

## **Planning Committee – 25 September 2013**

Present: - Councillor Nottrodt (Chairman)  
Councillor Coles (Vice-Chairman)  
Councillors Mrs Allgrove, Bishop, Denington, A Govier, Hill, Mrs Hill,  
Miss James, Morrell, Tooze, Watson, A Wedderkopp and  
D Wedderkopp

Officers: - Gareth Clifford (East Area Co-ordinator), Matthew Bale (West Area  
Co-ordinator), Tim Burton (Planning and Development Manager), Maria  
Casey (Planning and Litigation Solicitor), Roy Pinney (Legal Services  
Manager) and Tracey Meadows (Corporate Support Officer)

Also present: Councillors Mrs Adkins, Edwards and Mrs Warmington in connection  
with application Nos 38/13/0278 and 38/13/0307 and Mrs A Elder, a  
Co-opted Member of the Standards Committee.

(The meeting commenced at 5.00 pm)

### **109. Apologies/Substitutions**

Apologies: Councillors Gaines and Wren

Substitutions: Councillor Denington for Councillor Wren;  
Councillor A Govier for Councillor Gaines

### **110. Minutes**

The minutes of the meeting of the Planning Committee held on the  
4 September 2013, were taken and read and were signed.

### **111. Declarations of Interest**

Councillor Nottrodt declared a personal interest as a Director of Southwest One. Councillor Mrs Hill declared a personal interest as an employee of Somerset County Council. Councillors Coles, A Govier, A Wedderkopp and D Wedderkopp declared personal interests as Members of Somerset County Council. Councillor Coles also declared that he knew the speaker for item Nos 38/13/0278 and 38/13/0307. He felt that he had not fettered his discretion. Councillor A Govier declared that item No 43/13/0025 had been discussed at the Wellington Town Council Meeting. He too felt that he had not fettered his discretion. Councillor A Wedderkopp declared that he had discussed item No 42/13/0018 but felt that he had not fettered his discretion. Councillor Tooze declared a personal interest as an employee of the UK Hydrographic Office. He also declared that he was acquainted with the speaker for item Nos 38/13/0278 and 38/13/0307 but felt that he had not fettered his discretion. Councillor Watson felt that he had fettered his discretion on item Nos E/0054/06/13 and E/0171/06/13. He left the meeting whilst the items were discussed.

## 112. Applications for Planning Permission

The Committee received the report of the Growth and Development 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:-

### **48/13/0050**

**Change of use of land from agricultural to residential, creation of access and erection of garage at 2 Hill Farm Cottages, West Monkton (part retention of works already undertaken)**

### **Conditions**

- (a) The development hereby permitted shall be carried out in accordance with the following plans:-
- (A4) DrNo 01 Location Plan;
  - (A4) DrNo 02 Block Plan;
  - (A2) DrNo 09 Rev B Proposed Plans and Elevations;
  - (A3) DrNo 10 Rev A Proposed Master Site Plan;
  - (A4) DrNo 11 Proposed Block Plan;
- (b) The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling know as 2 Hill Farm Cottages;
- (c) 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 building, structure or other enclosure shall be constructed or placed on the site other than that expressly authorised by this permission without the further grant of planning permission;
- (d) (i) The landscaping/planting scheme shown on the submitted plan No 1316 09B shall be completely carried out within the first available planting season from the date of commencement of the development; (ii) For a period of five years after the completion of the 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 or similar size and species or other appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

(Notes to applicant: - (1) Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council had worked in a positive and pro-active way with the applicant and had negotiated amendments to the applicant to enable the grant of planning

permission; (2) Having regard to the powers of the Highway Authority under the Highways Act 1980, applicant was advised that the creation or alternation of an access to the highway will require a Section 184 Permit. This must be obtained from the Highway Service Manager. Application for such a permit should be made at least four weeks before access works are intended to commence.)

