

Present:- Councillor Mrs Hill (Chairman)
Councillor Mrs Allgrove (Vice-Chairman)
Councillors Bishop, Bowrah, Critchard, Denington, C Hill, House,
Miss James, Watson and Ms Webber

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

(The meeting commenced at 5.00 pm)

131. Apologies

Councillors Mrs Floyd, McMahon and D Wedderkopp.

132. Minutes

The Minutes of the meeting held on 19 November 2008 were taken as read and were signed.

133. Demolition of farm buildings and the erection of a residential development of 8 dwellings (5 market housing and 3 affordable housing), Newberry Farm, Taunton Road, Churchinford (10/08/0030)

Reported this application.

Resolved that subject to the applicants entering into a Section 106 Agreement to secure affordable housing and leisure and recreation contributions the Development Manager in consultation with the Chairman be authorised to determine the application and, if outline planning permission was granted, the following conditions be imposed:-

- (a) Approval of the details of the layout, appearance, and landscaping of the site (reserved matters) shall be obtained from the Local Planning Authority in writing before any development is commenced. Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of three years from the date of this permission. The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved;
- (b) None of the dwellings shall be occupied until works for the disposal of sewage and surface water have been provided on the site to serve the development hereby permitted in accordance with details that shall previously have been submitted to, and approved in writing by, the Local Planning Authority;
- (c) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby

- permitted have been 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) No development, excluding site works, shall begin until a panel of the proposed stone has been built on the site and both the materials and the colour and type of mortar for pointing used within the panel have been agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed details and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority;
 - (e) (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;
 - (f) No development shall take place until there has been submitted to, and approved in writing by, the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The agreed boundary treatment shall be completed before the buildings are occupied or, in accordance with a timetable agreed in writing with the Local Planning Authority, and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority;
 - (g) The windows and doors hereby permitted shall be timber and thereafter maintained as such in accordance with details to include sections, mouldings, profiles, working arrangements and finished treatment that shall first have been agreed in writing by the Local Planning Authority prior to their installation;
 - (h) The windows hereby permitted shall be recessed in the wall a minimum of 80mm unless otherwise agreed in writing by the Local Planning Authority;
 - (i) Details of the size, position and materials of any meter boxes installed in connection with the development shall be submitted to, and approved in writing by, the Local Planning Authority before development commences and thereafter installed and maintained in accordance with the approved details unless any variation thereto is first approved in writing by the Local Planning Authority;
 - (j) All services shall be placed underground unless otherwise agreed in writing by the Local Planning Authority;
 - (k) No structure or erection exceeding 0.9m in height shall be placed within the visibility splay identified on the layout drawing and the visibility splay of 2.4m x 43m to the north and 2.4m x 30m to the south shall be provided prior to occupation and thereafter maintained;

- (l) No dwelling shall be occupied until space has been laid out within the site for two cars to be parked in respect of each dwelling and for vehicles to turn so that they may enter and leave the site in forward gear;
- (m) The proposed roads, 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 carriageway and footpath and details of the surfacing materials shall be agreed in writing by the Local Planning Authority prior to the surfacing being laid;
- (n) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any order revoking and re-enacting that Order, with or without modifications, no vehicular access gates shall be erected at any time unless they are set back a minimum distance of 5m behind the highway boundary and hung so as to open inwards only;
- (o) The layout and alignment, widths and levels of the proposed roads, road junctions, points of access, visibility splays, footpaths and turning spaces shall be provided in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The roads shall be laid out prior to the occupation of any dwelling, or any dwelling in an agreed phase of the development that may have been agreed by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority;
- (p) The proposed roads, 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 carriageway and footpath unless otherwise agreed in writing by the Local Planning Authority and details of the final surface finish of any road or footway shall be agreed in writing prior to the surface being laid;
- (q) Development shall not commence until details of a scheme for the retention of Swallow nest sites and its accesses, (or the provision of alternative new sites or accesses) has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a programme for the implementation of the development which avoids any building or other operations likely to affect the Swallow/House Martin nest sites being undertaken between March and August inclusive. The development shall be carried out in accordance with the approved scheme or any amendment to the scheme as approved in writing by the Local Planning Authority;
- (r) No site clearance works or development (or specified operations) shall take place between 1st March and 31st August without the prior written approval of the Local Planning Authority;
- (s) Prior to the commencement of development, the applicant shall investigate the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses. The applicant shall;
 - (i) provide a written report to the Local Planning Authority which shall include details of the previous uses of the site and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination is present on the site;
 - (ii) if the report indicates that contamination is present on or under the site, or if evidence of contamination

