

Planning Committee – 30 January 2014

Present: - Councillor Nottrodt (Chairman)
Councillor Coles (Vice Chairman)
Councillors Bishop, Denington, Gaines, C Hill, Mrs M Hill, Miss James, Morrell, Tooze, Watson, A Wedderkopp, D Wedderkopp and Wren.

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

Also present: Mrs A Elder, a Co-opted Member of the Standards Committee.
Councillor Cavil in connection with application No 48/13/0083 and
Councillor Stone in connection with application No E/0154/24/12

(The meeting commenced at 5.00 pm)

7. Apologies/Substitution

Apologies: Councillors Mrs Allgrove and Bowrah.

Substitution: Councillor Denington for Councillor Bowrah.

8. Minutes

The minutes of the meeting of the Planning Committee held on 8 January 2014 were taken and read and were signed.

9. 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 and A Wedderkopp and D Wedderkopp declared personal interests as Members of Somerset County Council. Councillor Tooze declared a personal interest as an employee of UK Hydrographic Office. All Councillors declared that they had received correspondence regarding the Miscellaneous Report, TPO at Whitemoss, Hillcommon. They felt that they had not "fettered their discretion". Councillor Gaines declared that he knew the applicants for application No E/0172/17/12 and the Miscellaneous Report TPO at Whitemoss, Hillcommon and he would not be taking part in the debate. Councillor Wren declared a personal interest as an employee of Natural England, he also declared that as he had been aware that the emergency item concerning the proposed withdrawal of an enforcement notice at Fitzhead was going to be considered, he would not take part in the debate.

10. 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 development:-

43/13/0083

Erection of two storey extension to side and replacement porch to front of 2 Hill Farm Cottages, West Monkton

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:-
 - (A4) DrNo 01 Location Plan;
 - (A4) DrNo 02 Site Plan;
 - (A3) DrNo 10 Rev B Site Plan;
 - (A1) DrNo 13 Proposed Plans and Elevations
- (c) (i) The landscaping/planting scheme shown on the submitted plan 1316 10B 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.

(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 has imposed planning conditions to enable the grant of planning permission).

11. **Variation of condition No.01 (Approved Plans) to substitute 20 dwellings of application No 48/10/0036, reserved matters of application 48/05/0072 for details of phase 1, to include 327 No dwellings and associated highways, landscaping including public open space and the first section of the Eastern Relief Road and roundabout on A38 Bridgwater Road, at land off Bridgwater Road, Monkton Heathfield (48/13/0057)**

Reported this application.

Resolved that subject to the receipt of amended plans altering the boundary treatment of plot 265 and removing reconstituted stone from the proposed materials the Growth and Development Manager be authorised to determine

the application in consultation with the Chairman or Vice-Chairman and, if planning permission was granted the following conditions be imposed:-

- (a) Only those materials specified in the amended application shall be used in carrying out the development hereby permitted unless otherwise agreed in writing with the Local Planning Authority;

- (b) The development hereby permitted shall be carried out in accordance with the following approved plans:-

DrNo 800 Rev F Planning Layout;
DrNo 811-1 Rev A Fences & Enclosures;
DrNo R4050-1 Rev C-Highway Detail and Hyde Lane Crossing
Re-plan April 2011;
DrNo 801 Rev B Location Plan;
DrNo 601 Topographical survey ;
DrNo 602 Topographical survey ;
DrNo 1348/DR/04 Rev K Surface water drainage strategy;
DrNo 10059/DR/05 Rev D Off-site foul water strategy ;
DrNo 1348/DR/06 Rev F Foul water drainage strategy phase I;
DrNo 1348/DR/07 Rev 0 Propose Development surface water
strategy;
DrNo 1348/DR/OS Rev 0 Foul water drainage strategy whole
site;
DrNo 1348/DRJ10 Rev B Development runoff outfall/rates;
DrNo 1348/DR/il Rev C Overflow flood routing plan;
DrNo 10059/CD/01 Rev B Surface water/sewer construction
details;
DrNo 10059/EW/101 Sports field water retention basin;
DrNo 1009/EW/102 Brittons Ash water retention basin;
DrNo 10059/5K/O1 Rev G Eastern Relief Road Proposed Noise
Barriers;
DrNo 10059/HL/03 Rev A Horizontal and vertical alignment ;
DrNo 10059/HLII I Rev E Proposed Alignment Eastern Relief
Road - Phase 1;
DrNo 10059/HL/12 Rev B Eastern Relief Road - Phase 1 typical
Construction Details;
DrNo 10059/HL/13 Rev C Typical Construction Details – H;
DrNo 10059/HL/15 Rev C Single Development Access;
DrNo 10059/SK/06 Rev E Proposed roundabout;
DrNo 4000 Rev A Bus and refuse vehicle tracking sheet 1;
DrNo 4001 Rev C Bus and refuse vehicle tracking sheet 2;
DrNo 4002 Rev C Bus and refuse vehicle tracking sheet 3;
DrNo 4003 Rev A Bus and refuse vehicle tracking sheet 4;
DrNo 4004 Vehicle Tracking Large Car sheet 5;
DrNo 4005 Vehicle Tracking Large Car sheet 6;
DrNo 4006 Vehicle Tracking Large Car sheet 7;
DrNo 4007 Rev A Engineering Layout sheet 1 of 2;
DrNo 4008 Rev C Engineering Layout sheet 2 of 2 ;

