

Planning Committee – 2 November 2005

Present: Councillor Mrs Marie Hill (Chairman)
Councillor Mrs Marcia Hill (Vice-Chairman)
Councillors Mrs Allgrove, Clark, Croad, Denington, Floyd, Guerrier,
Henley, C Hill, Hindley, House, Phillips, Mrs Smith, Stuart-Thorn and
Wedderkopp

Officers: Mr J Hamer (Area Planning Officer (West)), Mrs J Moore (Principal
Planning Officer (East)), Mrs J M Jackson (Senior Solicitor) and
Mr R Bryant (Review Support Manager)

No press were present at the meeting.

(The meeting commenced at 5.00 pm.)

136. Apologies

Councillors Miss Cavill and Lisgo.

137. Minutes

The minutes of the meeting, held on 12 October 2005, were taken as read
and were signed.

138. Applications for Planning Permission

The Committee received the report of the Development Control 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, subject to the standard conditions adopted by Minute No
86/1987 of the former Planning and Development Committee and such
further conditions as stated:-

08/2005/021LB

Alterations including the provision of a higher new roof and conversion of
barn to dwelling at the Wagon House, Tudor Park, Maidenbrook, Cheddon
Fitzpaine.

Conditions

- (a) C002A – time limit – listed building;
- (b) C103A – materials – listed building;
- (c) Prior to the works for which consent is hereby granted are
commenced, specific details of the means by which the roof,
including the roof structure, is to be raised shall be submitted to, and

- approved in writing by, the local planning authority and thereafter implemented strictly in accordance with the approved details;
- (d) C112 – details of guttering, down pipes and disposal of rainwater;
 - (e) The finished treatment for external joinery shall first be approved in writing by the local planning authority;
 - (f) Prior to commissioning, specific details of the means by which recovered roofs and enclosed baths/WC's/en-suites are to be vented shall be submitted to, and approved in writing by, the Local Planning Authority;
 - (g) Prior to commissioning, specific details of new windows, doors (internal and external), architraves, skirtings, staircases and timber boarding shall be submitted to, and approved in writing by, the Local Planning Authority;
 - (h) Rooflights shall be flush fitting;
 - (i) The windows and doors hereby permitted shall be recessed a minimum of 90mm in the wall;
 - (j) C601 – schedule of works to ensure safety and stability of structure;
 - (k) Prior to the works for which consent is hereby granted are commenced, a schedule of repairs for the existing buildings shall be submitted to, and approved in writing by, the Local Planning Authority;
 - (l) C677 – listed building – repairs – approach – workmanship;
 - (m) C416 – details of size, position and materials of meter boxes.

Reason for granting listed building consent:-

The proposed conversion was not considered to be detrimental to the character of the listed building and was considered to be in accordance with Taunton Deane Local Plan Policy EN17.

Reason for granting listed building consent contrary to the recommendation of the Development Control Manager:-

The Committee was of the view that the proposed works would not be detrimental to the character or setting of the listed building.

08/2005/022

Erection of a new higher roof and conversion of barn to dwelling at the Wagon Barn, Tudor Park, Maidenbrook, Cheddon Fitzpaine.

Conditions

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) Prior to the commencement of works on site, details of the arrangements to be made for the disposal of surface water drainage from the proposed development shall be submitted to, and approved in writing by, the Local Planning Authority;
- (d) C601 – schedule of works to ensure safety and stability of structure;
- (e) Before any part of the permitted development is commenced, details of a new hedge along the boundaries of the site (except at the point of access) shall be submitted to, and approved in writing by, the Local

Planning Authority. Such a scheme shall be carried out within the first available planting season from the date of commencement of the development;

- (f) C241 – landscaping;
- (g) C927 – remediation investigation/certificate;
- (h) The areas allocated for parking on the submitted plan shall be properly constructed, consolidated, surfaced, drained and marked out before the use commences or the building(s) are occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (i) Prior to the commencement of works on site, a wildlife survey of the barn shall be undertaken and the results submitted to, and approved in writing by, the Local Planning Authority. Any resultant recommendations for mitigation works or the provision of new facilities on site shall be submitted to, and agreed in writing by, the Local Planning Authority and fully implemented on site as advised or prior to occupation, whichever is the sooner, and thereafter maintained in accordance with the details;
- (j) P001A – no extensions;
- (k) P003 – no ancillary buildings;
- (l) P005 - no garages;
- (m) P006 – no fencing.

