatives on site must be appropriately briefed on their potential presence. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered must not be disturbed; (7) Applicant was advised that the point of water connection for the overall Comeytrowe development has been identified as off the new 450mm diameter main near Cannonsgrove House. Temporary connections prior to the construction of a trunk main to the point of connection to the south will need to be agreed with Wessex Water under Section 41 of the Water Industry Act. Outline details as follows; Subject to application 100 – 150 dwellings at the northern extent of the site may connect at an agreed point to one of the mains in the A38 close to Stonegallows. This connection will necessitate some upgrade works to Stonegallows Pumping Station; System valves are likely to be required with installation proposed at Heron Drive and Heron Close. The remaining properties and ancillary development (subject to agreement of demand requirements and application, not exceeding 800 dwellings total, including the 100 - 150 above) will connect to the 300mm DI main in Comeytrowe Lane.

Properties above 55mAOD seeking connection to the 300mm DI main will require an onsite booster(s) station; (8) Applicant was advised that the Somerset Industrial Archaeological Society (SIAS) have drawn attention to a relatively small but important industrial archaeological site at the former Comeytrove Farm. Research has traced sales particulars at the Somerset Heritage Centre dated 1901 which identifies the Mill House and the overshot waterwheel driving machinery via six pulleys, shafting and brackets. This particular example is worthy of consideration for retention within the overall planning scheme. It is understood that they are likely to be listed by virtue of being within the curtilage of Comeytrove Manor. If they are curtilage listed, Listed Building Consent would be required to demolish or alter any of the curtilage structures. If they are not curtilage listed, the water wheel would be classed as a non-designated heritage asset and the applicant would need to make provision for the water wheel within any reserved matters application, as clearly, its loss would represent substantial harm. Every effort should be made to retain this feature; (9) Applicant was advised to formulate all physical security specifications of the dwellings i.e. doorsets, windows, security lighting, intruder alarm, cycle storage etc. in accordance with the Police approved 'Secured by Design' (SBD) award scheme, full details of which are available on the SBD website; (10) Applicant was advised that if it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from Somerset County Council Rights of Way Group; A Public Right of Way (PROW) being made less convenient for continued public use. New furniture being needed along a PROW; Changes to the surface of a PROW being needed; Changes to the existing drainage arrangements associated with the PROW; If the work involved in carrying out this proposed development would make a PROW less convenient for continued public use (or) create a hazard to users of a PROW then a temporary closure order will be necessary and a suitable alternative route must be provided; (11) Applicant was advised that it is noted that there is reference in the flood risk section of the Environmental Statement to the Routes to the River Tone Project. The applicant should be liaising with the Project Team to ensure that the development contributes to the Project and vice versa.)

17. 42/15/0042

Demolition of a section of wall on the western side of Honiton Road for creation of the access to the South West Taunton Urban Extension under planning application No. 42/14/0069) on Honiton Road, Trull

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) This application shall only be implemented if required in association with the works approved under application 42/14/0069 for the South West Taunton Urban Extension and not under any other circumstance;

- (c) Before any sections of the wall are demolished as hereby granted, a Heritage Conservation Strategy shall have been prepared and approved by the Local Planning Authority which shall have identified heritage assets potentially susceptible to impact (including nearby listed buildings and most importantly the Trull Conservation Area), their significance, settings, and where appropriate, proposed mitigation measures sufficient to avoid or minimise harm;
- (d) The material from the sections of wall to be demolished shall be salvaged and reused in the two new reconstructed sections of wall at each end and these new walls shall match the existing wall in all respects;
- (e) Before any part of the development hereby allowed 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. The scheme shall show that the large pine tree reference T116.64 shall be kept. 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. 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.

(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 with the applicant and had negotiated amendments to the application to enable the grant of planning permission.)

(The meeting ended at 11p.m.)

Planning Committee – 24 February 2016

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

Officers: - Matthew Bale (Area Planning Manager), Bryn Kitching (Area Planning
Manager), John Burton (Principal Planning Officer), Gareth Clifford
(Principal Planning Officer), Tim Burton (Assistant Director - Planning
and Environment), Roy Pinney (Legal Services Manager), Maria Casey
(Planning and Litigation Solicitor) and Tracey Meadows (Democratic
Services Officer)

Also present: Councillor Mrs Warmington in connection with application No.
45/15/0017 and Mrs A Elder, Chairman of the Standards Advisory
Committee.