DrNo 4010-1 Rev K Engineering Layout parcel sheet 1 of 2;
DrNo 4010-2 Rev L Engineering Layout parcel sheet 2 of 2;
DrNo 4010-3 Engineering Layout Temporary access;
DrNo 4013-1 Rev G Engineering Layout parcel sheet 1 of 2;
DrNo 4013-2 Rev H Engineering Layout parcel sheet 2 of 2;
DrNo 4014-1 Engineering Layout parcel sheet 1 of 2;
DrNo 4014-2 Engineering Layout parcel sheet 2 of 2;
DrNo 4015 Engineering Layout parcel R4;
DrNo 4016 Engineering Layout parcel P4;
DrNo 4017-1 Engineering Layout parcel sheet 1 of 2;
DrNo 4017-2 Engineering Layout parcel sheet 2 of 2;
DrNo 4020 Rev K Road and sewer long sections sheet 1 of 2;
DrNo 4021 Rev K Road and sewer long sections sheet 2 of 2;
DrNo 4022 Rev B Road and sewer long sections road 2 and
existing Bridgwater Road;
DrNo 4023 Rev F Road and sewer long sections road 8, 81 and
82;
DrNo 4024 Rev E Road and sewer long sections road 3 and 5;
DrNo 4025 Rev D Road and sewer long sections road 5T, 51 and
52;
DrNo 4026 Rev B Road and sewer long sections road 6, 61 and
62;
DrNo 4027 Rev A Road and sewer long sections road 7, 63 and
71;
DrNo 2028 Rev A Road and sewer long sections road 4, 40 and
72;
DrNo 4029-1 Long sections Brittons Ash Open Space;
DrNo 4029-4 Long sections offsite F84 – F66;
DrNo 4029-4 Long sections offsite 6, 61 & 61T;
DrNo 4029-4 Long sections offsite 62 & 63;
DrNo 4030 Road and sewer long sections road 9, 10 and 91;
DrNo 4034 Rev G Section 38 Agreement plan;
DrNo 4050 Rev A Highway detail, proposed turning head and
Hyde Lane crossing;
DrNo 4038 Proposed adoptable highway sheet 1;
DrNo 4039 Proposed adoptable highway sheet 2;
DrNo 4050-1 Highway detail, proposed turning head and Hyde
Lane crossing;
DrNo 4051 Rev D Road construction details sheet 1 of 2;
DrNo 4051-1 Rev F Road construction details sheet 2 of 2;
DrNo 4052 Rev A Sewer construction details;
DrNo 4053 Square kerbs detail;
DrNo 4054 Square at ch 350-390 kerbs detail;
DrNo 4055 Highway Detail, Road 1 and Hyde Lane;
DrNo 4055 Spine Road, Green Lane cross sections;
DrNo ACH-5691/40389 Rev S Proposed Adoptable Highway;
DrNo ACH 5691/ 001 Typical Section through bund;
DrNo ACH 5691/ 003 Rev B Phasing Plan;
DrNo ACH 5691/ 004 Extract from Revised Planning Layout;
DrNo ACH 5691/ 005 Rev A Land Ownership Plan;

