

Planning Committee – 18 March 2015

Present: - Councillor Bowrah (Chairman)
Councillor Coles (Vice-Chairman)
Councillors Mrs Allgrove, C Hill, Mrs Hill, Miss James, Morrell,
Mrs Reed, Watson, D Wedderkopp and Wren

Officers: - Matt Bale (Development Management Lead), Julie Moore (Major Applications Co-ordinator), Tim Burton (Assistant Director of Planning and Environment), Maria Casey (Planning and Litigation Solicitor) and Tracey Meadows (Democratic Services Officer)

Also present: Councillors Mrs G Slattery and Stone in connection with application No. 24/14/0054. Mrs A Elder, a Co-opted Member of the Standards Committee.

(The meeting commenced at 5.00 pm)

32. Apologies

Councillors Bishop, Gaines, Tooze and A Wedderkopp

33. Declarations of Interest

Councillors Coles and D Wedderkopp declared personal interests as Members of Somerset County Council. Councillor Coles also declared that he knew the applicant for application Nos. 06/14/0056 and 06/14/0058. He felt that he had not 'fettered his discretion'. Councillor Mrs Hill declared a personal interest as an employee of Somerset County Council. Councillor Wren declared a personal interest as he was Clerk to Milverton Parish Council. Councillor Watson declared that he had attended a meeting where application Nos.06/14/0056 and 06/14/0058 was discussed. He too felt that he had not 'fettered his discretion'.

34. 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 the **detailed plans be approved** for the under-mentioned development:-

06/14/0056

Reserved Matters application for the erection of 10 No. dwellings with vehicular access, garages, parking and landscaping pursuant to outline application 06/13/0001 at The Paddock, Taunton Road, Bishops Lydeard

Conditions

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

- (A0) DrNo 3426/500 Site Survey;
- (A1) DrNo 14030-SKC003 Rev D Engineering Appraisal Layout;
- (A1) DrNo 14030-SKC008 Rev D Vehicular Tracking for Refuse Vehicle;
- (A2) DrNo 3426/012 Rev B Street Scenes;
- (A2) DrNo 3426/051 Rev C Site Plan - Reserved Matters;
- (A3) C14030-SKC004 Longitudinal Sections;
- (A3) Design and Access Statement;
- (A3) DrNo 3426/021 Rev B Elevations Plot 10;
- (A3) DrNo 3426/010 Rev B Floor Plans Plot 10;
- (A3) DrNo 3426/056 Rev A Tree Protection Plan;
- (A3) DrNo 3426/060 Rev A Landscape Proposal - Hard and Soft;
- (A3) DrNo 3426/002 Floor Plans Plot 1-2;
- (A3) DrNo 3426/003 Floor Plans Plot 3;
- (A3) DrNo 3426/004 Floor Plans Plot 4;
- (A3) DrNo 3426/005 Floor Plans Plot 5;
- (A3) DrNo 3426/006 Floor Plans Plot 6;
- (A3) DrNo 3426/007 Floor Plans Plot 7;
- (A3) DrNo 3426/008 Floor Plans Plot 8;
- (A3) DrNo 3426/009 Rev A Floor Plans Plot 9;
- (A3) DrNo 3426/013 Elevations Plot 1 and 2;
- (A3) DrNo 3426/014 Elevations Plot 3;
- (A3) DrNo 3426/015 Elevations Plot 4;
- (A3) DrNo 3426/016 Elevations Plot 5;
- (A3) DrNo 3426/017 Elevations Plot 6;
- (A3) DrNo 3426/018 Elevations Plot 7;
- (A3) DrNo 3426/019 Elevations Plot 8;
- (A3) DrNo 3426/020 Rev A Elevations Plot 9;
- (A3) DrNo 3426/023 Garages Layouts and Elevations Type 1;
- (A3) DrNo 3426/024 Garage layouts and Elevations Type 2;
- (A3) DrNo 3426/025 Garage Layouts and Elevations Type 3A and B;
- (A3) DrNo 3426/058 Location Plan;
- (A3) DrNo 3426/061 Typical Stair Section;
- (A3) Tree Plan;
- (A3) DrNo C14030-C002 Rev A Drainage Strategy;
- Tree Survey;
- Tree Report;

(b) Before the development hereby approved is begun, samples of the materials to be used in the connection of the external surfaces of the

development shall have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out and thereafter retained in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority;

- (c) All existing trees on site, other than those identified as being removed by the tree protection plan Drawing No 3426/056 Rev A and the guidance contained within the Hellis Tree Report dated November 2014, shall be protected in accordance with BS5837:2005 (Trees in relation to construction) and as stipulated in the tree report.