#### **43/13/0025**

#### **Erection of a 14 No. Bedroom Nursing Home for the elderly at The Wheelhouse, Linden Hill, Wellington (as amended)**

#### **Conditions**

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The development hereby permitted shall be carried out in accordance with the following approved plans:-
- (A1) DrNo 12.35.09 Plans;
  - (A1) DrNo 12.35.10 Plans 1 of 2;
  - (A1)12.35.11 Plans 2 of 2;
  - (A1); DrNo 12.35.12B Roof and Block Plan;
  - (A1) DrNo 12.35.13A Site and Block Plan;
  - (A1) DrNo 12.35.14 Site Plan;
  - (A1) DrNo 12.35.15A Elevations;
  - (A1) DrNo 12.35.16A Sections;
  - (A1) DrNo 12.35.20A Floor Plans;
  - (A1) DrNo 12.35.21 Floor Plans;
- (c) Prior to implementation, samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above;
- (d) (i) Prior to implementation, 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 approved 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;

- (e) Before any part of the permitted development is commenced, the hedges and trees to be retained on the site shall be protected by a chestnut paling fence 1.5 m high, placed at a minimum distance of 2 m from the edge of the hedge and the fencing shall be removed only when the development has been completed. During the period of construction of the development the existing soil levels around the base of the hedges so retained shall not be altered;
- (f) Prior to the building hereby permitted first being brought into use, a Travel Plan Statement shall be submitted to, and approved in writing by, the Local Planning Authority. Such Travel Plan Statement shall include soft and hard measures to promote sustainable travel as well as targets and safeguards by which to measure the success of the plan. There shall be a timetable for implementation of the measures and for the monitoring of travel habits. The development shall not be occupied unless the agreed measures shall continue to be implemented as long as any part of the development is occupied;
- (g) There shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access and extending to points to the centre of the carriageway 33m to the North of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained in perpetuity;
- (h) The areas allocated for parking on the submitted plan shall be properly consolidated, surfaced, drained and marked out before the building hereby permitted is first brought into use and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (i) No development shall commence unless a Construction Environmental Management Plan had been submitted to, and approved in writing by, the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:-
- Construction vehicle movements;
  - Construction operation hours;
  - Construction vehicular routes to and from site;
  - Construction delivery hours;
  - Expected number of construction vehicles per day;
  - Car parking for contractors;
  - Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
  - A scheme to encourage the use of Public Transport amongst contractors; and
  - Measures to avoid traffic congestion impacting upon the Strategic Road Network.

- (j) The building hereby permitted shall not be brought into use until details of bin storage facilities associated with development have first been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved bin storage shall be constructed and fully provided prior to the building first being brought into use and shall thereafter be retained in perpetuity;
- (k) The development hereby permitted shall not be commenced until details of a strategy to protect bats and birds has been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall be based on the advice of Richard Green Ecology's submitted report, dated January 2013 and the Bat Emergency Survey required by Condition (l) of this permission, and include:-
- Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
  - Details of the timing of works to avoid periods of work when the species could be harmed by disturbance; and
  - Measures for the retention and replacement and enhancement of places of rest for the species.
- Once approved the works shall be implemented in accordance with the approved details and timings of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for bats shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new bat boxes and related accesses has been fully implemented;
- (l) The development hereby permitted shall not commence (including demolition) until a bat emergency survey report has been submitted to, and approved in writing by, the Local Planning Authority. The survey(s) shall ascertain any use of the site by bats. They shall be undertaken by an appropriately qualified person at an appropriate time of year (May to July) and use techniques and equipment appropriate to the circumstances;
- (m) The building hereby permitted (and its associated land) shall be used solely as a Nursing Home only and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification);
- (n) The development shall provide for covered and secure storage facilities for two bicycles details of which shall be submitted to, and approved in writing by, the Local Planning Authority. Such facilities shall be provided prior to the building to which it relates first being brought into use and shall thereafter be retained at all times for those purposes.

(Notes to applicant:- (1) Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the

Council had worked in a positive and pro-active way with the applicant and had negotiated amendments to the application to enable the grant of planning permission; (2) Conditions (k) and (l) of this permission require the submission of information to protect bats. Applicant was therefore advised that the Local Planning Authority will expect to see a detailed method statement clearly stating how bats (if present) and birds will be protected through the development process and to be provided with a mitigation proposal that will maintain a favourable conservation status for any bats that are affected by the development proposal; (3) Applicant was advised that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation; (4) Applicant was advised that nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered must not be disturbed; (5) Applicant was advised that any soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (6) Applicant's attention is drawn to the needs of the disabled in respect of new housing and the requirements under Part M of the Building Regulations.)

**113. Outline planning application for a residential development of up to 250 No houses including highway access off Honiton Road and ancillary sports and recreation facilities on Land North of Sweethay Lane on Land known as Broadlands, Honiton Road, Staplehay (as amended) (42/13/0018)**

**Resolved** that this application be deferred to allow the applicants to explore the potential to include community facilities and other issues raised in the agent's letter dated 24 September 2013.

