

Planning Committee – 12 March 2015

Present: - Councillor Bowrah (Chairman)
Councillor Coles (Vice-Chairman)
Councillors Mrs Allgrove, Denington, Miss Durdan, Hayward, C Hill,
Mrs Hill, Horsley, Miss James, Morrell, Watson, A Wedderkopp and
D Wedderkopp

Officers: - Matt Bale (Development Management Lead), Gareth Clifford (Principal
Planning Officer), Tim Burton (Assistant Director of Planning and
Environment), Roy Pinney (Legal Services Manager), Maria Casey
(Planning and Litigation Solicitor) and Tracey Meadows (Democratic
Services Officer)

Also present: Councillors Henley and Hunt in connection with application No.
43/14/0130. Councillor Hall in connection with application No.
38/14/0394. Helen Vittery from Somerset County Council Highways in
connection with application No. 48/14/0130 and Mrs A Elder, a
Co-opted Member of the Standards Committee.

(The meeting commenced at 5.00 pm)

26. Apologies/Substitutions

Apologies : Councillors Bishop, Gaines, Mrs Reed, Tooze and Wren

Substitutions : Councillor Denington for Councillor Mrs Reed;
Councillor Miss Durdan for Councillor Wren;
Councillor Hayward for Councillor Bishop; and
Councillor Horsley for Councillor Tooze

27. Minutes

The minutes of the meeting of the Planning Committee held on the 25
February 2015 were taken and read and were signed.

28. Declarations of Interest

Councillors Coles, A Wedderkopp and D Wedderkopp declared personal
interests as Members of Somerset County Council. Councillor Mrs Hill
declared a personal interest as an employee of Somerset County Council. All
Members declared that they had received copies of a letter from the
applicant's agent together with an artistic impression of the proposed
development for application No. 38/14/0394

29. Applications for Planning Permission

The Committee received the report of the Area Planning 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:-

38/14/0394

Erection of 2 No. detached bungalows with garages and the erection of 1 No. garage to serve the existing property in the grounds of 1 Wheatleigh Close, Taunton

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 plans:-
- (A1) DrNo 08 Rev A Proposed Plans and Elevations ;
 - (A1) DrNo 07 Rev A Proposed Plans and Elevations ;
 - (A1) DrNo 06 Rev A Proposed Site Plan;
 - (A4) DrNo 02 Block Plan;
 - (A4) DrNo 01 Location Plan;
- (c) Prior to the commencement of the erection of any part of the dwellings, samples of the materials to be used in the construction of the external surface of the development hereby permitted shall 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 their installation, details of the size, position and materials of any meter boxes installed in connection with the development shall be submitted to, and approved by the Local Planning Authority 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;
- (e) The parking area shall be hard surfaced before it is brought into use, in accordance with details which shall have been submitted to, and agreed in writing with the Local Planning Authority shown on Drawing Number 3 and shall thereafter remain as such unless otherwise agreed in writing with the Local Planning Authority;
- (f) The area allocated for parking shall be provided to each dwelling before that dwelling is brought into use. The parking area in its entirety shall thereafter be kept clear of obstruction and shall not be used other than for parking of vehicles in connection with the development hereby permitted;

- (g) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority. Such provision shall be installed before occupation and thereafter maintained at all times;
- (h) Prior to the occupation of the dwelling hereby permitted, details of all boundary walls, fences or hedges forming part of the development, shall be submitted to, and approved in writing by, the Local Planning Authority and any such wall, fence or hedge so approved shall be erected/planted;
- (i) All services shall be placed underground;
- (j) (i) Prior to the dwelling hereby permitted being brought into use, 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;
- (k) Before any part of the development hereby permitted is commenced, a scheme of hard landscaping showing the layout of areas with stones, paving, walls, cobbles or other materials shall be submitted to, and approved in writing by, the Local Planning Authority. Such scheme shall be completely implemented before the development hereby permitted is occupied;
- (l) Bin storage shall be made available prior to the occupation of the dwellings hereby permitted in accordance with details which shall have been submitted to, and approved in writing with the Local Planning Authority. This bin storage shall thereafter remain available and not be used for any purpose, other than for the storage of bins in connection with the development hereby permitted;
- (m) Before development commences (including site clearance and any other preparatory works) a scheme for the protection of trees to be retained shall be submitted to, and approved in writing by, the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with BS 5837:2012. Such fencing 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 the 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;

- (n) No service trenches shall be dug within the canopy of any existing tree within the land shown edged red on the approved drawing without the prior written approval of the Local Planning Authority;
- (o) Prior to the commencement of any part of the development hereby permitted, an arboriculture method statement, in accordance with the recommendations of BS 5837:2012 shall be submitted to, and approved in writing by, the Local Planning Authority. The works shall be undertaken in accordance with the agreed method statement, unless otherwise agreed in writing by the Local Planning Authority;
- (p) 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 extensions, other alterations (including balconies, windows, chimneys, flues, antennae) or curtilage structures shall be carried out without the further grant of planning permission;

30. Outline application with all matters, except the access, reserved for future approval on land at Jurston Farm, Wellington for a mixed use development of up to 650 houses, community and commercial uses, a Primary School, equipped and informal public open space, community woodland and associated infrastructure with the development to be served by a new primary vehicular access at West Buckland Road (A38) and secondary vehicular access connecting to Cades Farm development along with pedestrian, cycle and emergency access connecting to Beech Hill and Laburnum Road and pedestrian and cycle access to Jurston Lane on land at Jurston Farm, Wellington (43/14/0130)

Reported this application.