(The meeting commenced at 5.00 pm)

18. Apology/Substitution

Apology: Councillor Gage

Substitution: Councillor Sully for Councillor Gage

19. Minutes

The minutes of the Planning Committees held on the 12 November, 25
November and 9 December 2015 were taken read and were signed.

20. Declarations of Interest

Councillors M Adkins, Coles and Wedderkopp declared personal interests as
Members of Somerset County Council. Councillor Brown declared a
prejudicial interest as a volunteer for the West Somerset Railway. Councillor
Bowrah declared that he had received correspondence from Councillor Mrs
Warmington on application No. 24/15/0054, he felt that he had not fettered his
discretion. Councillor Mrs Floyd declared that she knew the applicant for
application No. E/0164/06/15. She declared that she would not take part in
the discussion of this application and left the room during its consideration.
Councillor Nicholls declared a personal interests as a Member of
Comeytrove Parish Council and as a Member of the Fire Brigade Union.
Councillor Martin-Scott declared personal interests as a trustee to the Home
Service Furniture Trust, trustee to Bishop Fox's Educational Foundation and a
trustee to Trull Memorial Hall. Councillor Sully declared that he was one of
the Ward Councillors for application No. 25/15/0034. Councillor Townsend
declared personal interests as Vice-Chairman of Kingston St Mary Parish
Council and Chairman of the Kingston St Mary Village Hall Association.

Councillor Wren declared a personal interest as he was Clerk to Milverton Parish Council. He also declared that as he was the Ward Councillor for application No. 23/15/0031, he would not take part in the debate. All Councillors declared that they knew the applicant for application No. 22/15/0014. They also declared that they had received an email with a photo attached for application No. 24/15/0054. Councillor Watson declared that he was the Ward Councillor for the following applications, 06/15/0023, 45/15/0014A, 45/15/0017 and E/0164/06/15. Councillors Wren and Townsend declared personal interests as Members of the Quantock Hills Joint Advisory Committee.

21. 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:-

25/15/0034

Erection of a two storey extension to the south elevation and a conservatory to the north elevation of House of St Martins, Langford Lane, Norton Fitzwarren

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The development hereby permitted shall be carried out in accordance with the following approved plans:-
- (A1) DrNo 1444-01A Existing Plans
 - (A1) DrNo 1444-02A Existing Elevations
 - (A3) DrNo 1444-03A Location Plan
 - (A1) DrNo 1444-07A Proposed Plans
 - (A1) DrNo 1444-08A Proposed Elevations
 - (A2) DrNo 1444-09 Site Plan
- (c) Prior to their installation, samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority;
- (d) Before development commences (including site clearance and any other preparatory works) a scheme for the protection of trees to be retained shall

be submitted to, and approved in writing by, the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with BS 5837:2012. Such fencing shall be erected prior to commencement of any other site operations and at least two working days' notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities whatsoever shall take place within the protected areas without the prior written agreement of the Local Planning Authority.

- (e) Prior to the commencement of the development, hereby approved, details of the car parking layout to serve the development shall be submitted to, and approved in writing by, the Local Planning Authority. The car parking shall be installed and made operational in accordance with the approved details before the extension is first occupied and shall thereafter be permanently maintained and used for the purposes of vehicle parking only;
- (f) The cycle storage facilities shown on the submitted plan shall be constructed and fully provided prior to the first occupation of the extensions, hereby permitted, and thereafter permanently retained for this purpose;
- (g) The use of the premises as extended by this permission shall be restricted to a Care Home in Use Class C2 only in the Town and Country Planning (Use Classes) Order 1987 (as amended), or any Order revoking or re-enacting that Order, and for no other use in Use Class C2 without first obtaining planning permission from the Local Planning Authority.

(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 with the applicant and entered into pre-application discussions to enable the grant of planning permission).