DrNo ACH 5691/ 005-02 Land ownership breakdown plan;
DrNo ACH 5691/ 006 Rev B Cycle rack location plan;
DrNo ACH 5691/ 007 Rev A Section 106 Agreement plan;
DrNo ACH 5691/ 008 Proposed Sub Station Location Plan;
DrNo ACH 5691/ 009 Rev A Overhead 33kv Cable re-route Plan;
DrNo ACH 5694 Masterplan plan;
DrNo Ski 0-2 Redrow Developable Area Plan;
DrNo 2309-04 Rev E Tree and hedgerow retention and removal plan 1 of 3;
DrNo 2309-05 Rev G Tree and hedgerow retention and removal plan 2 of 3;
DrNo 2309-06 Rev E Tree and hedgerow retention and removal pan 3 of 3;
DrNo 2309/07 Rev L Landscape strategy plan;
DrNo 2309-09 Rev L Proposed landscape scheme- sheet 1 of 3;
DrNo 2309-10 Rev N Brittons Ash landscape proposals;
DrNo 2309-11 Rev D Brittons Ash Greenway Detailed landscape proposals;
DrNo 2309-12 Rev E Urban Park proposals;
DrNo 2309-13 Rev I Community Square landscape proposals;
DrNo 2309/14 Rev A Pocket Park;
DrNo 2309/15 Rev B Central Park south;
DrNo 2309/16 Rev A Central Park north;
DrNo 2309/17 Secondary school playing field;
DrNo 2309/18 Cricket green/local park with super leap;
DrNo 2309-19 Rev F Proposed landscape scheme sheet 2 of 3;
DrNo 2309-20 Rev C Proposed landscape scheme sheet 3 of 3 ;
DrNo P300 Rev G Landscape Proposals Parcel P1;
DrNo P301 Rev F Landscape Proposals Parcel P1;
DrNo P302 Rev E Landscape Proposals Parcel P2;
DrNo P303 Rev F Landscape Proposals Parcel P2;
DrNo P304 Rev D Landscape Proposals Parcel P2;
DrNo P305 Rev E Landscape Proposals Parcel P2;
DrNo P306 Rev C Landscape Proposals Parcel P3;
DrNo P307 Rev C Landscape Proposals Parcel P3;
DrNo P308 Rev C Landscape Proposals Parcel P3;
DrNo R309 Development Entrance Landscape Proposal;
DrNo R309 Rev E Landscape Proposals Parcel R1;
DrNo R310 Rev E Landscape Proposals Parcel R2;
DrNo R311 Rev D Landscape Proposals Parcel R3;
DrNo R312 Rev D Landscape Proposals Parcel R4;
DrNo ACH 5691/100-1 Rev M Planning Layout Sheet 1 of 2;
DrNo ACH 5691/100-2 Rev J Planning Layout Sheet 2 of 2;
DrNo ACH 5691/101 Rev C Location Plan;
DrNo ACH 691/102 Rev C P.0.8. Location Plan;
DrNo ACH 5691/103 Rev C Adoption and P05 plan;
DrNo ACH 5691/104 Rev B Sections Through Key Building;
DrNo ACH 5691/105 Rev B Sections Through Key Building;
DrNo ACH 5691/106-1 Rev 0 Materials sheet I;

DrNo ACH 5691/806-1 Rev B Materials sheet I;
DrNo ACH 5691/106-1 Rev C Materials sheet 3;
DrNo ACH 5691/106-1 Rev C Materials sheet 4;
DrNo ACH 5691/107 Rev D Surface Treatment Plan;
DrNo ACH 5691/108-1 Rev B Affordable Housing Location plan;
DrNo ACH 5691/808 Rev B Affordable Housing Location plan;
DrNo ACH 5691/109-1 Rev A Storey height plan sheet 1;
DrNo ACH 5691/809 Rev B Storey height plan sheet;
DrNo ACH 5691/109-3 Rev A Storey height plan sheet 3;
DrNo ACH 5691/ 809 Rev B Storey height plan sheet;
DrNo ACH 5691/110-1 Rev E Fences and enclosures location
plan sheet 1;
DrNo ACH 5691/810-1 Rev B Fences and enclosures location
plan sheet 2;
OrNo ACH 5691/110-3 Rev D Fences and enclosures location
plan sheet 3;
DrNo ACH 5691/811-1 Rev A Fences and enclosures detail sheet;
DrNo ACH 5691/811-2 Rev C Fences and enclosures detail sheet;
DrNo ACH 5691/115-1 Rev B Street Scenes;
DrNo ACH 5691/115-2 Rev B Street Scenes;
DrNo ACH 5691/115-3 Rev B Street Scenes;
DrNo ACH 5691/115-4 Rev B Street Scenes;
DrNo ACH 5691/150-1 Conveyance Plan;
DrNo ACH 5691/150-2 Conveyance Plan;
DrNo ACH 5691/155 Joint Infrastructure works
Waste management plan 'Procedure 03: Waste Management'
Persimmon House Types;
DrNo ACH 5691/P-120-1 Rev B House Type 621;
DrNo ACH 5691/P-120-2 Rev B House Type 621;
DrNo ACH 5691/720-1 Rev A House Type 621;
DrNo ACH 5691/720-2 Rev B House Type 621;
DrNo ACH 5691/830-1 House Type 640;
DrNo ACH 5691/830-2 House Type 640;
DrNo ACH 5691/721-1 Rev A House Type 641;
DrNo ACH 5691/722-1 Rev A House Type 753;
DrNo ACH 5691/831-1 Rev A House Type 753;
DrNo ACH 5691/832-1 Rev A House Type 753;
DrNo ACH 5691/832-2 Rev A House Type 814;
DrNo ACH 5691/832-3 Rev A House Type 814;
DrNo ACH 5691/832-4 House Type 814;
DrNo ACH 5691/723-1 Rev A House Type 814;
DrNo ACH 5691/723-2 Rev A House Type 814;
DrNo ACH 5691/723-3 Rev A House Type 814;
DrNo ACH 5691/723-4 House Type 814;
DrNo ACH 5691/723-5 Rev C House Type 814;
DrNo ACH 5691/833-1 Rev A House Type 950;
DrNo ACH 5691/833-2 Rev A House Type 950;
DrNo ACH 5691/833-3 House Type 950;
DrNo ACH 5691/725-1 Rev B House Type 950;
DrNo ACH 5691/725-2 Rev B House Type 950;