**114. Demolition of buildings and erection of 84 No dwellings with associated highway infrastructure, public open space and landscaping on land at Creechbarrow Road, Taunton (38/13/0278)**

Reported this application.

**Resolved** that subject to the receipt of:-

- (1) Comments and conditions from the County Highway Authority and the Nature Conservation and Reserves Officer;
- (2) Relevant amended plans; and
- (3) The applicant entering into an appropriate legal agreement to secure the following:-
  - Contributions of £1571 per additional dwellings for active outdoor recreation;
  - Contributions of £209 per additional dwelling for allotment provision; and

- Contributions of £1,208 per additional dwelling for local Community Hall facilities,

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

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The development hereby permitted shall be carried out in accordance with the following approved plans:-
  - (A1) DrNo SPP1793 P 02 Rev A Landscape Layout;
  - (A3) DrNo SPP1793 P 02 Boundary Types;
  - (A1) DrNo 3272/101 Rev L Proposed Site Plan;
  - (A1) DrNo 3272/102 Proposed Solar Panel Plan;
  - (A1) DrNo C13256-C101 Rev C Proposed Foul and Surface Water Drainage Strategy;
  - (A3) DrNo 3272/200 Location Plan;
  - (A3) DrNo 3272/010 2B4P Floor Plans;
  - (A3) DrNo 3272/011 3B5P V1 Floor Plans;
  - (A3) DrNo 3272/012 3B5P Floor Plans;
  - (A3) DrNo 3272/013 3B5P V3 Floor Plans;
  - (A3) DrNo 3272/014 3B5P V4 Floor Plans;
  - (A3) DrNo 3272/015 4B7P V1 Floor Plans;
  - (A3) DrNo 3272/016 4B7P V2 Floor Plans;
  - (A3) DrNo 3272/017 5B8P Floor Plans;
  - (A3) DrNo 3272/018 6B9P Floor Plans;
  - (A3) DrNo 3272/019 Rev A 1B2P FOS Floor Plans;
  - (A3) DrNo 3272/020 Rev A 2B3P FOG V1 Floor Plans;
  - (A3) DrNo 3272/021 Rev A 2B3P FOG V2 Floor Plans;
  - (A3) DrNo 3272/022 Rev A2B4P FOG V3 Floor Plans;
  - (A3) DrNo 3272/023 Rev A 1B2P and 2B4P FOG V4 Ground Floor Plan;
  - (A3) DrNo 3272/024 1B2P & 2B4P FOG V4 First Floor Plan;
  - (A3) DrNo 3272/025 2B3P Flats Floor Plans;
  - (A1) DrNo 3272/026 Elderly Flats plots 16-30 Floor Plans;
  - (A1) DrNo 3272/027 Elderly Flats Plots 54-68 Floor Plans;
  - (A3) DrNo 3272/029 2B4P Elevations Option A;
  - (A3) DrNo 3272/030 2B4P Elevations Option B;
  - (A3) DrNo 3272/031 3B5P V1 Elevations Option A;
  - (A3) DrNo 3272/032 3B5P V1 Elevations Option B;
  - (A3) DrNo 3272/033 3B5P V2 Elevations;
  - (A3) DrNo 3272/034 3B5P V3 Elevations;
  - (A3) DrNo 3272/035 3B5P V4 Elevations;
  - (A3) DrNo 3272/036 4B7P V1 Elevations;
  - (A3) DrNo 3272/037 4B7P V2 Elevations;

- (A3) DrNo 3272/038 5B8P Elevations;
- (A3) DrNo 3272/039 6B9P Elevations;
- (A3) DrNo 3272/040 1B2P FOS Elevations;
- (A3) DrNo 3272/041 2B3P FOG V1 Elevations;
- (A3) DrNo 3272/042 2B3P FOG V2 Elevations;
- (A3) DrNo 3272/043 2B4P FOG V3 Elevations
- (A3) DrNo 3272/044 1B2P and 2B4P FOG V 4 Elevations 1 of 2;
- (A3) DrNo 3272/045 1B2P and 2B4P FOG V 4 Elevations 2 of 2;
- (A3) DrNo 3272/046 2B3P Flat Elevations 1 of 2;
- (A3) DrNo 3272/047 2B3P Flat Elevations 2 of 2;
- (A1) DrNo 3272/048 Elderly Flats Plots 16-30 Elevations;
- (A1) DrNo 3272/049 Elderly Flats Plots 54-68 Elevations;
- (A1) DrNo 3272/050 Existing & Proposed Site Sections 1 of 2;
- (A1) DrNo 3272/051 Existing & Proposed Site Sections 2 of 2;
- (A1) DrNo 3272/053 Street Scene 1 of 3;
- (A1) DrNo 3272/054 Rev A Street Scene 2 of 3;
- (A1) DrNo 3272/055 Rev A Street Scene 3 of 3;
- (A3) DrNo 3272/056 Cycle Store;
- (A3) DrNo 3272/058 Plot 13 Rear Garden Study;
- (A1) DrNo 5998 Site Survey 1 of 2; and
- (A1) DrNo 5998 Site Survey 2 of 2;