(Notes to applicant:- (1) In regard to condition (b), applicant was advised that the Planning Committee would prefer the open ends to be fully glazed to keep the impression of the open ended barn; (2) In regard to condition (f), applicant was advised that the Planning Committee was strongly in favour of a hedge boundary around the site and against any erection of fence or wall boundaries in the future; (3) N048A – remediation strategy; (4) Applicant was advised that this barn is part of a listed building complex and prior consent is required for most development works/alterations. You are further advised to contact the Conservation Officer prior to any works being carried out.)

Reason for granting planning permission:-

The proposed conversion was not considered to be detrimental to the character of the listed building and was considered to be in accordance with Taunton Deane Local Plan Policy EN17.

Reason for granting planning permission contrary to the recommendation of the Development Control Manager:-

The Committee was of the view that the proposed works would not be detrimental to the character or setting of the listed building.

37/2005/011

Change of use of land and erection of building for vehicle storage at Dairy House Farm, Stoke Hill, Henlade.

Conditions

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) The proposal shall be limited to the storage of vehicles within the new building only unless otherwise agreed in writing by the Local Planning Authority.

Reason for granting planning permission:-

The proposed development was a means of employment provision and diversification that would not have an adverse impact on the visual amenity of this rural location and was not contrary to Taunton Deane Local Plan Policy EC2.

Reason for granting planning permission contrary to the recommendation of the Development Control Manager:-

The Committee felt that despite storage buildings not normally being allowed beyond settlement limits, given the current permission on the site for outside storage, it was preferable for such storage to be within a building.

38/2005/364

Formation of neighbourhood play area, enclosed multi-use games area, alterations to site entrance, removal of existing play areas and reinstatement as wildlife and community gardens at Victoria Park, Victoria Gate, Taunton.

Conditions

- (a) C001A – time limit;
- (b) Details of the planting of the existing play areas to be removed shall be agreed within one month of the multi-use games area being brought into use, unless otherwise agreed in writing by the Local Planning Authority.

Reason for granting planning permission:-

The proposed development was considered to not adversely affect the amenity of the area and complied with Taunton Deane Local Plan Policy S1.

44/2005/016

Erection of agricultural livestock/hay barn at land to the north of Little Silver Lane, opposite Little Silver Cottage, Little Silver Lane, Wellington.

Conditions

- (a) C001 – time limit;
- (b) C102A – materials;
- (c) The development hereby approved shall only be used for agricultural and equestrian purposes reasonably necessary on the holding to which it relates. On it becoming redundant for such purposes, it shall

be demolished and all resultant materials removed from the site within three years of redundancy.

Reason for granting planning permission:-

The proposed development would not adversely affect the residential and visual amenity of the area and accordingly did not conflict with Taunton Deane Local Plan Policies S1 and S2.

48/2005/045

Demolition of 14 and 21 Richards Crescent and erection of 6 flats, 3 bungalows and formation of 18 parking spaces at Richards Crescent, Monkton Heathfield.

Conditions

- (a) C001 – time limit;
- (b) C101 – materials;
- (c) C201 – landscaping;
- (d) C208A – protection of trees to be retained;
- (e) C324 – parking;
- (f) C331 – provision of cycle parking;
- (g) P001A – no extensions;
- (h) P007 – no fencing in front of dwellings;
- (i) Surface water shall not be discharged to the foul sewer;
- (j) C215 – walls and fences;
- (k) Before occupation of any dwellings hereby permitted, a consolidated and surfaced turning space for vehicles shall be provided for site A and site B in accordance with details which shall be submitted to, and approved in writing by, the Local Planning Authority. Such turning spaces shall be kept clear of obstruction at all times.

(Notes to applicant:- (1) Applicant was advised that site boundaries to the rear should be planted with native species hedgerows outside any fencing; (2) Applicant was advised of the need to protect the integrity of Wessex Waters systems and agree this as well as points of connection to their satisfaction prior to work commencing; (3) N112 – energy conservation.)

