

Present:- Councillors Bishop, Bowrah, Denington, Mrs Floyd, C Hill, Mrs M Hill, House, Miss James, McMahon, Mrs Smith, Watson, Ms Webber, A Wedderkopp, Miss Wood and Woolley

Officers:- Mr T Burton (Development Control Manager), Mr J Hamer (Development Control Area Manager – West), Ms M Casey (Planning and Litigation Solicitor) and Mrs G Croucher (Democratic Services Officer)

Also present:- Councillors Beaven and Mrs Lewin-Harris in relation to application nos 06/2007/027, 06/2007/028, 06/2007/042, 06/2007/043, 06/2007/044 and Councillor Mrs Lewin-Harris in relation to application nos 06/2007/010 and 06/2007/011LB

(The meeting commenced at 5.00 p.m.)

**43. Appointment of Chairman**

**Resolved** that Councillor Mrs Hill be appointed Chairman of the Planning Committee for the remainder of the Municipal Year.

**44. Appointment of Vice-Chairman**

**Resolved** that Councillor Mrs Allgrove be appointed Vice-Chairman of the Planning Committee for the remainder of the Municipal Year.

**45. Minutes**

The Minutes of the meeting held on 16 April 2008 were taken as read and were signed.

**46. Declarations of Interest**

Councillor Bowrah declared a personal interest in Agenda Item No 11 and stated that he would not speak or vote as he knew the previous owner of the property.

**47. Application for Planning Permission**

The Committee received the report of the Development Manager on an application for planning permission and it was **resolved** that it be dealt with as follows:-

That **planning permission be granted** for the under-mentioned development, subject to the standard conditions adopted by Minute No 86/1987 of the former Planning and Development Committee and such further conditions as stated:-

**20/2008/003**

**Siting of 2 additional mobile homes and 2 additional touring caravans for gypsy family (extended family use) at Park Gate, Dodhill Corner, Nailsbourne**

**Conditions**

- (a) C001A – time limit;
- (b) Not more than four mobile homes and four touring caravans in total (including the two mobile homes and two touring caravans granted permission under planning reference 20/2003/013) shall be stationed on the site at any one time;
- (c) The caravan(s) to be stationed on the site shall not be used other than for the purpose of providing accommodation for gypsies as provided by Part II of the Caravan Sites Act 1968;
- (d) The additional two mobile homes and two touring caravans hereby granted shall be occupied solely by Paul Harris and Alison Harris, their spouse or dependant relative thereof, together with their children living as one extended gypsy family;
- (e) No business activities shall be conducted at the site unless agreed in writing by the Local Planning Authority;
- (f) C201 – landscaping;
- (g) P006 – no fencing;
- (h) Details of any external lighting shall be submitted to, and agreed in writing by, the Local Planning Authority and carried out in accordance with the approved details;
- (i) No development shall take place until details of the foul water drainage system and surface water drainage works have been submitted to and approved in writing by, the Local Planning Authority. The scheme shall be carried out in accordance with the approved details before any dwelling on the site is occupied.  
(Note to applicant:- Applicant was advised that a separate Caravan Site Licence under the terms of the Caravan Sites and Control of Development Act 1960 was required prior to the commencement of the development).

**Reason for granting planning permission:-**

The additional mobile homes were considered to fulfil an outstanding gypsy need in accordance with Taunton Deane Local Plan Policy H14 (as amended).

- 48. Erection of mixed use development comprising 3 units of holiday accommodation, tourist facilities (A3 planning use class), 23 open market houses, 14 affordable housing units (comprising 8 houses and 8 flats) and associated highway infrastructure at Station Farm, Station Road, Bishops Lydeard (06/2007/027)**

Reported this application.

**Resolved** that subject to:-

- (1) The views of the Secretary of State through the Departure Procedures;
- (2) The applicants conducting a full financial appraisal to the satisfaction of the Council's financial advisors;
- (3) The applicants entering into a Section 106 Agreement covering the following requirements:-
  - A total of 14 units of affordable housing comprising rented, shared ownership units and low cost open market units;
  - Highway works comprising:
    - (a) Improvements to the junction of Greenway Road/Station Road to include yellow lining of the bridge approaches and provision of traffic lights or priority lanes to the bridge approaches;
    - (b) Provision of a new roundabout at the junction of Station Road and the A358;
    - (c) The works to be completed prior to the occupation of no more than 50% of the open market dwellings;
  - 50% of the tourist facility to be complete and ready for occupation prior to the occupation of no more than 50% of the open market dwellings and 100% completed and ready for occupation prior to completion of the open market dwellings;
  - Transfer of land the subject of planning application 06/2007/043 to the West Somerset Railway prior to the development commencing;
  - Agreement of a landscape and wildlife management plan; and
- (4) The further views of the County Highways Authority on the proposed Section 106 Agreement and the further views of the Environment Agency, Natural England and the Nature Conservation Officer

the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if planning permission was granted, the following conditions be imposed:-