(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 to enable the grant of planning permission).

- (2) That **planning permission be granted** for the under-mentioned development:-

05/14/0062

Change of use from residential dwelling (C3) to a Chiropody Clinic (D1) at 1 Highfields, Bishops Hull

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:-
- (A3) DrNo J104/02 REV B Location Plan and Block Plan;
 - (A3) DrNo J104/01 Survey Floor Plan;
- (c) The area allocated for parking and turning on the submitted plan shall be properly constructed, consolidated, surfaced, drained and marked out before the use commences and shall not be used other than for the parking of vehicles in connection with the development hereby permitted, details of which must be submitted prior to work commencing on the parking area;
- (d) The premises shall be used for a Chiropody Clinic and for no other purpose (including any other purpose in Class D1 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).

(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 had negotiated amendments to the application to enable the grant of planning permission.)

- (3) That **planning permission be refused** for the under-mentioned development:-

24/14/0054

Change of use of land to 1 No Romani Gypsy pitch to site 1 No mobile home, 1 No Touring caravan, erection of day room, installation of septic tank, hardstanding and associated works at Pitch 16, Oxen Lane, Greenacres, North Curry

Reasons

- (1) The proposal would establish a precedent which would encourage applications for further pitches on the remainder of the field and/or a resumption of unlawful occupation on the remainder of the field. With a grant of planning permission for the proposal it would be difficult to resist such application and/or to take enforcement action against such unlawful occupation. Cumulatively the proposal and the residential use of other pitches on the field would cease substantial harm to (i) highway safety by reason of the increased use of the substandard junction between Oxen Lane and Greenway; (ii) landscape character; and (iii) the residential amenity of occupants of 6 Oxen Lane. The proposal would therefore be contrary to the Planning Policy for Traveller Sites and the Taunton Deane Core Strategy Policies CP6, CP8, DM1 and DM3;
- (2) The proposal was in open countryside away from a settlement. Paragraph 23 of the Planning Policy for Traveller Sites requires that the development of new gypsy sites in such locations should be 'strictly limited'. There are no reason to relax this limitation in the present case.

35. Erection of 1 No. affordable dwelling with vehicular access and parking at The Paddock, Taunton Road, Bishops Lydeard (06/14/0058)

Reported this application.

Resolved that subject to the applicant entering into a Section 106 Agreement to secure the provision of the dwelling as an affordable unit,

the Assistant Director for Planning and Environment 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) 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 3426/011 Floor Plans Plot 11;
- (A3) DrNo 3426/022 Elevations Plot 11;
- (A2) DrNo 3426/050 Rev A Site plan Full Application;
- (A3) DrNo 3426/055 Rev A Site Access Drawing;
- (A3) DrNo 3426/056 Rev A Tree Protection Plan;
- (A3) DrNo 3426/057 Location Plan Full Application;
- (A3) DrNo C14030-C002 A Drainage Strategy;
- (A1) DrNo 14030-SKC003 Rev D Engineering Appraisal Layout;
- (A1) DrNo 14030-SKC008 Rev D Vehicular Tracking For Refuse Vehicle;
- (A3) DrNo C14030-SKC004 A Longitudinal Sections;
- (A0) DrNo 3426/500 Site Survey;
- (A3) DrNo 3426/059 Rev A Landscape Proposal Hard and Soft;
- (A2) DrNo 3426/012 Rev A Street Scenes;
- (A3) Tree Plan;

(c) The development hereby approved shall not be commenced until details of the colour type and texture of all external materials, including hard-surfaced areas, to be used in the construction of the proposed development have been submitted to, and approved by, the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority;

(d) 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), there shall be no addition or extension to the dwelling without the further grant of planning permission;

(e) Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 ('the 1995 Order') (or any Order revoking and re-enacting the 1995 Order) (with or without modification), no window/dormer windows shall be installed within the dwelling hereby permitted without the further grant of planning permission;

(f) The area allocated for parking on the submitted plan shall be properly consolidated, surfaced, drained and marked out before the dwelling is first occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;

(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 had negotiated amendments to the application to enable the grant of planning permission.)

36. Appeals

Reported that three appeals and three decisions were received details of which were submitted.

Resolved that the report be noted

(The meeting ended at 7 p.m.)