DrNo ACH 5691/725-3 Rev A House Type 950;
DrNo ACH 5691/726-1 Rev B House Type 969;
DrNo ACH 5691/727 Rev A House Type 1180;
DrNo ACH 5691/834-1 House Type 1187;
DrNo ACH 5691/834-2 House Type 1187;
DrNo ACH 5691/834-3 House Type 1187;
DrNo ACH 5691/728-1 Rev A House Type 1187;
DrNo ACH 5691/728-2 Rev B House Type 1187;
DrNo ACH 5691/728-3 House Type 1187;
DrNo ACH 5691/728-4 Rev A House Type 1187;
DrNo ACH 5691/835-1 House Type 1228;
DrNo ACH 5691/835-1 House Type 1228;
DrNo ACH 5691/836-1 Rev A House Type 1264;
DrNo ACH 5691/836-2 Rev A House Type 1264;
DrNo ACH 5691/731-1 House Type 1264;
DrNo ACH 5691/731-2 Rev A House Type 1264;
DrNo ACH 5691/837-1 Rev A House Type 1443;
DrNo ACH 5691/838-1 House Type 1457;
DrNo ACH 5691/838-2 House Type 1457;
DrNo ACH 5691/838-3 Rev A House Type 1457;
DrNo ACH 5691/733-1 Rev B House Type 1475v1;
DrNo ACH 5691/733-2 Rev A House Type 1475v2;
DrNo ACH 5691/839-1 House Type 1710;
DrNo ACH 5691/839-2 House Type 1710;
DrNo ACH 5691/734-1 Rev A House Type 1710v1;
DrNo ACH 5691/840-1 Apartment type 2FS;
DrNo ACH 5691/840-2 Apartment type 2FS;
DrNo ACH 5691/840-3 Apartment type 2FS;
DrNo ACH 5691/840-4 Apartment type 2FS;
DrNo ACH 5691/840-5 Apartment type 2FS;
DrNo ACH 5691/841-1 House Type 2S;
DrNo ACH 5691/842-1 House Type 2S;
DrNo ACH 5691/841-2 House Type 2S;
DrNo ACH 5691/843-1 House Type 3S;
DrNo ACH 5691/843-2 House Type 3S;
DrNo ACH 5691/850-1 Garages;
DrNo ACH 5691/850-2 Garages;
DrNo ACH 5691/745-1, 2, 3, 5 and 6 garages;
DrNo ACH 5691/851-1 Bin Store;
DrNo ACH 5691/746-1 Bin Store;
DrNo ACH 5691/851-2 Cycle Store;
DrNo ACH 5691/746-2 Cycle Store;
Redrow Homes;
DrNo ACH 5691/R-120-1 to 120-5 Rev C;
DrNo ACH 5691/R-1 25-2 Rev C;
DrNo ACH 5691/R-126 Rev A;
DrNo ACH 5691/R-1 27 Rev C;
DrNo ACH 5691/R-128-1 and 4 Rev B;
DrNo ACH 5691/R-128-2 Rev C;
DrNo ACH 5691/R-128-4;