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) C201 – landscaping;
- (d) C205 – hard landscaping;
- (e) C208E – protection of trees to be retained;
- (f) C208B – service trenches beneath trees;
- (g) C208C – trenching within canopy spread of trees;
- (h) C209 – protection of hedges to be retained;
- (i) C210 – no felling or lopping;
- (j) The children's play area and picnic area shall be laid out in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority within 9 months of the date of commencement of the development and shall thereafter be used solely for such purposes;
- (k) Within one month of completion of the landscape scheme the applicant shall provide an as built/planted plan highlighting any variation between it and the approved landscape drawings. If there were no discrepancies, a letter confirming no variations shall be received by the Local Planning Authority within one month of the completion of the landscape scheme;

- (l) C301 – highways in accordance with County Council’s booklet;
- (m) The access onto Station Road shown on the submitted plan shall be provided to the satisfaction of the Local Planning Authority before any other work on the site commences;
- (n) C302 – highways – roads, footpaths and turning spaces to be surfaced;
- (o) The visibility splays shown on the submitted plan shall be constructed prior to the commencement of the use of the premises and visibility shall thereafter be maintained to the satisfaction of the Local Planning Authority;
- (p) C324 – parking;
- (q) C416 - Details of size, position and materials of meter boxes;
- (r) The occupation of the tourist facility shall be on the basis of the submitted details and for no other purposes, unless otherwise agreed in writing by the Local Planning Authority;
- (s) P005 – no garages;
- (t) P007 – no fencing in front of dwellings;
- (u) There shall be no access to Station Road other than the access hereby approved;
- (v) Before any development (including demolition, site clearance) shall commence, written confirmation will be required by the Local Planning Authority that a derogation from the Habitats Regulations, in the form of a Regulation 44 Licence in respect of European Protected Species (bats), has been issued by Natural England;
- (w) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. 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%. 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 and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund;
- (x) No development approved by this permission shall be commenced until a scheme for the improvement and/or extension of the existing sewage disposal works has been agreed with the sewerage undertaker to the satisfaction of the Local Planning Authority. No buildings (or uses) hereby permitted shall be occupied (or commenced) until such improvements and/or extensions have been commissioned to the reasonable satisfaction of the Local Planning Authority;
- (y) No development approved by this permission shall be commenced until a scheme for the provision and implementation of foul and surface drainage works has been approved by, and implemented to the reasonable satisfaction of, the Local Planning Authority;
- (z) Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings 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

- (aa) Prior to the commencement of any development works, the applicant shall, at his own expense, appoint a suitably qualified acoustics consultant with a remit to examine the premises/land and identify what measures, if any, may be necessary to ensure that noise from existing sources will not cause nuisance to the occupants of premises on the completed development. Such report shall be agreed, in writing, by the Local Planning Authority prior to commencement of development works;
  - (bb) C927 – remediation investigation/certificate;
  - (cc) Equipment shall be installed that will effectively suppress and disperse fumes and/or smell produced by cooking and food preparation as impacting upon neighbouring premises. The equipment shall be effectively operated for as long as the use continues. The equipment shall be installed and be in full working order prior to the commencement of use. The extraction equipment shall be regularly maintained to ensure its continued satisfactory operation. The external ducting shall be so designed that the flue discharges not less than 1m above the roof eaves level;
  - (dd) Noise from any air extraction system shall not exceed background noise levels by more than 3 dB(A) for a 2 minute Leq, at any time when measured at the facade of residential or other noise sensitive premises;
- (Notes to applicant:- (1) N118A – disabled access; (2) N112 – energy conservation; (3) N113 – street names; (4) N114 – design – meter boxes; (5) N115 – water conservation; (6) Applicant’s attention is drawn to the possibility of the development incorporating an element of public art which may add value to the scheme and make a contribution to the local community. The Council urges you to consider this and if you wish to discuss it further please contact the Development Control Manager and/or the Council’s Arts Officer in the first instance; (7) N051A – health and safety; (8) N075 – Section 106 Agreement; (9) Applicant was requested to consider improvement of signage directing visitors to the railway towards the village; (10) N117 – crime prevention; (11) Applicant was advised that the development is located within a foul sewered area. It will be necessary for the developer to agree a point of connection onto the Wessex Water system for the satisfactory disposal of foul flows generated by the proposal. With respect to water supply, there are water mains within the vicinity of the proposal. It is recommended that the developer should agree with Wessex Water, prior to commencement of any works on site, a connection onto Wessex Water infrastructure; (12) Applicant was advised that means of escape in case of fire should comply with Approved Document B11 of the Building Regulations 2000. Access for fire applications should comply with Approved Document B5 of the Building Regulations 2000. All the new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards; (13) With regard to condition (bb) potential ground contamination, applicant was advised that commercial/agricultural buildings were often used for the storage of material and fuels that could have led to contamination of the ground in and around the buildings. There is also a potential risk from areas of filled ground (eg. old ditches/ponds or slurry pits) as the fill could contain hazardous materials, or could generate gasses as any waste breaks down. If a detailed site investigation is required this should be carried out in line with the latest guidance. Sources of such guidance will include, although not exclusively, publications by the Department for

Environment, Food and Rural Affairs, the Environment Agency and the British Standards Institute. The Council has produced a Guide to the Assessment and Remediation of Contaminated Land that gives more details on the relevant sources of information available.