(c) No development, other than demolition and ground works, 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) (i) The landscaping/planting scheme shown on the submitted plan shall be completely carried out within the first available planting season from the date of commencement of the development. (ii) For a period of five years after the completion of the 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 other appropriate trees or shrubs as may be approved in writing by the Local Planning Authority;

(e) The trees to be retained on site shall be protected in accordance with details outlined within the submitted tree report by Hellis Tree Consultants dated June 2013. Any fencing to protect the retained trees shall be erected prior to commencement of any other site operations and at least two working days notice shall be given to the Local Planning Authority that it has been erected. It shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities whatsoever shall take place within the protected areas without prior written agreement of the Local Planning Authority.



The protective fencing shall be as specified at Chapter 9 and detailed in figures 2 and 3 of BS 5837:2012;

- (f) The bin storage facilities shown on the submitted plan shall be constructed and fully provided prior to occupation of the dwelling(s) hereby permitted, and shall thereafter be retained for those purposes, unless otherwise agreed in writing by the Local Planning Authority;
- (g) The cycle storage facilities shown on the submitted plan shall be constructed and fully provided prior to occupation of the dwelling(s) hereby permitted, and thereafter retained for those purposes unless otherwise agreed in writing by the Local Planning Authority;
- (h) 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 to at least base course level between the dwelling and existing highway;
- (i) The applicant shall ensure that all vehicles leaving the site are in such condition as not to deposit mud, slurry or other debris on the highway. In particular, means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been submitted to, and agreed in writing by, the Local Planning Authority and fully implemented prior to start of construction, and thereafter maintained until the construction at the site discontinues;
- (j) No development, other than demolition, shall commence until a detailed drainage strategy scheme, including a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development had been submitted to, and agreed in writing by, the Local Planning Authority. The scheme shall be in strict accordance with the principles shown in the submitted Drainage Strategy Report, Drawing Ref; C13256-C001C. The scheme shall include details of a maintenance regime together with confirmed drainage layout with pipe sizes, hydrobrakes, etc. The scheme shall subsequently be implemented in accordance with the approved details within a timetable to be agreed by the Local Planning Authority. The scheme shall also include details of how the scheme shall be maintained and managed after completion;
- (k) Details of the additional gas monitoring investigations shall be provided to the Local Planning Authority when available and then, if required, a remediation Method Statement, details of which shall be implemented prior to the occupation of the dwellings hereby approved. and obtain written approval from the Local Planning Authority;
- (l) 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 a Remediation Strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The Remediation Strategy shall be implemented as approved;

(m) Development, including demolition, shall not commence on the site of the four properties in Moorland Road, as identified in the submitted Reptile Survey, until details of a strategy to protect slow worms has been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall be based on the advice of Encompass Limited's submitted report, dated September 2013 and include:-

- Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
- Details of timing of works to avoid period of work when the species could be harmed by disturbance; and
- Measures for the retention and replacement and enhancement of places of rest for the species.

Once approved, the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for slow worms shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new resting places and related accesses has been fully implemented;

(n) Development shall not commence until a further Reptile Survey has been undertaken and results, along with details of a scheme designed to avoid killing or injuring slow worms has been submitted to, and approved in writing by, the Local Planning Authority. 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;

(o) Prior to the occupation of any dwelling hereby approved, a Public Art Strategy shall be submitted to, and approved in writing by, the Local Planning Authority. The Strategy shall include details of time scales of implementation and management of the public art proposed. Details of the proposed public art shall also be agreed with the Local Planning Authority. The agreed public art shall subsequently be implemented and maintained in accordance with the details of the approved Public Art Strategy and its findings;

(p) Finished floor levels shall be as proposed on the approved plans unless otherwise agreed in writing by the Local Planning Authority;

(q) A Children's Play Area shall be provided in accordance with the Local Planning Authority's approved standards and details of the play equipment to be provided on site shall be agreed in writing and laid out to the satisfaction of the Local Planning Authority within 18 months of the date of commencement unless otherwise agreed in writing by the Local Planning

Authority and shall thereafter be used solely for the purpose of children's recreation.

