

Planning Committee – 30 November 2010

Present:- Councillor Bishop (Chairman)
Councillor Mrs Hill (Vice-Chairman)
Councillors Mrs Allgrove, Bowrah, Brooks, Coles, Denington, House,
Miss James, McMahon, Morrell, Mrs Smith, Mrs Stock-Williams,
Watson, Ms Webber, A Wedderkopp and D Wedderkopp

Officers:- Mr T Burton (Growth and Development Manager), Mr G Clifford (East Area Co-ordinator), Mrs J Jackson (Legal Services Manager),
Ms M Casey (Planning and Litigation Solicitor) and Mrs G Croucher (Democratic Services Officer)

Also present: Mrs A Elder, Chairman of the Standards Committee and Mr P Lowndes (Transport Group Manager, Somerset County Council)

(The meeting commenced at 6.00 pm)

126. Apologies/Substitutions

Apologies: Councillors Mrs Floyd, Gaines and C Hill

Substitutions: Councillor Brooks for Councillor Mrs Floyd
Councillor Mrs Stock-Williams for Councillor Gaines
Councillor Ms Webber for Councillor C Hill

121. Public Question Time

Mr Malcolm Summers of Bishop's Hull Parish Council asked if Section 106 Agreements were in the public domain. Mrs Jackson replied that all Section 106 Agreements were registered with Land Charges.

122. Declarations of Interest

Councillors Brooks, McMahon and D Wedderkopp declared personal interests as Members of Somerset County Council. Councillor McMahon declared a personal interest as a Director of Southwest One. Councillor Watson declared a personal interest as an alternate Director of Southwest One. Councillor Mrs Hill and Councillor Mrs Smith declared personal interests as employees of Somerset County Council. Councillor Miss James declared a personal interest as an employee of Viridor.

123. Approval of reserved matters for application 05/07/0057, residential development of 171 dwellings on 7.65 ha, together with open space provision and access on land west of Bishop's Hull Road, Bishop's Hull, Taunton (05/10/0014)

Reported this application.

Resolved that subject to:- (1) amended plans being received addressing the issues relating to the layout, landscaping and the hedge adjacent to Plot 54 so

that they correspond to each other and to include the corrected materials for the house type drawings; and (2) the receipt of no further adverse comments on the affordable house type by 3 December 2010, the Growth and Development Manager be authorised to determine the application in consultation with the Chairman or Vice-Chairman and, if the application was approved, the following conditions be imposed:-

Conditions

- (a) The development hereby permitted shall be carried out in accordance with the approved plans;
- (b) The hedgerows along the southern, eastern and western boundaries of the site and adjacent to plots 29-38, 44, 45, 48 and 54 and plots 157-166 shall be retained and not be removed at any time other than as agreed by the plans hereby approved;
- (c) The section of hedge to be translocated shall be carried out in accordance with details on plan L.09A and the maintenance of this hedge and infilling with appropriate planting shall be submitted to, and agreed in writing by, the Local Planning Authority and shall be carried out for a period of up to 5 years following the hedge translocation;
- (d) Where the hedge protection cannot be provided at 2m distance, details of alternative means of protection shall be submitted to, and approved in writing by, the Local Planning Authority prior to construction work commencing adjacent to the hedge concerned;
- (e) Cycle storage prior to occupation shall be provided for each plot within garages or storage sheds and shall thereafter be retained;
- (f) Details of the emergency access surfacing and bollard provision shall be submitted to, and approved in writing by, the Local Planning Authority prior to it being brought into use;
- (g) Notwithstanding the provisions of Article 3 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 development of the types described in Schedule 2 Part 2 Class A of the 1995 Order other than that expressly authorised by this permission shall be carried out without the further grant of planning permission;
- (h) Details of any culverting of the ditch serving the existing pond to the west of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the work being carried out;
- (i) Details of the hedge retention in respect of the section adjacent to the north of Plot 54 and cutting back and replanting of the road frontage hedge shall be submitted to, and approved in writing by, the Local Planning Authority prior to the work being carried out.

(Notes to applicant:- (1) Applicant was advised of the need to comply with any outstanding conditions on the outline approval for this site; (2) Applicant's attention was drawn to the agreement made under Section 106 of the Town and Country Planning Act 1990 relating to this site).

Reason for planning permission, if granted:-

The proposal was considered not to have a detrimental impact upon visual or residential amenity and provided adequate play and open space and was therefore considered an acceptable layout and, accordingly, did not conflict with Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design) and C4 (Provision of Open Space). The proposed development site was considered to be in a sustainable location and the Transport Authority had not objected on highway safety grounds. The development provided housing to meet an identified need in Taunton given the current shortage of supply, the town's Growth Point status and advice in Planning Policy Statement 3.

124. Variation of requirements for Section 106 Agreement relating to Station Farm, Bishops Lydeard (06/07/0028, 06/07/0043 and 06/07/0044)

Reference Minute No 122/2009, reported that a further variation to the Section 106 Agreement relating to the mixed use development comprising open market housing, affordable housing and tourist facilities, together with an application by the West Somerset Railway (WSR) for the erection of a single storey building to form a museum on land which was to be transferred to WSR as part of the development at Station Farm, Bishops Lydeard, had been received.

The developer of the original proposal had gone into administration and the new developer had re-assessed the viability of the scheme in the current financial climate.

The developer had asked to replace the obligation to provide the tourist facilities with an obligation to transfer the designated area of land to the WSR at a consideration of £1. There would be a further obligation to provide services to the land prior to the occupation of any open market housing.

The WSR, which welcomed this proposed variation, would be obligated to provide tourist related facilities on the land related to functions of a heritage railway and to continue to provide tourist information facilities as at the present station.

All other obligations would remain.

Resolved that subject to the Parish Council raising no objections to the proposed variation, the Development Management Lead be authorised to agree the application in consultation with the Chairman or Vice-Chairman to the variation to the heads of terms of the Section 106 Agreement.

(The meeting ended at 8.12 pm.)