Reason for granting planning permission:-

The proposal provided a redevelopment of land within the settlement limits in compliance with Taunton Deane Local Plan Policies S1, S2 and H2 and material considerations did not indicate otherwise.

- (2) That **planning permission be refused** for the under-mentioned developments, subject to the standard reasons adopted by Minute No 86/1987 of the former Planning and Development Committee and such further reasons as stated:-

08/2005/014

Erection of a dwelling on land to the west of Maidenbrook Farmhouse, Cheddon Fitzpaine.

Reasons

- (a) The proposed dwelling would be located within the former garden area of the statutorily listed grade II farmhouse and it is considered that would have a detrimental impact on the setting and character of the farmhouse contrary to the requirements of the Somerset and Exmoor National Park Joint Structure Plan Review Policy 9, Taunton Deane Local Plan Policy EN16 and advice contained within Planning Policy Guidance Note No 15;
- (b) The dwelling would require the provision of a new access immediately to the north of the statutorily listed grade II farmhouse. This access would be within 5m of the listed building and its provision and its use would be detrimental to the character and setting of the listed building contrary to the requirements of the Somerset and Exmoor National Park Joint Structure Review Policy 9, Taunton Deane Local Plan Policy EN16 and advice contained within Planning Policy Guidance Note No 15.

Also RESOLVED that enforcement action be taken to secure the removal of unauthorised fences that had been erected on the site.

08/2005/015

Formation of access road for residential development, to the north of Maidenbrook Farmhouse, Cheddon Fitzpaine.

Reason

The proposed access would have a detrimental impact on the setting of the building. In addition, its provision would result in pressure to further de-base the setting, by the inherent wish to erect a physical boundary to protect the amenities of the farmhouse to the north, contrary to the requirements of Somerset and Exmoor National Park Joint Structure Plan Review Policy 9 and Taunton Deane Local Plan Policy EN16.

14/2005/036

Erection of dwelling to rear of 1 Paddock Close, Creech St Michael.

Reasons

- (a) The proposed dwelling will be in close proximity to the boundaries of the site and to other adjacent properties and this would detract from the amenities of the occupants of both the existing and proposed dwellings. The proposal constitutes a contrived and cramped form of development on a restricted site and would be contrary to Taunton Deane Local Plan Policies S1, S2 and H2;
- (b) An additional dwelling on this restricted site would detract from the pleasant spacious character of the street scene and from the estate in general and would be contrary to Taunton Deane Local Plan Policies S1, S2 and H2.

24/2005/034

Retention of mobile home and change of use of land to residential at Knapp Lane, North Curry.

Reasons

- (a) The site is in open countryside where it is the policy of the Local Planning Authority to resist new housing development unless it is demonstrated that the proposal serves a genuine agricultural or other appropriate need. In the opinion of the Local Planning Authority, the proposal does not constitute a genuine agricultural or other appropriate need and would therefore be contrary to Somerset and Exmoor National Park Joint Structure Plan Review Policy STR6 and Taunton Deane Local Plan Policy S7;
- (b) The site lies in an unsuitable location in open countryside beyond the recognised limits of North Curry and would be contrary to the requirements of Somerset and Exmoor National Park Joint Structure Plan Review Policy STR1;
- (c) The roads to the site are narrow and the access is substandard due to its acute angle and restricted visibility and it is therefore considered that the proposal would be contrary to highway safety and the requirements of Somerset and Exmoor National Park Joint Structure Plan Review Policy 49;
- (d) The proposed residential caravan would be out of keeping with, and detrimental to, the character and appearance of the surrounding North Curry Ridge Landscape Character Area contrary to the requirements of Taunton Deane Local Plan Policy EN12.

36/2005/017

Retrospective application for the change of use, conversion and alteration to building to form holiday accommodation together with erection of wind turbine at Higher House Farm, Helland Lane, Stoke St Gregory (alternative scheme to approval 36/2003/026).

Reason

The proposal, by reason of the changes to the fabric of the building, lack of nature conservation provision and altered curtilage would be contrary to Taunton Deane Local Plan Policies S7, EC6 and EN4.