(Notes to applicant:- (1) Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council had worked in a positive and pro-active way with the applicant and entered into pre-application discussions to enable the grant of planning permission; (2) Applicant was advised that the Environment Agency was pleased to see that the discharge rates from the developed site will be limited to the pre-development Qbar rate. They are not overly supportive of the use of underground attenuation below the pond and would not normally support such an approach. However, in this case they are willing to accept this given the site constraints. Please note the water network designed for the proposed development shows that surface water would come out of the pipe network at several locations for a 1 in 100 year plus climate change event. The applicant will have to make sure that overland flood routes are identified and make sure that no properties are flooded as a result. In addition, the design should ensure that surface water returns to the pipe network and is attenuated prior to discharging from the site at the agreed rate; (3) Applicant was advised that any proposed works must not encroach on to the width of the footpath. The health and safety of walkers must be taken into consideration during works to carry out the proposed development. Somerset County Council have maintenance responsibilities for the surface of the footpath, but only to a standard suitable for pedestrians. Somerset County Council will not be responsible for putting right any damage occurring to the surface of the footpath resulting from vehicular use during or after works to carry out the proposal. It should be noted that it is an offence to drive a vehicle along a public footpath unless the driver has lawful authority (private rights) to do so; (4) Applicant was advised that if it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from Somerset County Council's Rights of Way Group:-

- A Public Right of Way (PROW) being made less convenient for continued public use;
- New furniture being needed along PROW;
- Changes to the surface of a PROW being needed; and
- Changes to the existing drainage arrangements associated with the PROW.

If the work involved in carrying out this proposed development would make a PROW less convenient for continued public use (or) create a hazard to users of a PROW, that a temporary closure order would be necessary and a suitable alternative route must be provided; (5) Applicant was advised that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need or planning consent) must comply with the appropriate wildlife legislation.)

**115. Demolition of buildings and erection of residential building comprising 8 No flats, ground floor Community Hub (B1/D1 use) and associated parking and landscaping, at 1 and 3 Moorland Road, Taunton (38/13/0307)**

Reported this application.

**Resolved** that subject to:-

- (1) The receipt of comments and conditions from the County Highway Authority and the Nature Conservation and Reserves Officer; and
- (2) The applicant entering into an appropriate legal agreement to secure the following:-
  - Contributions of £1571 per additional dwelling for active outdoor recreation;
  - Contributions of £209 per additional dwelling for allotment provision; and
  - Contributions of £1,208 per additional dwelling for local community hall facilities,

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

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The development hereby permitted shall be carried out in accordance with the following approved plans:-
  - (A3) DrNo 3272/201 Location Plan;
  - (A1) DrNo 5998 Site Survey;
  - (A1) DrNo 3272/100A Proposed Site Plan;
  - (A1) DrNo 3272/028 Rev A Community HUB and Flats Floor Plans and Elevations;
  - (A1) DrNo 3272/057 Existing and Proposed Site Sections;
  - (A1) DrNo 3272/103 Proposed Solar Panel Plan;
  - (A1) DrNo SPP1793P02 Rev A Landscape Layout;
- (c) No development, other than demolition of the existing dwellings, 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) Prior to the occupation of the ground floor of the building hereby permitted, covered cycle spaces for spaces for staff and visitor bicycles shall be laid

out, constructed and drained in accordance with a detailed scheme to be submitted to, and approved in writing by, the Local Planning Authority;