**Reason for planning permission, if granted:-**

The proposed development would enable the provision of tourist related development which would benefit the West Somerset Railway, in line with Taunton Deane Local Planning Policy EC22 (Land West of Bishops Lydeard Station), and would also deliver a substantial proportion of the proposed residential units as affordable housing, for which there is a need in the area. In the light of the above, the proposal was considered to be in general compliance with Taunton Deane Local Planning Policy S7 (Outside Settlements) and was considered to be acceptable.

**49. Erection of inn with restaurant (A4 planning use class) and associated highway infrastructure, as part of proposed mixed use development comprising tourist facility and housing at Station Farm, Station Road, Bishops Lydeard (06/2007/028)**

Reported this application.

**Resolved** that subject to:-

- 1) The views of the Secretary of State through the Departure Procedures; and
- 2) The applicant entering into a Section 106 Agreement to provide for highway works comprising:-
  - a) Improvements to the junction of Greenway Road/Station Road to include yellow lining of the bridge approaches and provision of traffic lights or priority lanes to the bridge approaches; and
  - b) Provision of a new roundabout at the junction of Station Road and the A358 and the further views of the County Highway Authority on the proposed Section 106 Agreement,

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) C008 – outline – reserved matters;
- (b) C009 – outline – time limit;
- (c) C010 – drainage;
- (d) C014A – time limit;
- (e) C101 – materials;
- (f) C201 – landscaping;
- (g) Within one month of completion of the landscape scheme the applicant shall provide an as built/planted plan highlighting any variation between it and the approved landscape drawings. If there were no discrepancies, a letter confirming no variations shall be received by the Local Planning Authority within one month of the completion of the landscape scheme;

- (h) The access onto Station Road as shown on the submitted plan shall be provided to the satisfaction of the Local Planning Authority before any other work on the site commences;
  - (i) There shall be no access to Station Road, other than the access hereby approved;
  - (j) The visibility splays shown on the submitted plan shall be constructed prior to the commencement of the use of the premises and visibility shall thereafter be maintained to the satisfaction of the Local Planning Authority;
  - (k) C324 – parking;
  - (l) C331 – provision of cycle parking;
  - (m) The layout of the site shall be so designed as to provide for the comprehensive development of the land with the adjoining land subject of planning application 06/2007/027;
  - (n) Before any development (including demolition, site clearance) shall commence, written confirmation will be required by the Local Planning Authority that a derogation from the Habitats Regulations, in the form of a Regulation 44 Licence in respect of European Protected Species (bats), has been issued by Natural England;
  - (o) Equipment shall be installed that will effectively suppress and disperse fumes and/or smell produced by cooking and food preparation as impacting upon neighbouring premises. The equipment shall be effectively operated for as long as the use continued. The equipment shall be installed and be in full working order prior to the commencement of use. The extraction equipment shall be regularly maintained to ensure its continued satisfactory operation. The external ducting shall be so designed that the flue discharges not less than 1m above the roof eaves level;
  - (p) Noise from any air extraction system shall not exceed background noise levels by more than 3 dB(A) for a 2 minute Leq, at any time when measured at the façade of residential or other noise sensitive premises.
- (Notes to applicant:- (1) N118A- disabled access; (2) N112 – energy conservation; (3) N115 – water conservation; (4) 051B – health and safety; (5) N075 – Section 106 Agreement; (6) N117 – crime prevention; (7) Applicant was advised that the development is located within a foul sewered area. It will be necessary for the developer to agree a point of connection onto the Wessex Water system for satisfactory disposal of foul flows generated by the proposal. With respect to water supply, there are water mains within the vicinity of the proposal. It is recommended that the developer should agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure; (8) Applicant was advised that means of escape in case of fire should comply with Approved Document B11 of the Building Regulations 2000. Access for fire appliances should comply with Approved Document B5 of the Building Regulations 2000. All new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards; (9) Applicant was advised that during planning, design and operation of this establishment you will need to have regard to the requirements of: Food Safety Act 1990 (Amendment) Regulations 2004; General Food Safety Regulations 2004; Regulation (EC) No. 178/2002, 852/2004 of the European Parliament & of the Council; Regulation (EC) No. 852/2004 of the European Parliament & of the

Council; Food Hygiene (England) Regulations 2006. Failure to comply with the regulations is a criminal offence. It is strongly recommended that the applicant contacts the Food Safety Team of the Environmental Health Department once plans showing the proposed layout and work flow are available. This is to discuss any details, which may need amending to ensure the premises will comply with current legislation.