Also RESOLVED that enforcement action be taken to secure the further alteration to the building so that it complied with the plans approved by planning permission No 36/2003/026.

47/2005/015

Erection of timber framed building for the purpose of housing agricultural machinery and hay, Abbeywood, West Hatch.

Reason

The site is in open countryside where it is the policy of the Local Planning Authority to resist new building unless it is demonstrated that the proposal serves a genuine agricultural or other appropriate need, and which minimises landscape impact. In the opinion of the Local Planning Authority, the proposed building is disproportionately sited such that it would adversely affect the landscape quality of this attractive area of open countryside. Accordingly, the proposal is contrary to Taunton Deane Local Plan Policies S7, S1 and S2.

(Note to applicant:- Notwithstanding the refusal reason, applicant was advised that a smaller building sited within the existing residential complex of Abbeywood, or the conversion of an existing building in the same complex, both subject to details of design and size, would be likely to receive planning permission.)

139. Erection of 1 No dwelling to rear of 191 and 193 Staplegrove Road, Taunton (38/2005/352)

Reported this application.

RESOLVED that subject to the receipt of no further representations raising new issues by 17 November 2005, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if outline planning permission was granted, the following conditions be imposed:-

- (a) C005 – outline – reserved matters;
- (b) C009 – outline – time limit;
- (c) C104 – materials to match existing;
- (d) C010 – drainage;
- (e) C215 – walls and fences;
- (f) Plans showing a parking area/garaging providing for three vehicles shall be submitted to, and approved in writing by, the Local Planning Authority before the development is commenced. This area shall be properly consolidated, surfaced and drained before the use commences or the building(s) are occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (g) The parking shall be provided so that the existing garage off Dowell Close is retained solely for use in connection with 193 Staplegrove Road and one garage is provided solely for the use in connection with the new dwelling. The third parking area shall be available for visitors to either dwelling;
- (h) Provision shall be made for the parking of two cycles in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority. Such provision shall be made before the development hereby permitted is occupied/use hereby permitted is commenced;
- (i) Prior to the commencement of works on site, details showing a footpath link from 193 Staplegrove Road to the court off Dowell Close shall be

submitted to, and approved in writing by, the Local Planning Authority. The footpath link shall be provided in accordance with the approved details prior to the occupation of the dwelling hereby permitted and shall thereafter be maintained.

(Notes to applicant:- (1) Applicant was advised that the dwelling should be designed in such a way as to minimise the effect of overlooking onto adjacent residential properties. In this respect you are advised that a 10m rear garden should be provided for adequate separation between the existing dwellings and the proposed dwelling; (2) Applicant was advised that the proposed dwelling should be designed in keeping with properties in Dowell Close and ensure that space is retained around the dwelling to avoid a cramped appearance; (3) N111 – disabled access; (4) N112 – energy conservation; (5) N117 – crime prevention.)

Reason for outline planning permission, if granted:-

The proposed development lay within the limits of a classified settlement where the principle of development was considered acceptable and the proposal was considered to be in accordance with Taunton Deane Local Plan Policies S1 and H2.

140. Demolition of dwelling and erection of one bedroomed flats together with delivery access at 5-7 Compass Hill, Taunton (38/2005/356)

Reported this application.

RESOLVED that subject to the applicants entering into a Section 106 Agreement regarding a contribution towards sport and recreation, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if outline planning permission was granted, the following conditions be imposed:-

- (a) C005 – outline – reserved matters;
- (b) C009 – outline – time limit;
- (c) Within a period of three years from the date of this permission details of the arrangements to be made for the disposal of surface water drainage from the proposed development shall be submitted to, and approved in writing by, the Local Planning Authority before any work hereby permitted is commenced;
- (d) C013 – site levels;
- (e) C014 – time limit;
- (f) C101 – materials;
- (g) Prior to work commencing on site, a sample of the brick for the elevations of the development hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority. Following this approval of the brick, a sample panel of the walling shall be constructed and the details be approved in writing by the Local Planning Authority. The sample panel shall show the bonding and finish of the mortar joints and, once approved, the further work shall match the approved panel;