DrNo ACH 5691/R-129-1 Rev B;
DrNo ACH 5691/R-1 29-2 Rev C;
DrNo ACH 5691/R-129-3;
DrNo ACH 5691/R-130 Rev A;
DrNo ACH 5691/R-131-1 Rev B;
DrNo ACH 5691/R-131-2 Rev A;
DrNo ACH 5691/R-131-3 Rev C;
DrNo ACH 5691/R-132-1 Rev B;
DrNo ACH 5691/R-132-2 Rev A;
DrNo ACH 5691/R-133-1 Rev A;
DrNo ACH 5691/R-133-2 Rev B;
DrNo ACH 5691/R-1 334 Rev C;
DrNo ACH 5691/R-1 33-4 Rev D;
DrNo ACH 5691/R-134-1 Rev B;
DrNo ACH 5691/R-134-2 Rev C;
DrNo ACH 5691/R-134-3 Rev B;
DrNo ACH 5691/R-134-4;
DrNo ACH 5691/R-140-1 Rev A;
DrNo ACH 5691/R-140-2 Rev B;
DrNo ACH 5691/R-141-1 Rev B;
DrNo ACH 5691/R-141-2 Rev C;
DrNo ACH 5691/R-141-3 Rev B;
DrNo ACH 5691/R-142 Rev B;
DrNo ACH 5691/R-143 Rev B;
DrNo ACH 5691/R-144 Rev B;
The Cambridge D series Rev A – Render;
The Cambridge (Cnr) D series Rev A – Render;
The Canterbury D series – Brick;
The Dart D series – Brick;
The Dart D series - Floor Plans;
The Letchworth D series Rev A – Brick;
The Letchworth D series Rev A – Render;
The Letchworth D series - Floor Plans;
The Tavy D series – Brick;
The Tavy D series - Floor Plans;
The Warwick D series – Brick;
The Warwick D series Rev A – Render;
The Warwick (Cnr) D series Rev A – Render;
The York D series – Render;
DrNo ACH 5691/R-145-1 garages - Plans and Elevations;
DrNo ACH 5691/R-145-2 Rev A garages - Plans and Elevations;
DrNo ACH 5691/R-145-3 garages - Plans and Elevations;
DrNo ACH 5691/R-145-4 garages - Plans and Elevations;
DrNo ACH 5691/R-145-5 Rev A garages - Plans and Elevations;
DrNo ACH 5691/R-146-1 Rev A Bin Store detail;
DrNo ACH 5691/R-146-2 Rev A Cycle Store detail;
DrNo ACH 5691/R-150-1 Garages - Plans and elevations sheet 1
of 2;
DrNo ACH 5691/R-150-2 Garages - Plans and elevations sheet 2
of 2;

DrNo ACH 5691/R-151 Rev A Bin and Cycle store Detail Sheet;
 DrNo ACH 5691/R-152 Electricity Sub station;
 DrNo RHSW.05246.02.EP001 Rev A Enclosures Plan;
 DrNo RHSW.05246.02.MP001 Rev A Materials Plan;
 DrNo RHSW.05246.01.PL001 Rev G Site Layout Plan;
 DrNo RHSW.05246.01.PL002 Rev A Location Plan;
 DrNo RHSW.05246.02.SH001 Rev A Storey Heights Plan;
 DrNo RHSW.05246.02.SL001 Rev A Slab Levels;
 DrNo RHSW.05246.02.AP 001 Rev C Adoption Plan;
 DrNo RHSW.05246.02.TP 001 Rev Tracking Plan;
 DrNo 601 Rev B Topographical Survey;
 Tree Survey schedule D14 132 P1 1 of 2;
 Tree Survey schedule D14 132 P1 2 of 2;
 DrNo RED17988-12B Sheet 1 of 2 Landscape Proposals;
 DrNo RED17988-12B Sheet 2 of 2 Landscape Proposals;
 DrNo R-4034 Rev G Section 38 Agreement Plan Parcel 'P2';
 (A4) DrNo 120-1 Elevations and Plan for House Type – Alnwick;
 (A4) DrNo 120-2 Elevations and Plans for House Type – Alnwick;
 (A4) DrNo 120-3 Elevations and Plans for House Type – Alnwick;
 (A4) DrNo 120-4 Elevations and Plans for House Type – Alnwick;
 (A4) DrNo 120-5 Elevations and Plans for House Type – Alnwick;
 (A4) DrNo 121-1 Rev A Elevations and Plans for House Type -
 Hanbury;
 (A4) DrNo 122-1 Elevations and Plans for House Type 804;
 (A4) DrNo 123-1 Rev A Elevations and Plans for House Type 969;
 (A4) DrNo 124-1 Elevations and Plans for House Type – Clayton;
 (A4) DrNo 124-2 Rev A Elevations and Plans for House Type-
 Clayton;
 (A4) DrNo 124-3 Elevations and Plans for House Type – Clayton;
 (A3) DrNo 125-1 Rev A Garage Elevations and Plans;
 (A4) DrNo 125-2 Garage Elevations and Plans;
 (A1) DrNo P304 Rev H Landscape Proposals P2;
 (A1) DrNo P303 Rev M Landscape Proposals P2;
 (A1) DrNo P305 Rev G Landscape Proposals P2;
 (A3) DrNo 806-1 Rev L Materials Key Plan Sheet 1;
 (A3) DrNo 808 Rev E Affordable Housing Location Plan;
 (A1) DrNo 105 Street Scene;
 (A2) DrNo 815-3 Rev A Street Scene 16-16 (Plots 93-96 & 261-
 265);
 (A1) DrNo 800-1 Rev K Planning Layout;
 (A1) DrNo 201 Rev B Engineering Layout;