(The applicant is strongly urged to obtain a copy of the relevant Industry Guide, due to be updated shortly, which provides detailed guidance on compliance with these regulations. If this is a new food business, the premises must be registered with the Environmental Health Department at least 28 days prior to opening. The applicant should contact the Food Safety Team for a registration form. Failure to register is a criminal offence).

**Reason for planning permission, if granted:-**

The proposed development would enable the provision of tourist related leisure development which would benefit the West Somerset Railway in line with Taunton Deane Policy EC22 (Land West of Bishops Lydeard Station) and furthermore would be in compliance with Policy S7 (Outside Settlements).

**50. Erection of 2 no detached dwellings on plots 38 and 39 (linked to proposed mixed use development comprising tourist facilities, inn with restaurant, housing, offices, WSR museum and carriage shed and associated highway infrastructure the subject of planning applications 06/2007/027, 028, 043 and 044), land at Station Farm, Station Road, Bishops Lydeard (06/2007/042)**

Reported this application.

**Resolved** that subject to:-

- (1) The views of the Secretary of State through the Departure Procedures; and
- (2) The conclusion of a Section 106 Agreement related to planning application 06/2007/027,

the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if planning permission was granted, the following conditions be imposed:-

- (a) C001A – time limit;
- (b) C101 – materials;
- (c) C201 – landscaping;
- (d) Within one month of completion of the landscape scheme the applicant shall provide an as built/planted plan highlighting any variation between it and the approved landscape drawings. If there were no discrepancies, a letter confirming no variations should be received by the Local Planning Authority within one month of the completion of the landscape scheme;
- (e) C416 - details of size, position and materials of meter boxes;
- (f) P005 – no garages;
- (g) P007 – no fencing in front of dwellings;



- (h) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. 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%. 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 and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund;
- (i) C927 – remediation investigation/certificate;
- (j) Details of the arrangements to be made for the disposal of foul and surface water drainage from the proposed development, shall be submitted to, and approved in writing by, the Local Planning Authority before any work hereby permitted is commenced.

(Notes to applicant:- (1) N118 – disabled access; (2) N112 – energy conservation; (3) N115 – water conservation; (4) N114 – meter boxes; (5) N051B – health and safety; (6) Applicant was advised that the development is located within a foul sewered area. It will be necessary for the developer to agree a point of connection onto the Wessex Water system for the satisfactory disposal of foul flows generated by the proposal. With respect to water supply, there are water mains within the vicinity of the proposal. It is recommended that the developer should agree with Wessex Water, prior to commencement of any works on site, a connection onto Wessex Water infrastructure).

**Reason for planning permission, if granted:-**

The proposed development was linked to planning application 06/2007/027, which would enable the provision of tourist related development which would benefit the West Somerset Railway, in line with Taunton Deane Planning Policy EC22 and in general compliance with Policy S7 and was therefore considered to be acceptable.

- 51. Erection of single storey building to form museum (comprising exhibition space, lecture/film theatre and library/archive facility) and carriage shed (to house 2 no restored 7 coach trains and historic rail vehicles) (linked to proposed mixed use development comprising tourist facilities, inn with restaurant, housing offices and associated highway infrastructure the subject of planning applications 06/2007/027, 028, 042, 044), land at Station Farm, West of Railway Station, Station Road, Bishops Lydeard (06/2007/043)**

Reported this application.

**Resolved** that subject to:-

- (1) The conclusion of a Section 106 Agreement related to planning application 06/2007/027; and

- (2) The further views of the Environment Agency, Natural England and the Nature Conservation Officer,

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) Details of the arrangements to be made for the disposal of foul and surface water drainage from the proposed development shall be submitted to, and approved in writing by, the Local Planning Authority before any work hereby permitted is commenced;
- (d) C013 – site levels;
- (e) C014A – time limit;
- (f) C101 – materials;
- (g) C112 - details of guttering, downpipes and disposal of rainwater;
- (h) C201 – landscaping;
- (i) C205 – hard landscaping;
- (j) C208E – protection of trees to be retained;
- (k) C208B – service trenches beneath trees;
- (l) C210 – no felling or lopping;
- (m) Within one month of completion of the landscape scheme the applicant shall provide an as built/planted plan highlighting any variation between it and the approved landscape drawings . If there were no discrepancies, a letter confirming no variations shall be received by the Local Planning Authority within one month of the completion of the landscape scheme;
- (n) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. 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%. 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 and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund;
- (o) The building shall not be occupied until such time as the parking areas on land to the west, as instructed on planning application 06/2007/027 have been provided to the satisfaction of the Local Planning Authority;
- (p) The proposed development shall not be occupied until such time as the highway works, wildlife and landscape management plan the subject of the planning agreement relating to application 06/2007/027 have been completed to the satisfaction of the Local Planning Authority.  
(Notes to applicant:- (1) N118A – disabled access; (2) N112 – energy conservation; (3) N115 – water conservation; (4) N051B – health and safety; (5) Applicant was advised that the development is located within a foul sewered area. It will be necessary for the developer to agree a point of connection onto the Wessex Water system for the satisfactory disposal of foul flows generated by the proposal. With respect to water supply,