23/15/0031

Reinstatement and widening of an agricultural access with closure of the existing principal access on land to the North of the B31857 at Milverton (E311748 N126370) (retention of works already undertaken)

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:-
 - (A4)Location Plan;

- (A3) Site Plan;

- (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) The gradient of the proposed access shall not be steeper than 1 in 10. Once constructed the access shall thereafter be maintained in that condition at all times;
- (e) There shall be no obstruction to visibility greater than 900mm above the adjoining road level in advance of lines drawn 2.4 m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 188 m either side of the access. Such visibility shall be fully provided before the new access is brought into use and shall thereafter be maintained at all times;
- (f) The access hereby permitted shall be used for agricultural purposes only;
- (g) The previous existing access (as shown on the submitted location plan, scale 1:2500, and marked as 'existing access to be closed off') shall be closed to all traffic and its use permanently abandoned within one month of the new access hereby permitted being first brought into use.

(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 and has imposed planning conditions to enable the grant of planning permission; (2) Applicant was also advised that where works are 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).

45/15/0017

Change of use of land to mixed agricultural/tourism use with siting of 4 No. shepherd huts and associated facilities with erection of building for mixed agricultural/tourism use on land to the west of Tilbury Farm, West Bagborough Road, West Bagborough

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 PA-001 Rev 000 Location Plan;
 - (A3) DrNo PA-002 Rev 000 Layout Plan;
 - (A3) DrNo PA-001 Rev 000 Proposed Pedestrian/ATV Access Ways;
 - (A3) DrNo PA-100 Proposed Floor Plan;
 - (A3) DrNo PA-102 Proposed NW and SE Elevations;
 - (A3) DrNo PA-101 Proposed NE and SW Elevations;
 - (A3) DrNo PA-103 Typical Section;
- (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) No shepherd huts shall be brought onto the site until details of their intended design, sitings, regrading of the land, access tracks and parking provision have been submitted to and approved by the Local Planning Authority in writing. The shepherd huts, access tracks and parking provision shall only be positioned in the approved locations;
- (e) Details of any exterior lighting shall be submitted to, and approved in writing by, the Local Planning Authority before the use hereby permitted commences. Development shall be carried out in accordance with the approved details and thereafter maintained as such;
- (f) No more than four shepherd huts shall be stationed on the site at any time;
- (g) 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 types described in Schedule 2, Part 4, Class B, and Schedule 2, Part 5 of the 2015 Order other than that expressly authorised

by this permission shall be carried out without the further grant of planning permission;

- (h) The proposed access over at least the first 6 m 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;
- (i) The gradient of the proposed access shall not be steeper than 1 in 10. Once constructed the access shall thereafter be maintained in that condition at all times;
- (j) The proposed access shall have a minimum width of 3 m for its first 5 m of length. Once constructed the access shall thereafter be maintained in that condition at all times;
- (k) There shall be no obstruction to visibility greater than 900 mm above adjoining road level in advance of lines drawn 2.4 m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 m either side of the access. Such visibility shall be fully provided before the development hereby permitted is brought into use and shall thereafter be maintained at all times;
- (l) 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 hereby permitted development is first brought into use and be thereafter maintained at all times.

(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 and has imposed planning conditions to enable the grant of planning permission; (2) Applicant was also advised that the County Highway Authority advise that it should be noted that given the nature and scale of the works required to create the proposed new access it is likely that these works will need to be secured via a suitable legal agreement rather than a standard Section 184 License. It is requested that the developer contact the Highway Authority to progress this agreement well in advance of commencement of development.)

22/15/0014

Erection of first floor extension at 10 Nethercott Way, Lydeard St Lawrence

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 HAB 2001 Site and location plan;
 - (A3) DrNo HAB 2001 Proposed floor plan;
 - (A3) DrNo HAB 2001 Rev A Proposed elevations;
- (c) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building unless otherwise agreed in writing with the Local Planning Authority;
- (d) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) Order 2015 (or any Order revoking and re-enacting the 2015 Order) (with or without modification), no windows shall be installed in the eastern elevation of the development hereby permitted without the further grant of planning permission.

(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 and has granted planning permission; (2) Applicant was also advised 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).

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

06/15/0023

Erection of 15 No. dwellings with associated car parking, landscaping and drainage infrastructure on land at Station Farm, Station Road, Bishops Lydeard

Reason

The proposed residential development is contrary to Core Strategy Policies CP2 'Economy', SP1 'Sustainable Development Locations' and SP4 'Realising the vision for rural areas' together with Taunton Deane Local Plan Policy EC22 'Land west of Bishops Lydeard Station' and Site Allocations and Development Management Policy MAJ5 'Land west of Bishops Lydeard Station' in that it would lead to the loss of sites allocated for recreational, tourism, commercial and other employment generating uses which would represent an unsustainable form of development in this Major Rural Centre.