Resolved that subject to the applicant entering into a Section 106 Agreement to secure the following:-

- (a) 25% affordable housing, of which 60% Social Rented, 40% intermediate housing including a proportion of disabled adapted units;
- (b) The introduction of a 30mph speed limit around the site access and the Pyles Thorne/A38 junction;
- (c) A travel plan;
- (d) Management of public open space and woodland areas;
- (e) Provision and construction of a Local Centre;
- (f) Maintenance of Surface Water Drainage infrastructure;
- (g) Safeguarding (and delivery to site boundary) of pedestrian/cycle route to Westpark 26;

the Assistant Director for Planning and Environment be authorised to determine the application in consultation with the Chairman or Vice-Chairman and , if outline planning permission was granted, the following conditions be imposed:-

(a) (i)The development hereby permitted shall be carried out in phases. In this permission any reference to a phase of development refers to the phases defined on drawing A076969drg.06C unless otherwise agreed in writing by the Local Planning Authority; (ii)Approval of the details of the layout, scale, appearance, and landscaping of the site (hereinafter called “the reserved matters”) for each phase of development shall be obtained from the Local Planning Authority in writing before that phase of development is commenced; Application for approval of the reserved matters for each phase of development shall be made to the Local Planning Authority not later than the expiration of ten years from the date of this permission. Each phase of 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) The development hereby permitted shall be carried out in accordance with the following approved plans:-

- (A3) DrNo 1125-004 Rev F Land Use Plan Colour;
- (A2) DrNo PE-LP-A2 Rev 4 Location Plan;
- (A3) DrNo PHL-04 Rev B Northern Access to Spine Road via Cades Farm Development;
- (A3) DrNo PHL/05 Rev D A38 Access Roundabout Preliminary Layout;
- (A3) DrNo PHL/06 Rev A Potential Pedestrian / Cycle Link Connecting to Beech Hill;
- (A3) DrNo PHL/07 Rev A Potential Pedestrian / Cycle Link Connecting to Laburnum Road;
- (A3) DrNo PHL/08 Rev A Potential Pedestrian / Cycle Links Connecting to Jurston Lane;
- (A3) DrNo A076969drg.06C Outline Phasing;

(c) Prior to any reserved matters approval, details of a site-wide surface water drainage strategy shall be submitted to, and agreed in writing by, the Local Planning Authority. The strategy shall ensure that surface water run-off from the site is limited to no more than two litres per second per hectare of impermeable area unless otherwise agreed in writing by the Local Planning Authority and shall set out the principles of any attenuation required for each plot, phase or parcel of land. The development shall be implemented in accordance with the details of the approved strategy. The use of Sustainable Drainage Systems will be required as stated in the FRA in order to reduce the rate of run-off and pollution risks etc. These techniques involve controlling the sources of increased surface water and include:-

- Interception and reuse;

- Porous paving/surfacing;
- Infiltration techniques;
- Detention/attenuation facilities; and
- Wetlands;

- (d) No development shall take place on the part of the land to which separate reserved matters relate until the detailed drainage design for that plot, phase or parcel of land, incorporating sustainable drainage principles, has been submitted to, and approved in writing by, the Local Planning Authority. The design shall be in accordance with the principles of the site-wide surface water drainage strategy approved under condition (c). The scheme shall subsequently be implemented so as to ensure that each part of the site is not occupied/brought into use prior to being drained in accordance with the details so approved;
- (e) No part of the development hereby permitted shall be brought into use until a full operation and maintenance strategy for the surface water drainage mechanisms which relates to that part of the development has been submitted to, and approved in writing by, the Local Planning Authority in accordance with the FRA produced by AWP dated 26 November 2014. The strategy shall identify all future land use limitation and identify the ownership, operation and maintenance arrangements for the works over the lifetime of the scheme;
- (f) Prior to the commencement of the development of any buildings, a foul water drainage scheme shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker. The drainage scheme shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development phasing; The drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the Local Planning Authority and shall thereafter be maintained as such;
- (g) No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority;
- (h) No phase of the development hereby permitted shall be commenced until details of a strategy to protect and enhance that phase of the development for wildlife had been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall be based on the advice of all the submitted reports to date (Andrew McCarthy Associate's Extended Phase 1 Habitat Survey dated March 2009, SLR's Protected Species Updated Report dated April 2011, Updated Preliminary Ecological Assessment dated November 2014, Bird Survey report, Bat report, Invertebrate Survey Report, Reptile Survey Report and Dormouse Survey Report all dated November 2014 as well the draft for Screening documents 1 and 2 –EPS Method