there are water mains within the vicinity of the proposal. It is recommended that the developer should agree with Wessex Water, prior to commencement of any works on site, a connection onto Wessex Water infrastructure; (6) Applicant was advised that means of escape in case of fire should comply with Approved Document B11 of the Building Regulations 2000. Access for fire applications should comply with Approved Document B5 of the Building Regulations 2000. All the new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards).

**Reason for planning permission, if granted:-**

The proposed development would enable the provision of enhanced facilities for the West Somerset Railway, which is in line with Taunton Deane Local Planning Policy EC22 and in compliance with Policy S7. The proposal was therefore considered acceptable.

**52. Erection of two storey office building (linked to proposed mixed use development comprising tourist facilities, inn with restaurant, housing, WSR museum and carriage shed and associated highway infrastructure the subject of planning applications 06/2007/027, 028, 042 and 043), land at Station Farm, Station Road, Bishops Lydeard (06/2007/044)**

Reported this application.

**Resolved** that subject to:-

- (1) The views of the Secretary of State through the Departure Procedures; and
- (2) The conclusion of a Section 106 Agreement related to planning application 06/2007/027,

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) Details of the arrangements to be made for the disposal of foul and surface water drainage from the proposed development shall be submitted to, and approved in writing by, the Local Planning Authority before any work hereby permitted is commenced;
- (d) C014A – time limit;
- (e) C101 – materials;
- (f) C201 – landscaping;
- (g) Within one month of completion of the landscape scheme the applicant shall provide an as built/planted plan highlighting any variation between it and the approved landscape drawings. If there were no discrepancies, a letter confirming no variations shall be received by the Local Planning Authority within one month of the completion of the landscape scheme;

- (h) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. 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%. 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 and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund;
- (i) The proposed development shall not be occupied until such time as the highway works, wildlife and landscape management plan the subject of the planning agreement relating to application 06/2007/027 have been completed to the satisfaction of the Local Planning Authority.

(Notes to applicant:- (1) Applicant was advised that the development is located within a foul sewered area. It will be necessary for the developer to agree a point of connection onto the Wessex Water system for the satisfactory disposal of foul flows generated by the proposal. With respect to water supply, there are water mains within the vicinity of the proposal. It is recommended that the developer should agree with Wessex Water, prior to commencement of any works on site, a connection onto Wessex Water infrastructure; (2) Applicant was advised that means of escape in case of fire should comply with Approved Document B11 of the Building Regulations 2000. Access for fire applications should comply with Approved Document B5 of the Building Regulations 2000. All the new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards; (3) N118A – disabled access; (4) N112 – energy conservation; (5) N115 – water conservation; (6) N051B – health and safety).

**Reason for planning permission, if granted:-**

The proposal was part of a wider development which would enable the provision of tourist related development which would benefit the West Somerset Railway, in line with Taunton Deane Local Planning Policy EC22 and in general compliance with Policy S7 and was therefore considered to be acceptable.

- 53. Conversion of Mansion House and Orangery following some partial demolition of 19 one and two bed apartments and conversion of outbuildings part for 7 two and three bed apartments and part for use as a community centre for the development, erection of 50 new dwellings (including 10 affordable dwellings), demolition of remaining former hospital buildings and the reinstatement of the site of the buildings and roads to parkland and informal gardens, restoration of parkland, formation of parking areas and footways and improvements to access road, access and footways, Sandhill Park, Bishops Lydeard (06/2008/010)**

Reported this application.

**Resolved** that subject to:-

- (1) The views of the Secretary of State under the Departure Procedures;
- (2) The views of the Nature Conservation Officer and Natural England; and
- (3) The applicant entering into a Section 106 Planning Agreement to provide for the following:
  - a) No repair works, other than urgent works, to the Mansion to be commenced nor the occupation of more than seven dwellings on the new build land (other than the affordable housing) until a Repair Bond (in the sum of £750k) has been entered into;
  - b) Completion of repair works within five years of the date of the Repair Bond;
  - c) No commencement of the conversion works or occupation of more than seven dwellings on the new build land (other than the affordable housing) until a Conversion Bond (in the sum of £1m) has been entered into;
  - d) Completion of the conversion works within five years of the date of the Conversion Bond;
  - e) No commencement of the repair works or conversion works until the applicant has consulted with the Local Planning Authority as to the appointment of the main contractor to carry out the repair works and conversion works; such contractor to be a specialist in the execution of restoration/repair works to historic buildings;
  - f) Works of restoration to the Pleasure Gardens shall be completed in accordance with details and a specification to be approved within two years from the occupation of any dwelling;
  - g) Works of restoration of the Parkland Areas shall be completed in accordance with details and a specification to be approved within three years from the occupation of any dwelling and prior to the occupation of the last five dwellings on the new build land other than affordable homes;
  - h) Occupation of no more than seven dwellings on the new build land, other than the affordable housing, until the repair works and conversion works have commenced;
  - i) No dwelling to be occupied until the Hospital Buildings have been demolished, the material arising removed and site made good, in accordance with details and a specification to be approved;
  - j) Details of the proposed Mansion House Management Agreement to be included in any documentation relating to the sale of any dwellings in the Mansion, there to be no occupation until the Agreement is completed;
  - k) Details of the proposed Barns Management Agreement to be included in any documentation relating to the sale of any dwellings in the barns, there to be no occupation until the Agreement is completed;
  - l) Details of the proposed New Build Management Agreement to be included in any documentation relating to the sale of any dwellings on the new build land, there is to be no occupation until the Agreement is completed;