- (c) Ecological monitoring shall be undertaken in accordance with clause 7.14 of the updated Landscape and Wildlife Strategy prepared by the Cooper Partnership dated November 2010 and clause 5.2 of the Wildlife Management Sub-Plan for phase 1 Monkton Heathfield prepared by EAD dated November 2010. In the event that the monitoring identifies that changes/modifications are required to meet the management objectives of the Wildlife Management Sub-Plan, those changes/modifications shall be

undertaken within the next six months and thereafter maintained unless a variation is first agreed in writing by the Local Planning Authority;

- (d) Prior to the commencement of works on phase 2 of the development (planning permission No. 48/05/0072) and notwithstanding the submitted drainage details for the whole site, full details of the Pocket Park surface water drainage attenuation featured shall be submitted to, and approved in writing by, the Local Planning Authority;
- (e) The surface water drainage feature at Brittons Ash shall be constructed in strict accordance with the details on Cooper plan number 2309 – 1OL unless an alteration is first submitted to, and approved in writing by, the Local Planning Authority;
- (f) The proposed estate roads, footpaths, footways, tactile paving, cycleways, bus stops/laybys, verges, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, Vehicle overhang margins, multi purpose crossing, embankments, visibility splays, accesses, carriageway gradients, drive gradients and associated furniture and works shall be constructed in accordance with the approved highway details. 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;
- (g) The development hereby submitted shall not gain vehicular access to the A38 Bridgwater Road from the junction shown with Road 2 (the new estate road junction) on drawing number ACH5691-100-1 M until such time as the new distributor road know as the Eastern Relief Road (ERR) and associated calming and Traffic Regulations Orders to the A38 have been constructed, implemented and are operational for the public in accordance with a design and specification has been submitted to, and approved in writing by, the Local Planning Authority;
- (h) The access to serve the foul water tanks, to the south - west of the site, shall be constructed in accordance with the details approved under planning permission ref 48/11/0009 and shall thereafter be maintained in order to provide access for maintenance purposes to the foul drainage tanks approved by that permission, unless an alternative is first submitted to, and approved in writing by, the Local Planning Authority;
- (i) All on site car parking spaces shall be a minimum of 2.4m x 4.8m; where those spaces are backing onto pedestrian pavements a minimum of 2.4m x 6m and where the spaces are arranged in tandem they shall have a minimum length of 10.5m;
- (j) Prior to the implementation of on site planting around the electricity substation in the urban park, a planting schedule shall be submitted to, and approved in writing by the Local Planning Authority. Planting shall be

undertaken in compliance with the approved details and thereafter maintained as such unless agreed in writing by the Local Planning Authority;

- (k) The existing hedge to the north of the A38 boundary with the development site shall be retained (except at the approved points of access) with additional planting where necessary and where any plants die, these shall be replaced with similar species and shall thereafter be maintained in accordance with the approved Landscape Management Plan unless a variation is first submitted to, and approved in writing by, the Local Planning Authority;
- (l) The approved noise barriers shall be completed prior to the occupation of any adjacent dwellings hereby approved and shall thereafter be maintained in accordance with those approved details;
- (j) The children's play area shall be equipped and constructed in accordance with details that shall first be submitted to, and approved in writing by, the Local Planning Authority. Those details shall be in accordance with the submitted details and shall thereafter be maintained as such unless a variation is first agreed in writing by the Local Planning Authority;
- (k) Other than the Capland stone or similar materials to be used on plots 5, 7 and 33 and the proposed mortar for the site, only those materials specified in the materials key plan ACH5691 – 706 rev B and 806 – 1 rev L shall be used in carrying out the development hereby permitted unless otherwise agreed in writing with the Local Planning Authority. In respect of the Capland stone or similar materials, no development shall begin on the external walls of plots 5, 7 and 33 until a panel of the proposed stone measuring at least 1m x 1m has been built on the site and both the materials, the coursing detail 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;
- (l) (i) The approved landscaping/planting schemes for phase 1, including the new hedge along the A38, shown on the submitted plans ACH5691/P300 Rev F, ACH5691/P301 Rev F, JBR2191/300G, ACH5691/P334 Rev H shall be completely carried out within the first available planting season from the date of commencement of the development of the relevant parcel;
(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 and shall thereafter be maintained in accordance with the approved Landscape Management Plan;