Statement; Dormice Background Information and Delivery Information dated October 2013) and up to date surveys and include:-

1. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
2. Details of the timing of works to avoid periods of work when protected species could be harmed by disturbance;
3. Measures for the enhancement of places of rest for protected species;
4. A 25 year Landscape and Ecological Management Plan; and
5. Details of Dormouse monitoring over a period agreed with the Local Planning Authority;

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. The development shall not be occupied until the scheme for the maintenance and provision of the mitigation planting and maintenance of the bat, dormice and bird boxes and related accesses have been fully implemented. Thereafter the new planting and the wildlife resting places and agreed accesses shall be permanently maintained;

- (i) Before development commences in any particular phase (including site clearance and any other preparatory works) a scheme for the protection of trees to be retained in that phase shall be submitted to, and approved in writing by, the Local Planning Authority. Such a scheme shall include a plan showing the location of the protective fencing, and shall specify the type of protective fencing, all in accordance with BS 5837:2012. Such fencing 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 the 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;
- (j) Prior to the commencement of any other development hereby permitted, the new roundabout access to the site from the A38 shall be fully constructed in accordance with detailed drawings that shall previously have been submitted to, and approved in writing by, the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority;
- (k) Pedestrian/cycle access and access for emergency services only shall be provided to Beech Hill and Laburnum Road in accordance with details that shall previously have been submitted to, and approved in writing by, the Local Planning Authority. The details shall include the means of preventing access by general motor vehicles. The link to Beech Hill shall be provided prior to the occupation of 75% of dwellings in phase 2 of the development. The link to Laburnum Road shall be provided prior to the occupation of 75% of dwellings in phase 5 of the development. Once provided the access,

including any feature for the prevention of access by general motor vehicles, shall thereafter be retained as such;

- (l) Any drawings submitted pursuant to condition (b) of this planning permission shall include full details of the proposed Public Open Space and children's play areas for that phase of development to which they relate. The approved Public Open Space and any children's play equipment shall be laid out and brought into use prior to the occupation of 50% of the dwellings on the phase to which it relates;
- (m) The vehicular access to Cades Farm shall be provided and capable of use by the general public in accordance with detailed drawings which shall previously have been submitted to, and approved in writing by, the Local Planning Authority insofar as it relates to land within the application site prior to the occupation of 20% of dwellings in phase 8 of the development hereby permitted and shall thereafter be retained as such;
- (n) The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus lay-bys, junctions street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking and street furniture shall be constructed and laid out in accordance with details that shall previously have been submitted to, and approved in writing by, the Local Planning Authority. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to, and approved in writing by, the Local Planning Authority before their construction begins. The street lighting shall ensure that the favourable conservation status of dormice is maintained; The approved roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling/building before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway;
- (o) (i) Any landscaping/planting scheme shown on drawings approved pursuant to condition (b) of this planning permission shall be completely carried out within the first available planting season from the date of commencement of the phase of the development to which it relates unless otherwise agreed in writing by the Local Planning Authority; (ii) For a period of five years after the completion of the landscaping scheme within the relevant phase, 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;
- (p) Prior to the occupation of the 150th dwelling, hereby permitted, the "school land" identified on drawing 1125-004 rev F shall be capable of being accessed by motor vehicular and pedestrian traffic from within the residential development area and such access shall thereafter be

maintained as such, unless otherwise agreed in writing by the Local Planning Authority;

- (q) The buildings at the Local Centre indicated on drawing 1125-004 rev F hereby permitted are permitted for uses in Classes A1, A2, A3, A4, A5, D1 and D2 of the Town and Country Planning (Use Classes) Order 1987 (as amended);
- (r) There shall be no construction access to the site via Beech Hill, Laburnum Road or the northern section of Jurston Lane (between the proposed local centre and Sylvan Road) at any time;

(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 with the applicant and entered into pre-application discussions to enable the grant of outline planning permission).

31. E/0015/10/15 – Unauthorised change of use of land from agricultural/Nil use to B8 storage of road making materials and associated vehicles

Reported that it had come to the attention of the Council that two businesses operating within Culmhead Business Park had leased land to a company described as 'possible road builders'.

On a site visit, two eight wheeled tipper lorries were observed depositing road stone onto an area that contained stored road stone.

The road stone was being used to fill pot holes and surface dress roads in the Somerset area. A representative of the businesses had been approached and understood how the storage of the road stone detracted from the amenity of the Blackdown Hills Area of Outstanding Natural Beauty (ANOB) and confirmed that the road stone would be used and the site cleared possibly by the end of July 2015.

The representative was advised that an enforcement notice was likely to be issued to ensure the ANOB was protected from further deposits of road stone.

Resolved that:-

- (1) An enforcement notice be served to stop the land at Culmhead Business Park being used for the storage and distribution of aggregate and requiring the removal of the stored aggregate from the land;
- (2) Any enforcement notice served should have three 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.

(The meeting ended at 8.10 p.m.)