- m) The documentation relating to the sale of the dwellings still provide for the occupiers to be housed by the Parkland Management Agreement. There is to be no occupation until the Agreement is completed;
  - n) No parking of vehicles or bicycles other than within designated areas, with covenants being imposed on the purchasers of dwellings;
  - o) No dwelling to be occupied until a Travel Plan has been submitted to and approved in consultation with the Highway Authority;
  - p) The provision of 10 units of affordable housing (five shared ownership/ five for rent);
  - q) The provision of community space; and
  - r) Creation of public paths, parking and interpretation of the assets;
- (4) The further views of the Environment Agency and English Heritage, and the views of the County Highways Authority,

the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if planning permission was granted, the following conditions be imposed:-

- (a) C001A – time limit;
- (b) Details of the arrangements to be made for the disposal of foul and surface water drainage from the proposed development, shall be submitted to, and approved in writing by, the Local Planning Authority before any work hereby permitted is commenced. Such schemes shall be implemented in accordance with an approved programme and details;
- (c) Before any works hereby permitted are commenced, details of the existing and proposed site levels shall be submitted to, and approved in writing by, the Local Planning Authority;
- (d) Before any works hereby permitted are commenced, details of the existing and proposed site levels shall be submitted to, and approved in writing by, the Local Planning Authority;
- (e) The external surfaces of the buildings to be retained as existing and where necessary repaired and/or renewed with salvaged materials from its existing building/matching materials, or those that are similar in age, colour and texture to the original, unless the written consent of the Local Planning Authority is obtained to any variation;
- (f) C112 – details of guttering, downpipes and disposal of rainwater;
- (g) C113 – details of structure and colour of mortar;
- (h) C241 – landscaping;
- (i) C205 – hard landscaping;
- (j) C207 – existing trees to be retained;
- (k) C208A – protection of trees to be retained;
- (l) C208B – service trenches beneath trees;
- (m) C210 – no felling or lopping;
- (n) C215 – walls and fences;
- (o) The proposed estate roads, 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 parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as

- appropriate the design, layout, levels, gradients materials and method of construction shall be submitted to the Local Planning Authority;
- (p) Prior to the commencement of development a scheme and programme of works as necessary for the driveway and adjacent footway, together with details of the future maintenance arrangements (for the drive and estate road) shall be submitted to, and approved in writing by, the Local Planning Authority. The necessary works shall be carried out in accordance with the approved details prior to the occupation of any of the dwellings hereby permitted, and shall thereafter be maintained in accordance with the agreed programme;
  - (q) None of the dwellings hereby permitted, shall be occupied until a footway has been provided between the site access, and the entrance to the Greenway estate, in accordance with a design and specification to be approved in writing by the Local Planning Authority and to be fully implemented to the satisfaction of said authority;
  - (r) There shall be no vehicular access to the site other than from South Drive and Station Road;
  - (s) The areas allocated for parking on the submitted plan shall be properly consolidated, surfaced, drained and marked out before the dwellings which they are to serve are occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
  - (t) C416 – details of size, position and material of meter boxes;
  - (u) The new doors and windows indicated on the approved plans shall be made of timber only and no other materials, unless the written consent of the Local Planning Authority is obtained to any variation thereto and thereafter shall be retained in timber without the express written consent of the Local Planning Authority to the use of a different material;
  - (v) C917 – services - underground;
  - (w) Detailed drawings indicating the height, design, intensity of light and manufacturer's specification of any external lighting in non-private areas shall be submitted to, and approved in writing by, the Local Planning Authority before any works are commenced;
  - (x) C926B – remediation investigation/certificate;
  - (y) P001A - no extensions;
  - (z) P003 – no ancillary buildings;
  - (aa) P006 – no fencing;
  - (bb) P010 – no further windows;
  - (cc) Details of the appearance of any sub-stations for utility provision shall be submitted to, and approved in writing by, the Local Planning Authority;
  - (dd) C924 – building materials compounds;
  - (ee) The mitigation measures for protected species and other wildlife, set out in the submitted “Report on Ecological Survey” shall be carried out as part of the development;
  - (ff) Prior to commissioning, specific details of windows and external doors, including finished treatment shall be submitted to, and approved in writing by, the Local Planning Authority;
  - (gg) C664 – windows recessed;
  - (hh) C666 – no bell casts;
  - (ii) C911 – aerials – combined system;
  - (jj) C331 – provision of cycle parking;