- (h) Details of the window design and materials shall be submitted to, and approved in writing by, the Local Planning Authority prior to the construction work commencing and the windows shall thereafter be installed as agreed;
- (i) C207 – existing trees to be retained;
- (j) C208A – protection of trees to be retained;
- (k) C215 – walls and fences;
- (l) There shall be no occupation of the flats hereby permitted until such time as the delivery access and road-widening scheme has been agreed and carried out;
- (m) Details of the size and position of the bin stores to be provided on site shall be submitted to, and approved in writing by, the Local Planning Authority and such stores shall be provided prior to the occupation of any dwelling;
- (n) C331 – provision of cycle parking;
- (o) C911 – aerials – combine system;
- (p) Prior to work commencing on site, a wildlife survey shall be carried out and any necessary mitigation measures identified shall be incorporated within the detailed design of the development and shall be agreed in writing by the Local Planning Authority;
- (q) Prior to work commencing on site, details of the size, colour, position and materials of any external meter box installed in connection with the development hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority. Once approved, the meter boxes shall be installed in accordance with the agreed details;
- (r) A means of recording the buildings on site prior to their demolition shall be submitted to, and agreed in writing by, the Local Planning Authority and shall thereafter be carried out prior to demolition commencing.

(Notes to applicant:- (1) Applicant was advised that the flats should be designed to a high standard in view of the prominent location in the street scene adjacent to the Conservation Area; (2) N111 – disabled access; (3) N112 – energy conservation; (4) Applicant was advised to consider the use of soakaways for surface water discharge and you are further advised to contact Wessex Water with regard to connection to, and adoption of, drainage systems.)

Reason for outline planning permission, if granted:-

The proposal was considered an appropriate redevelopment and to comply with Taunton Deane Local Plan Policies S1, H2, H4 and C4 and material considerations did not indicate otherwise.

Also RESOLVED that in the event that the Section 106 Agreement was not completed by 9 November 2005, the Development Control Manager, in consultation with the Chairman, be authorised to refuse outline planning permission on the grounds that the proposal was contrary to Taunton Deane Local Plan Policy C4.

(Councillor Phillips declared a personal interest in the application covered by Minute No 141 below and left the meeting during its consideration).

141. Erection of industrial units for the production and assembly of powerwashers (Use Classes B1, B2 and B8) including office and staff accommodation, car parking and attenuation pond, land adjacent to sewage treatment plant with access from Sandys Moor Land at Hillsmoor, Wiveliscombe (49/2005/048)

Reported this application.

RESOLVED that subject to the views of the Deputy Prime Minister under the Departure Procedures, the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if planning permission were granted, the following conditions be imposed:-

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) C201A – landscaping;
- (d) C206A – existing and proposed levels;
- (e) No service trench shall be dug within the canopy of any existing tree which overhangs the site without the prior approval of the Local Planning Authority;
- (f) The area allocated for parking and turning on the submitted plan (drawing No 06) shall be properly consolidated, surfaced, drained and marked out before the buildings/units are brought into use, and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (g) The development hereby approved shall not be occupied until a covered cycle rack facility has been provided within the site capable of accommodating 20 bicycles in accordance with a design specification to be submitted to, and approved in writing by the Local Planning Authority and to be constructed to the satisfaction of the said authority;
- (h) Adequate provision for a temporary car park within the site to accommodate operatives and construction vehicles during the construction period shall be provided prior to works commencing on the site;
- (i) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the Local Planning Authority for approval. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%; or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground, where possible and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund;

