

## **Planning Committee – 14 October 2015**

Present: - Councillor Bowrah (Chairman)  
Councillor Coles (Vice-Chairman)  
Councillors M Adkins, Mrs J Adkins, Brown, C Hill, Martin-Scott,  
Morrell, Nicholls, Mrs Reed, Townsend, Watson, Wedderkopp and  
Wren

Officers: - Matthew Bale (Area Planning Manager), Gareth Clifford (Principal  
Planning Officer), Tim Burton (Assistant Director Planning and  
Environment), Roy Pinney (Legal Services Manager) and Emma Hill  
(Democratic Services Officer)

Also present: Councillor Habgood and Mrs A Elder, Chairman of the Standards  
Committee

(The meeting commenced at 5.00 pm)

### **94. Apology/Substitution**

Apology: Councillor Gage

Substitution : Councillor Mrs J Adkins for Councillor Gage

### **95. Minutes**

The minutes of the meeting of the Planning Committee held on 23 September  
2015 were taken and read and were signed.

### **96. Declarations of Interest**

Councillors M Adkins, Coles and Wedderkopp declared personal interests as  
Members of Somerset County Council. Councillor Townsend declared  
personal interests as Vice-Chairman of Kingston St Mary Parish Council and  
Chairman of the Kingston St Mary Village Hall Association. Councillor Nicholls  
declared personal interests as a Member of Comeytrowe Parish Council and  
a Member of the Fire Brigade Union. Councillor Martin-Scott declared  
personal interests as a trustee to the Home Service Furniture Trust and a  
trustee to Trull Memorial Hall. Councillor Wren declared a personal interest  
as he was Clerk to Milverton Parish Council. Councillor J Adkins declared  
that she was formerly the Executive Portfolio Holder for Housing when the  
Council agreed to sell the land at Priory Way, Taunton. Councillors Coles and  
Martin-Scott declared that they had received letters relating to application No.  
36/15/0018. All Councillors declared that they had received letters from the  
following; SMAG (Milverton Action Group), TLT Solicitors, Notaro and John  
Houghton.

### **97. 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 developments:-

**36/15/0018**

**Erection of two storey extensions to the rear of Windy Ridge and Orchard View, Woodhill, Stoke St Gregory (amended scheme to 36/15/0007)**

**Conditions**

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

- (A3) DrNo 4614/9 Ground and First Floor Plans as Existing;
- (A3) DrNo 4614/10 Elevations as Existing;
- (A3) DrNo 4614/13 Rev A Site - Location Plan;
- (A4) DrNo 4614/14 Ground Floor Plan as Proposed;
- (A4) DrNo 4614/15 First Floor Plan as Proposed;
- (A4) DrNo 4614/16 West Elevation as Proposed and (A4) DrNo 4614/17 South Elevation as Proposed;
- (A4) DrNo 4614/18 East Elevation as Proposed and (A4) DrNo 4614/19 North Elevation as Proposed;
- (A4) DrNo 4614/20 Ground Floor Plan as Proposed.

**51/15/0008**

**Variation of Condition No.1 to remove the word 'dredged' and extend the time to 30/11/2016 and condition 2 (approved plans) of application No. 51/14/0005 at land to the south of Stathe Road and East of Stanmoor Road, Burrowbridge**

**Conditions**

- (a) The use hereby permitted shall be discontinued and the land restored to its former condition or allowing for a level of up to 300mm of material to remain, on or before 30/11/2016;
- (b) The development hereby permitted shall be carried out in accordance with the following approved plan:-

- (A3) DrNo 122316-00028 Rev B.1 location Plan;

- (c) The measures put forward to avoid or mitigate potential impacts on species protected in European and domestic legislation detailed in 'Table 6-10 Potential impacts of the proposed scheme on the Flora and Fauna' and 'Table 11-1: Significant environmental effects identified by the EIA, mitigation measures identified and residual significance' in the Rivers Parrett and Tone Dredge Environmental Statement Addendum (April 2014) shall be carried out as indicated during the construction and decommissioning of the stockpiles, including a Badger assessment prior to removal of the stockpiles;