(Notes to applicant:- (1) N118 – disabled access; (2) N112 – energy conservation; (3) N115 – water conservation; (4) N114 – meter boxes; (5) N048A – remediation strategy; (6) N051B – health and safety; (7) N066 – listed buildings; (8) Applicant was advised that the dwellings to be erected should be built of good quality materials in view of the location of the site adjacent to a listed building; (9) N075 – Section 106 Agreement; (10) With regard to Condition (b) applicant was advised to use the principles of sustainable drainage methods (SUDs) as set out in the attached notes; (11) Applicant was advised that a licence may be required in respect of the protected species on the site; (12) Applicant was advised that noise emission from the site during the construction phase should be limited to the following hours if nuisance is likely at neighbouring premises:- Monday - Friday 0800 - 1800. Saturdays 0800 - 1300. All other times including public holidays - no noisy working. The developer should ensure that all reasonable precautions are taken to prevent dust nuisance at residential and commercial premises arising from demolition; (13) The following advice is provided by the Somerset Fire Brigade:- 1. Means of escape in case of fire should comply with Approved Document B1, of the Building Regulations 2000. Detailed recommendations concerning other fire safety matters will be made at Building Regulations stage. 2. Access for fire appliances should comply with Approved Document B5, of the Building Regulations 2000. 3. All new water mains installed within the development should be of sufficient size to permit the installation of fire hydrants conforming to British Standards”; (14) Applicant was advised of the following from the Environment Agency: (a) The Agency recommends that because of the need to protect and safeguard the environmental qualities of the site, and the scale and likely programme of construction, the Local Planning Authority should seek undertakings from the applicant/developer to minimise detrimental effects to natural/water environmental features of the site and the risks of pollution. Such undertakings should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds, and the control and removal of spoil and wastes; (b) This Agency must be notified immediately of any incident likely to cause pollution; (15) Applicant was advised to contact Wessex Water (01225 526000) with regard to connection to their infrastructure.

**Reason for planning permission, if granted:-**

The proposal would enable the restoration and reuse of the Grade II\* Listed Mansion and its various outbuildings and furthermore restore its landscape setting, which would protect and conserve its heritage. The new development proposed was considered to represent the minimum necessary enabling development. The proposals were therefore in compliance with Taunton Deane Local Plan Policies S1, S2, S7, H7 and H9, and English Heritage document 'Enabling Development and the Conversion of Heritage Assets'.

- 54. Conversion of the Mansion House and Orangery following some partial demolition of 19 one and two bed apartments and conversion of outbuildings part for 7 two and three bed apartments and part for use as a community centre for the development, erection of 50 new dwellings (including 10 affordable dwellings), demolition of remaining former**



**hospital buildings and the reinstatement of the site of the buildings and road to parkland and informal gardens, restoration of parkland, formation of parking areas and footways and improvements to access road, access and footways, Sandhill Park, Bishops Lydeard (06/2008/011LB)**

Reported this application.

**Resolved** that subject to:-

- (1) The views of the Secretary of State;
- (2) The applicants entering into a Section 106 Planning Agreement (to provide the requirements as recommended on planning application 06/2008/010); and
- (3) The further views of the Environment Agency and English Heritage, and the views of the County Highway Authority

the Development Control Manager be authorised to determine the application in consultation with the Chairman and, if listed building consent was granted, the following conditions be imposed:-

- (a) C002B – time limit – listed building;
- (b) The surfaces of the works for which consent is hereby granted shall be of materials as indicated in the application form and no other materials shall be used without the written consent of the Local Planning Authority;
- (c) Prior to the works of demolition and conversion, for which consent is hereby granted, is commenced, a photographic record and measured survey of those elements of the historic complex to be demolished, removed or compromised shall be submitted to, and approved in writing by, the Local Planning Authority;
- (d) C107 – second hand materials – for repairs to parts of listed buildings retained after partial demolition;
- (e) Prior to the works for which consent is hereby granted is commenced, specific details of the means of venting recovered roofs, and enclosed bathrooms/ensuites, shall be submitted to and approved in writing by the Local Planning Authority;
- (f) Prior to the works of conversion of the Mansion, for which consent is hereby granted is commenced, specific details of the means by which fire separation and sound transmission measures are to be accommodated, shall be submitted to and approved in writing by the Local Planning Authority;
- (g) Prior to the works of conversion of the Mansion, for which consent is hereby granted is commenced, a schedule of repairs on a room by room basis, shall be submitted to and approved in writing by the Local Planning Authority;
- (h) Prior to the works of conversion of the Mansion, for which consent is hereby granted is commenced, a schedule of existing doors/linings/architraves, which are to be relocated, shall be submitted to and approved in writing by the Local Planning Authority;
- (i) All additional doors, linings and architraves, required as part of the approved conversion works to the Mansion, shall accurately match those