- (m) Prior to the occupation of plots 1 to 4, 7 to 12 and 26 to 30 and their respective parking areas/garages, the agreed boundary wall between those areas and the employment allocated land to the south of the application site, shall be completed in accordance with plan number ACH5691 rev D and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority;
- (n) No structure or erection exceeding 600 mm in height shall be placed within the visibility play shown on plan number JBR2191/100F;
- (o) Prior to any works being undertaken to move/breach the existing hedge along Hyde Lane to provide a footpath/cycle link, a method statement shall be submitted to, and approved in writing by, the Local Planning Authority. All works to move/breach the hedge shall be carried out in complete compliance with the agreed method statement;
- (p) The proposed porches for the dwellings hereby permitted and the garages serving plots 89, 90, 93, 122, 264 and 266 shall be constructed prior to the occupation of the dwellings which they serve.

12. E/0100/49/13 – Unauthorised subdivision of residential property at Wivey View, Whitefield Rocks, Wiveliscombe

Reported that a complaint had been made about the unauthorised subdivision of residential property at Wivey View, Whitefield Rocks, Wiveliscombe had taken place.

A site visit was carried out and the owner was advised of the need for planning permission should she wish to retain the sub division of the dwelling.

A planning application was received in September 2013 and subsequently refused in November 2013. On the basis that the proposal would result in the creation of a new unit of permanent residential accommodation in the open countryside, the cumulative impact of which would result in an increase in the need to travel by private car in order for the occupants to meet most of their day to day needs. The proposal, therefore, represented unsustainable development in transport terms and was considered to be contrary to Policies CP8 and DM2 of the Taunton Deane Core Strategy.

To date no action to return the sub-division dwelling back to its original condition had been taken.

Resolved that:-

- (1) An Enforcement Notice be served to secure cessation of the building as two separate units at Wivey View, Whitefield Rocks, Wiveliscombe;
- (2) Any enforcement notice served should have a one month compliance period and;

(3) Subject to being satisfied with the evidence, the Solicitor to the Council be authorised to take prosecution action should the notice not be complied with.

13. E/0349/49/07 – Unauthorised UPVc windows installed at Woodvale, Croford Hill, Wiveliscombe

Reported that during 2007 unauthorised UPVc windows had been installed at Woodvale, Croford Hill, Wiveliscombe which was a listed building.

At the time, the owner had submitted an application for the retention of the UPVc windows and this was subsequently refused under delegated powers on 29 February 2008. A report was taken to the Planning Committee on 26 March 2008 with a recommendation to serve a Listed Building Enforcement Notice. However due to the then owner/occupier's personal circumstances, Members considered that it would be appropriate to serve the Notice and that either the situation be reviewed in five years time or the Notice be served when the current occupier vacated the property, whichever was the sooner.

The Planning Committee approved the recommendation and resolved that the situation be reviewed in five years time or the Notice served when the current occupier vacated the property, whichever was the sooner. With a period of well over five years having now elapsed, the committee was recommended to proceed with the previously approved enforcement action.

Resolved that:-

(1) A Listed Building Enforcement Notice be served to:-

(a) Secure the unauthorised UPVc windows at Woodvale, Crowford Hill, Wiveliscombe and their replacement with single glazed timber windows with side hung casements and top hung fanlights over; The removal of the unauthorised UPVc conservatory;

(2) Any Enforcement Notice served should have a 12 month compliance period from the date the Listed Building Enforcement Notice took effect and;

(3) Subject to being satisfied with the evidence, the Solicitor to the Council be authorised to take prosecution action if the Listed Building Enforcement Notice was not complied with

14. E/0004/38/13 – Unauthorised security shutter and illuminated fascia sign at 60 Bridge Street, Taunton

Reported that a complaint had been received a security shutter and illuminated fascia sign that had been erected without planning permission at 60 Bridge Street, Taunton.