- is found, a more detailed site investigation and risk assessment shall be carried out in line with current guidance. This should determine whether any contamination could pose a risk to future users of the site or the environment; (iii) if remedial works are required, details shall be submitted to the Local Planning Authority, and these shall be accepted in writing and thereafter implemented. On completion of any required remedial works the applicant shall provide written confirmation that the works have been completed in accordance with the agreed remediation strategy;
- (t) Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 ("the 1995 Order") (or any Order revoking and re-enacting the 1995 Order with or without modification), no window/dormer windows shall be installed in the first floor side elevations of plots 1, 2 and 3 of the development hereby permitted without the further grant of planning permission.

(Notes to applicant:- (1) Applicant was advised that a landscaping area of 8m should be provided to the northern boundary area to soften the countryside/development interface. The proposed layout should consider lessening the highway impact on the character of the scheme with buildings abutting the highway; (2) Applicant was advised to consider the translocation of the existing roadside hedge if possible to limit the initial visual impact of the new access to the scheme; (3) Applicant was advised that, regarding potential ground contamination, commercial/agricultural buildings were often used for storage of material and fuels that could lead to contamination of the ground in and around the buildings. There was also a potential risk from areas of filled ground (old ditches/ponds or slurry pits) as the fill could contain hazardous materials, or could generate gases 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 would 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 to the relevant sources of information available; (4) Applicant was advised to be aware that the property was served by a private water supply and any increased usage from the proposal should be notified to the Environmental Health Department; (5) Applicant was advised of the need to take care to ensure there are no risks from asbestos in demolishing existing structures on site.)

Reason for planning permission, if granted:-

The proposal, for residential development, was partly located within the defined settlement limits where the principle of new housing was considered acceptable. The proposed access would be satisfactory and the development would not have a detrimental impact on the amenity of surrounding residential properties in accordance with Somerset and Exmoor National Park Joint Structure Plan Review Policy 49 and Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), H11 (Affordable Housing) C4 (Leisure and Recreation provision), M4 (Residential Parking Provision) and EN10 (Area of Outstanding Natural Beauty).

134. Banner signs along access road, Morrisons Supermarket, Station Road, Taunton

Reported that it had come to the Council's attention that banner signs had been displayed at Morrisons Supermarket, Station Road, Taunton without the necessary advertisement consent.

The owners had been contacted and advised to submit an application for advertisement control but, to date, no such application had been received. However, the Development Manager reported that within the past couple of days the banner signs had been removed.

Resolved that:-

- (1) The current situation relating to the unauthorised banner signs at Morrisons Supermarket, Station Road, Taunton be noted; and
- (2) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the banner signs be reinstated and were then not removed within the following 28 day period.

135. Continued occupation of mobile homes following expiry of temporary permission, Combe Farm, Ford Street, Wellington

Reported that planning permission had been granted for the stationing of a mobile home at Combe Farm, Ford Street, Wellington on a temporary basis between 1985 and 2000. However, since then no further application for the retention of the mobile home had been received.

Noted that an application for an agricultural workers dwelling on the site had been submitted earlier in the year but this had been withdrawn because the Council's independent appraisal of the agricultural holding did not support the applicant's case. No further application had been submitted.

Resolved that:-

- (1) Enforcement action be taken to remove the mobile home at Combe Farm, Ford Street, Wellington within a period of 18 months; 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.

136. Stationing of caravan outside the permitted area of the Slough Green site for residential purposes Slough Green Caravan Park, Burnt House Copse, West Hatch

Reported that it had come to the Council's attention that a caravan had been stationed for residential purposes outside the permitted area of the Slough Green Caravan Park, Burnt House Copse, West Hatch.

The owner of the site had been contacted and requested to arrange the removal of the caravan from the site within 21 days. This had not occurred as the family using the caravan had no where else to go.

Resolved that:-

- (1) Enforcement action be taken to remove the caravan stationed outside the permitted area of the Slough Green Caravan Park, Burnt House Copse, West Hatch; 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.

137. Appeals

Reported that five appeal decisions had been received, details of which were submitted. Four appeals had been dismissed and one appeal allowed.

(The meeting ended at 6 p.m.)