- details appropriate to the relevant order of the building, specific details of which shall first be approved in writing by the Local Planning Authority;
- (j) No damp proofing methods shall be installed in the Mansion complex, unless prior written approval is first given by the Local Planning Authority;
  - (k) C658 – partitions;
  - (l) C659 - cornices, skirtings or other features;
  - (m) C660 – cornices, skirtings or other features;
  - (n) Prior to the commissioning, specific details of new staircases, the ensembles to Unit 6, kitchen fittings to Units 5 and 6, the rear glazed making good (including fire surrounds) to reopened fireplaces in the Mansion, shall be submitted to and approved in writing by the Local Planning Authority;
  - (o) Prior to the commissioning specific details of all windows, doors (internal and external), staircases, skirtings and architraves, including finished treatments for the converted outbuildings shall be submitted to, and approved in writing by, the Local Planning Authority;
  - (p) Before any structural works are undertaken precise details of the methods, materials to be employed and areas affected shall be submitted to, and approved in writing by, the Local Planning Authority;
  - (q) Details of all new works such as damp proofing, heating, lighting and plumbing, shall be approved in writing by the Local Planning Authority before such installation commences;
  - (r) If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with;
  - (s) If the capacity of any storage container is greater than 200 litres the developer should refer to Guidance for the Control of Pollution (Oil Storage) (England) Regulations 2001 published by the Department for Environment, Food and Rural Affairs;
  - (t) No part of the development shall be brought into use until the foul drainage system has been constructed, completed and connected in accordance with the approved plans;
  - (u) 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 anyone 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;

- (v) Any oil storage facility of 200 litres or more must include a bund, and comply with the Oil Storage Regulations ("The Control of Pollution (Oil Storage) (England) Regulations 2001"), a copy of which has been forwarded to the Applicant/Agent. During construction and demolition and the relevant Pollution Prevention Guidelines should be used to produce working method statements;
- (w) To prevent pollution of the water environment.

**Reason for planning permission, if granted:-**

The proposal would enable the restoration and reuse of the Grade II\* Listed Mansion and its various outbuildings, which would protect and conserve its heritage. The proposals were therefore considered to be in compliance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 9, Planning Policy Guidance Note 15.

**55. Display of externally illuminated and non-illuminated advertisement signs at the former Beambridge Hotel, Sampford Arundel, Wellington**

Reported that despite advertisement consent being refused for the display of banner signs on the road frontage and large signs on the two gables of the Beambridge Hotel, Sampford Arundel, Wellington, the signs had not been removed.

**Resolved** that subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings to secure the removal of the signs at the former Beambridge Hotel, Sampford Arundel, Wellington if they were not removed within one month.

**56. Stationing of timber lodge for residential purposes, Fideoak Mill, Bishops Hull, Taunton**

Reported that it had come to the Council's attention that two mobile homes had been stationed at Fideoak Mill, Bishops Hull, Taunton and the owner had been informed that planning permission was required to retain them on site. The mobile homes had since been removed and replaced with a large timber lodge. An application for planning permission had been submitted but this had been refused. To date, the lodge remained in position.

**Resolved** that:-

- (1) Enforcement action be taken seeking the removal of the unauthorised timber lodge stationed at Fideoak Mill, Bishops Hull, Taunton; and
- (2) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the enforcement notice not be complied with.

**57. Unauthorised extension to rear consisting of covered walkway and other associated works, Co-Operative Store, The Square, Wiveliscombe**

Reported that temporary planning permission had been granted on a number of occasions for a covered walkway to the rear of the Co-Operative Store, Wiveliscombe on the basis that the applicants had indicated that they would submit applications for a replacement rear extension. The owners had acknowledged that communication with the Council had broken down and requested a deferral of any listed building enforcement action.

**Resolved** that listed building enforcement action be taken seeking the removal of the unauthorised rear extension and associated repairs to the main building as a result of its removal.

**58. Taunton Deane Borough (Wellington No 1) Tree Preservation Order 2008**

Reference Minute No 41/2008, reported that a Tree Preservation Order had been made in respect of a Beech Tree situated on land at 11 High Path, Wellington but had been deferred for further investigation.

Details of additional information provided by the owners of the tree were reported.

The further comments of the Development Control Manager were also reported. A full aerial inspection of the tree had been carried out and it was considered that the tree was healthy and of normal vigour, although some crown reduction work should be considered.

**Resolved** that the Tree Preservation Order be confirmed.

(The meeting ended at 9.12 pm).