Contact was made with the owner to advise that both planning permission and advertisement consent was required to retain the shutter and the sign for the works. Both applications were submitted but as they were incomplete, were returned as invalid.

Despite the fact the work carried out was unauthorised the Development Management lead felt the alterations to the building and amenity detract from the appearance and amenity of the building and street scene.

These external alterations are not considered to detract from the appearance and amenity of the building and street scene.

Resolved that:- No further action be taken.

15. E/0154/24/12 – Alleged untidy site at 12 Town Close, North Curry

Reported that complaints had been received about possible unauthorised activities at 12 Town Close, North Curry as far back as 2007.

Following more recent complaints the Planning Committee had been asked to consider whether it was now expedient to serve a Notice under Section 215 of the Town and Country Planning Act 1990 requiring the rear garden to be cleared of items considered to cause injury to the visual amenities.

Reported that the complaints received related to the rear garden of the property which was very untidy and was affecting the neighbouring properties. The owner had insisted though that everything stored had a use.

It appeared that the garden had never been used for any other purpose than for domestic use. All the items stored were considered to be in connection with the domestic use of the property. Therefore no enforcement action could be taken for a change of use.

The main issue for consideration was the impact on amenity of the area and on the public. The rear garden was 'L'-shaped and abutted three adjacent properties. The back of the garden that is fenced is also visible from two public rights of way. There were two large timber posts and a bracing timber with tarpaulin over the garden that was visible from a distance from the public rights of way. The impact of this was not considered harmful to the amenity of the area in general, given its location within a private garden. The majority of the garden storage is obscured from adjacent gardens by fencing and views were only possible from the first floor windows. In the opinion of the Development Management Lead the impact of these very limited views was not considered sufficient an impact to significantly harm amenity. However, having seen the slides of the site, the committee took the opposite view and considered that appropriate action should be taken

Resolved that:-

- (1) A Notice under Section 215 of the Town and Country Planning Act 1990 be served on the owner of 12 Town Close, North Curry requiring the full clearance of the rear garden;
- (2) The compliance period should be six weeks from the date the Section 215 Notice took effect; and
- (3) Subject to being satisfied with the evidence the Solicitor to be authorised to take prosecution action if the Section 215 Notice was not complied with.

16. Business requiring to be considered as a matter of urgency

The Chairman certified that the item covered by minute No. 17 below should be considered as any urgent item as a decision was required before the next scheduled meeting of the Committee.

17. E/0172/14/12- Occupied mobile home at Pond Cottage, Fitzhead Road, Fitzhead

Reported that an enforcement notice had previously been served. Following serving of the notice an appeal was lodged, partly on the ground that at the time of serving the Notice, it was too late for the Council to take Enforcement Action.

The appeal had been supported by new evidence from the appellants detailing that the use of the site had been established for in excess of 10 years and was therefore immune from enforcement action.

Therefore it was considered that if the appeal processed it would inevitably succeed, and the notice would be quashed as a result. The Planning Inspectorate had been advised of the Council's view regarding the appeal and the Inspectorate had suggested that the Council should consider withdrawing the Enforcement Notice.

In the view of the Development Management Lead; the appeal could not be defended and withdrawal of the Enforcement Notice was now considered the most appropriate course of action.

Resolved that: The Solicitor to the Council be authorised to withdraw the Enforcement Notice.

18. Objection to Tree Preservation Order TD1110, (Oake No.1) 2013, at Whitemoss, Hillcommon, TA4 1DU.

Reported that a Tree Preservation Order was served on 13 September 2013 in connection with an Oak Tree at Whitemoss, Hillcommon.

An objection to the service of the Order had been lodged. The tree appeared to be healthy. It was an English Oak, approximately 14 metres in height and of

similar spread and was highly visible to the public from the main Hillcommon road.

The main reason for the objection was that the tree was too close to an adjacent garage and was likely to cause damage in the future.

In response to this concern, it was reported that it was not inevitable that the roots of the Oak Tree would directly damage the garage. Much of the rooting area of the tree would be along the hedge bank and into the adjacent field. There was no evidence of subsidence, or of the presence of clay soil with high plasticity.

Noted that if the order was confirmed, applications could be made to carry out work to the tree a where the merits of the proposed works could be considered against any supporting evidence.

Resolved that the Tree Preservation order be confirmed

19. Appeals

Reported that two appeals had been lodged, and one decision received details of which were submitted.

Resolved that the reports be noted.

(The meeting ended at 7.55pm)