- (j) Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from impermeable parking areas and hard standings for vehicles, including commercial lorry parks, shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor;
- (k) There shall be no discharge of foul or contaminated drainage or trade effluent from the site into either groundwater or any surface waters, whether direct or via soakaways;
- (l) No site works or clearance works or development works shall take place between 1 April and 16 August in any one year, without the prior written approval of the Local Planning Authority;
- (m) Prior to commencement of works on site, a survey for grass snakes (natrix natrix) shall be undertaken when reptiles are active in the period between April and September, by a qualified Environmental Consultant and a report submitted to, and approved in writing by, the Local Planning Authority. The survey and report shall include an identification of species present, an impact assessment and mitigation/avoidance measures in order to safeguard protected species in accordance with the law;
- (n) If the period of time between Michael Woods Associates survey, dated September 2005, and the commencement of development extends more than one year, then a further survey must be commissioned to ascertain any changes in the use of the site by protected species;
- (o) Noise emissions arising from the industrial units or from any part of the land or premises to which this permission relates shall not exceed background levels at any time by more than 5dB, expressed in terms of an A-Weighted, 2 minute Leq, when measured at any point 1.5m from any residential or other noise sensitive boundary between the following hours:- Monday – Friday 0800-1800 hours; Saturdays 0800-1300 hours. At all others, including Sundays and Bank Holidays, noise emissions shall not exceed background levels when measured as above. Noise emissions having tonal characteristics for example hum, drone or whine shall not exceed background levels at any time, when measured as above. For the purposes of this permission, background levels shall be those levels of noise which occur in the absence of noise from the development to which this permission relates, expressed in terms of an A-Weighted, 90th percentile level, measured at an appropriate time of day and for a suitable period of not less than 10 minutes;
- (p) There shall be no building, structures, open storage, means of enclosure, plant, machinery or any other built form in the area to the south of the course of the existing stream shown on plan No 2926/06 (shown as former stream), without the prior written approval of the Local Planning Authority;
- (q) Full details of all the surface and foulage draining systems, including sustainable drainage systems (SUD's), are required to be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of any development on site and the approved works implemented prior to occupation of the development hereby permitted;

- (r) Full details and calculations of the proposed new diverted stream channel and attenuation pond and full details of the maintenance regime of these water features shall be submitted to, and approved in writing by, the Local Planning Authority and, prior to the commencement of any development on site, the approved works implemented prior to occupation of the development hereby permitted;
- (s) Full details of the car park surfacing and details of its drainage shall be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of any works on site, and the approved work shall thereafter be implemented;
- (t) Any introduction of plants, including aquatic species, shall be undertaken using native species ideally of local provenance.

(Notes to applicant:- (1) Applicant was advised of a number of Environment Agency requirements; (2) Applicant was advised that hedges around the car parking area and on the site boundaries will be expected and use of native species is encouraged; (3) Applicant was advised to inform all employees and visitors of the potential of odour emanating from the sewage treatment works; (4) Applicant was advised that in view of the fact that there is a scheduled Ancient Monument (a Roman Fort) to the south of the site, it is recommended that the County Archaeologist is consulted regarding this proposal.)

Reason for planning permission, if granted:-

The proposed development for B1, B2 and B8 uses was considered acceptable and was in accordance with Taunton Deane Local Plan Policies S1, S2, S4 and WV3. In addition, the associated car parking area with attenuation pond and landscaping is considered to meet guidance in Policies S7, EC2 and EC3.

142. Section 106 Agreement relating to the proposed development at the former gas storage site, Castle Street, Taunton (38/2002/114 and 38/2004/493)

Reported that both applications had been considered by the Committee at its last meeting. (Minutes No's 132/2005 and 133/2005 refer).

In respect of application No 38/2004/493, the Committee had resolved to agree the Councils position to be taken at the forthcoming appeal against non-determination of the application.

However, in relation to application 38/2002/114, a resolution was made to grant the permission subject to the conclusion of a satisfactory Section 106 Agreement providing for contributions towards transport infrastructure, off-site flood attenuation, sport and recreation and education.

Reported that further negotiations with the developer had been undertaken and satisfactory agreement had to date been reached in respect of the obligations to provide towards affordable housing, off-site recreational provision and flood alleviation. It was also hoped that agreement might be

reached on education provision but it seemed unlikely that transport issues would be resolved.

In order to facilitate the running of the public inquiry, it was recommended that a Section 106 Agreement should be entered into with the developer establishing areas of agreement.

RESOLVED that the Solicitor to the Council be authorised to enter into a Section 106 Agreement with Second Site Property Holdings Limited to secure appropriate obligations in respect of the provision of affordable housing, sport and recreational provision, flood alleviation issues and education.

(Councillors Henley and Wedderkopp left the meeting at 7.07pm and 8.52pm respectively).

(The meeting ended at 9.18pm).