24/15/0054

Replacement of boundary wall at Jarveys Cottage, 16 Stoke Road, North Curry (retention of works already undertaken)

Reason

The wall bears an insufficient resemblance to the wall which it has replaced in terms of its height and location, materials used in its construction and introduces a stark feature into the street scene which causes harm to the character and appearance of the Conservation Area contrary to Policy CP8 of the Taunton Deane Core Strategy and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Also resolved that:-

- (1) An enforcement notice be served for the demolition of the existing wall and construction of a replacement in the position of the original wall, using reclaimed blue lias stone and lime mortar;
- (2) Any enforcement notice served should have a three month compliance period;
- (3) Subject to being satisfied with the evidence, the Solicitor to the Council be authorised to take prosecution action should the notice not be complied with.

22.

Display of one non-illuminated directional sign at Lower Toollands, New Road, West Bagborough (45/15/0014/A)

Reported this application.

Resolved that subject to the receipt of amended plans removing reference to signs at the junction of New Road and the A358, the Assistant Director for Planning and Environment be authorised to determine the application in consultation with the Chairman and Vice-Chairman and, if advertisement consent was granted the following conditions be imposed:-

Conditions

- (1) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission;
- (2) No advertisement shall be sited or displayed so as to:-

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle;
- (d) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site;
- (e) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public;
- (f) Where an advertisement is required under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity;

23. Change of use from builder's yard to residential and erection of eight semi-detached dwellings with associated access road and parking at Stacey's Yard, Mill Lane, Wiveliscombe (49/15/0044)

Reported this application

Resolved that subject to:-

- (a) The applicant entering into a Section 106 Agreement to secure a contribution of £6,312 (index linked) towards enhancing children's play facilities at Lion D'Angers or Nordens Meadow; and
- (b) The receipt of no further representations raising new issues by 25 February 2016 concerning the revised access and parking arrangements for plot 1, the Assistant Director for Planning and Environment be authorised to determine the application in consultation with the Chairman and Vice-Chairman and, if 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 2014/05/PL001 Rev A Location and Site Plans;
- (A2) DrNo 2014/05/PL002 Rev C Site Layout Plan;
- (A3) DrNo 2014/05/PL003 Rev A Elevations, Ground and First floor Plan;
- (A3) DrNo 2014/05/PL004 Ground and First Floor Plan Elevations;
- (A3) DrNo 2014/05/PL005 Ground, First Floor and Elevations Plan;
- (A3) DrNo 2014/05/PL006 Cross Sections A-A / B-B;
- (A3) DrNo 2014/05/PL007 Part Site Plan;

(c) 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 First Ecology's Preliminary Ecological appraisal dated October 2014 and include:-

1. Details of protective measures to include method statements to avoid impacts on wildlife during all stages of development;
2. Details of the timing of works to avoid periods of work when wildlife could be harmed by disturbance;
3. Measures for the enhancement of places of rest for, bats and nesting birds;
4. Details of lighting; 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 bird boxes and related accesses have been fully implemented. Thereafter the resting places and agreed accesses shall be permanently maintained;

(d) Prior to the commencement of the development hereby permitted, full details of the means of disposal of surface water shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall indicate that any surface water discharge from the site shall be limited to a maximum 5 l/s and shall include details to prevent the discharge of surface water to the public highway. The approved details shall be implemented prior to the occupation of the first dwelling and shall thereafter be maintained as such;

(e) Prior to the commencement of the development hereby permitted, full details of the on and off-site highway works shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall show:-

- The proposed estate roads, footways, verges, junctions, street lighting, sewers, drains, vehicle overhang margins, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and car parking and street furniture;
- The proposed ground levels of the adjoining car parking area to the north;

- The provision of new 1.8 m footways extending the existing footway provision and extending into the site; and
- A timetable for providing the various works;

The approved details shall be implemented in accordance with the approved timetable and shall thereafter be maintained as such;