- (e) No dwelling shall be occupied until cycle and bin storage has been provided for within the site in accordance with the approved plans. The cycle and bin storage areas shall thereafter be retained;
- (f) The parking spaces hereby permitted shall be surfaced in permeable materials and provision shall be made for the disposal of surface water within the site, in accordance with details to be agreed and implemented prior to the occupation of the dwellings to which it relates and shall thereafter be retained as such;
- (g) Work shall not commence, including demolition, until a further Bat Survey has been undertaken and the results along with details of a strategy for the protection of the bats and their habitat, within the development, together with the maintenance of access for the bats, has been submitted to, and approved in writing by, the Local Planning Authority. Once approved, the works shall take place in accordance with the agreed scheme and thereafter the roosting places and agreed openings shall be permanently maintained. The development shall not be occupied until the scheme has been fully implemented;
- (h) Development, including demolition, shall not commence on the site of the four properties in Moorland Road, as identified in the submitted Reptile Survey, until details of a strategy to protect slow worms have been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall be based on the advice of Encompass Ecology Limited's submitted report, dated September 2013 and include:-
  - Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
  - Details of the timing of works to avoid periods of work when the species could be harmed by disturbance; and
  - Measures for the retention and replacement and enhancement of places of rest for the species.Once approved, the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority and thereafter the resting places and agreed accesses for slow worms shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new resting places and related accesses has been fully implemented;
- (i) Provision shall be made for combined radio/TV/satellite antennae facilities to serve the development hereby permitted and no external radio/TV/satellite antennae shall be fixed on any individual residential property or commercial/ business unit;
- (j) 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 modification) the first floor windows to be installed in the east and north elevation of the proposed building shall be obscured glazed and non-opening (unless the parts of the window which can be opened are more than 1.7 m above the floor of the room in which the window is installed). The type of obscure glazing shall be submitted to, and agreed in writing by the Local Planning Authority prior to its installation and shall thereafter be so retained;

(k) 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 further windows/dormer windows shall be installed in the first floor east and north elevation of the development hereby permitted without the further grant of planning permission (unless the parts of the window which can be opened are more than 1.7 m above the floor of the room in which the window is installed and are fitted with obscure glazing). The type of obscure glazing shall be submitted to, and agreed in writing by the Local Planning Authority prior to its installation and shall thereafter be so retained;

(l) Finished floor levels shall be as proposed on the approved plans unless otherwise agreed in writing by the Local Planning Authority.

(Note to applicant:- Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council had worked in a positive and pro-active way and had granted planning permission.)

**116. E/0054/06/13 – Earth bund being constructed alongside Back Stream, Bishops Lydeard**

Reported that it had come to the attention of the Council that earth banks had been constructed without planning permission along Back Stream and along the northern boundary of the agricultural land at Lime Tree Farm, Bishops Lydeard.

Contact had been made with the owners of the land and a planning application had been submitted in an attempt to regularise the situation.

However, although the application had subsequently been validated and refused, the earth banks currently remained in position.

**Resolved** that:-

(1) Enforcement action be authorised to seek the removal of the earth banks along Back Stream and along the northern boundary of the agricultural land at Lime Tree Farm, Bishops Lydeard to restore the functional floodplain to its previous condition;

- (2) Any enforcement served should have a one month compliance period; and
- (3) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the enforcement notice not be complied with.

**117. E/0171/06/13 – Formation of earth bund at The Barton, Bishops Lydeard, Taunton**

Reported that it had come to the attention of the Council that an earth bank had been constructed without planning permission along the stream that ran at The Barton, Bishops Lydeard.

Contact had been made with the owner of the land and a planning application had been submitted in an attempt to regularise the situation.

However, although the application had subsequently been validated and refused, the earth bank currently remained in position.

**Resolved that:-**

- (1) Enforcement action be authorised to seek the removal of the earth bank along the stream that ran at The Barton, Bishops Lydeard to restore the functional floodplain back to its previous condition;
- (2) Any enforcement served should have a one month compliance period; and
- (3) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the enforcement notice not be complied with.

**118. E/0315/27/11 – Caravan outside of domestic curtilage at Knapp Farm, Hillfarrance Road, Hillfarrance, Taunton**

Reported that the continued use of a mobile home outside the domestic curtilage of Knapp Farm, Hillfarrance Road, Hillfarrance was unnecessary due to the fact that the farmhouse was now considered capable of being occupied.

The mobile home was brought onto the site shortly after the purchase of the dwelling, due to the dwelling being uninhabitable and therefore alternative living arrangements had to be provided. However that need was no longer apparent and the continued occupation of the mobile home was therefore unauthorised.

**Resolved that:-**

- (1) Enforcement action be authorised to secure the cessation of the residential use of the mobile home and its removal from the land at Knapp Farm, Hillfarrance Road, Hillfarrance
- (2) Any enforcement served should have a nine month compliance period;
- (3) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the enforcement notice not be complied with.

**119. E/0163/30/10 – Land used for storage of builders materials, Minster Edge, Pitminster**

Reported that since serving the enforcement notice on 18 April 2012, the owner had submitted a Lawful Development application and additional evidence that the land had been used for the storage of building materials for more than 10 years. This had been supported by two statutory declarations.

A certificate of Lawfulness was subsequently issued for the “storage of building materials pursuant to Class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended)”.

**Resolved** that the enforcement notice that was registered on the land be withdrawn.

(The meeting ended at 8.00 pm.)