- (f) (i) Before any part of the permitted development is commenced, a landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include: Details of the species, siting and numbers to be planted; Confirmation of the trees to be protected and measures for their protection; Details of any works proposed to retained trees (including that that any crown raising will be limited to a maximum of 3 m); (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 existing and new 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;
- (g) Prior to their installation, details and/or samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority;
- (h) Prior to the occupation of each of the dwellings hereby permitted, full details of the means of storage of cycles 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 dwellings hereby permitted and shall thereafter be maintained as such;
- (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 fences, gates, walls or other means of enclosure that are expressly authorised by this permission shall be constructed or erected without the further grant of planning permission;

(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 has negotiated amendments to the application to enable the grant of planning permission; (2) Applicant was also advised that the condition relating to wildlife requires a mitigation proposal that will maintain favourable status for these species that are affected by this development proposal; Most resident

nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended); 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 also advised that the site adjoins potentially noisy uses. If any new residents complain about noise from the adjoining premises, the Council would have a legal duty to investigate these complaints as a potential statutory nuisance. The Council can only require that the operator takes all reasonable steps to minimise any disturbance, which could mean that there are cases where a business had to alter what it does, and others where the new residents have to suffer a nuisance as it was not practical for the business to take any more steps to reduce the noise.)

24. E/0164/06/15 – Alleged untidy site at H W Back and Son Limited, Old Vicarage Lane, Bishops Lydeard

Reported that a complaint had been received in August 2015 regarding the state of a site off Old Vicarage Lane, Bishops Lydeard.

The site was located at the rear of a row of terraced properties, surrounded by other properties and high walls.

A site inspection had been revealed that the land was akin to its lawful use as a builder's yard and that the amount of waste material located on the site was not considered excessive or unusual for such a site. Although the complainant's site was the nearest to the land concerned, their view was obscured by 2 m high walls.

In the view of the Principal Planning Officer, it was not considered that the state of the land off Old Vicarage Lane, Bishops Lydeard was in a condition that warranted the service of a Notice under Section 215 of the Town and Country Planning Act 1990.

Resolved that no further action be taken.

25. E/0196/10/15 – Unauthorised siting of mobile home and change of use of stable to residential occupation at Fairfield Stables, Moor Lane, Churchinford

Reported that it had come to the Council's attention that an unauthorised change of use had taken place at Fairfield Stables, Moor Lane, Churchinford.involving a stable building which had been converted to a

residential dwelling together with the stationing of a mobile home also for residential purposes.

The site was in open countryside in a location some 600 m from Churchinford. Although the original planning application for the positioning of the mobile home was refused, it had been allowed on appeal for a temporary period, which had now lapsed.

It was now considered expedient to have the mobile home removed from the land and the unauthorised residential use of the stable building to cease.

Resolved that:-

- (1) An enforcement notice be served to requiring the owner of Fairfied Stables, Moor Lane, Churchinford to:-
 - (a) Cease the use of the site for the stationing of a mobile home;
 - (b) Cease the use of the stable building for residential/domestic use;
 - (c) Remove the mobile home from the site and;
 - (d) Remove all residential and domestic equipment and materials associated with the unauthorised residential use from the stable building on the site;
- (2) Any enforcement notice served should have a three month compliance period from the date on which the notice took effect in respect of all the alleged breaches of Planning control set out above; and
- (3) Subject to being satisfied with the evidence, the Solicitor to the Council be authorised to take prosecution action should the notice not be complied with.

26. Appeals

Reported that four new appeals and three decisions had been received details of which were submitted.

Resolved that the report be noted.

27. Exclusion of the Press and Public

Resolved that the press and public be excluded from the meeting for the following item because the likelihood that exempt information would otherwise be disclosed relating to Clause 1 of Schedule 12(A) to the Local Government Act 1972 and the public interest in withholding the information outweighed the public interest in disclosing the information to the public.

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

Reference Minute No 91/2014, reported that a recent site visit had revealed that further clearance had taken place on the site since the initial site clearance works were carried out.

Nevertheless, the site remained in a poor state which continued to cause concern for those who lived in neighbouring properties.

The report set out various options which could be employed by the Council resulting in the clearance of the site.

However, in the view of the Principal Planning Officer it was considered that proceeding with prosecution action would not achieve further clearance of the site any quicker than now.

Although taking direct action could result in the site being cleared, it was not felt that this would be a proportionate response to the breach in light of the current situation.

Resolved that prosecution action be deferred for a period of six months for the reasons outlined in the confidential report.

(The meeting ended at 9.17pm.)