(Notes to applicant:- (1) Applicant was advised that the alteration of the access and/or minor works or temporary signage will involve works within the existing highway limits. These works must be agreed in advance with the Highway Services Manager for the Taunton Deane Area who will be able to advise upon and issue/provide, the relevant licences, necessary under the Highways Act 1980; (2) 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 imposed planning conditions to enable the grant of planning conditions ; (3) Applicant was advised that provisions must be made to ensure that all existing drainage systems continue to operate effectively and that riparian owners upstream and downstream of the site are not adversely affected; (4) Applicant was advised that the proposed Traffic Management Plan shall include discussion with neighbours, particularly at the Old Barn, Stanmoor Orchard on Stathe Road, regarding access safety improvements during the works.)

**10/15/0022**

**Installation of flue at Dairy Cottage, Trents Farm, Moor Lane, Churchinford**

**Condition**

- (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) Site Plan;
  - (A4) Location Plan;
  - (A3) DrNo 2015 de1 Proposed Elevations;
  - (A3) Ground Floor Plan;

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

**38/15/0300**

**Change of use of building from offices (use Class B1) to residential (use Class C3) at Garden Cottage, Middle Street, Taunton**

**Condition**

- (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:-
- (A2) DrNo 5030\_P\_11 Rev A Site Layout Plan;
  - (A2) DrNo 5030\_P\_10 Rev A Location Plan;
  - (A2) DrNo 5030\_P\_09 Existing And Proposed Elevations;
  - (A2) DrNo 5030\_P\_08 Rev A Existing and Proposed Floor Plans;

(Note 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) Applicant was advised that any boundary provision to the property in the form of walls or fencing would require planning permission and possibly listed building consent; (3) Applicant was advised that a separate listed building consent was required for this proposal before any works commence.)

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

**23/14/0014**

**Erection of 70 No. dwellings with associated works on land at Creedwell Orchard, Milverton**

**Reasons**

The proposed development would not provide any on site affordable housing. The proposed off-site contribution was both unacceptable in principle and insufficient in amount and the proposal was, therefore, contrary to Policy CP4 of the Taunton Deane Core Strategy;

The development would have a harmful impact upon the character and appearance of the Milverton Conservation Area as the location and scale of the development would undermine the connection that the village enjoys with the surrounding rural landscape, contrary to Policy CP8 of the Taunton Deane Core Strategy. The harm would not be outweighed by other public benefits of the proposal when assessed in accordance with the National Planning Policy Framework (NPPF);

The proposed development fails to provide an acceptable travel plan and future residents would likely be reliant on the private car for most of their day to day needs with insufficient measures in place to encourage travel by other modes, contrary to Policy CP6 of the Taunton Deane Core Strategy, Policy A2 of the Draft Site Allocations and Development Management Plan and guidance in the NPPF;

The proposed development would provide insufficient children's play space to meet the needs of the development, contrary to retained Policy C4 of the Taunton Deane Local Plan or Policy C2 of the Draft Site Allocations and Development Policies Plan;

Insufficient information has been provided to assess the likely impact upon potential archaeological interests on the site, contrary to Policy CP8 of the Taunton Deane Core Strategy and guidance in the NPPF;

In accordance with Policy SD1 of the Taunton Deane Core Strategy and Paragraph 14 of the NPPF it was considered that there were very limited benefits to outweigh these significant and demonstrable harms and the proposal was, therefore, not sustainable development;

(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 looked for solutions to enable the grant of planning permission. The Council had worked with the applicant to maximise common ground and minimise any reasons for refusal. However in this case the applicant was unable to satisfy the key policy test and as such the application has been refused.)

**98. Demolition of buildings, erection of three new buildings and construction of parking areas to serve new car franchising business at the Deane DLO site, Priory Way, Taunton (38/15/0310)**

Reported this application.

**Resolved** that subject to the submission of further transport modelling information and the Highway Authority being satisfied that there would not be any unacceptable impact upon the highway network the Assistant Director – 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:-

**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 0001 Location Plan OS Map;
- (A1) DrNo 1010 Rev A Proposed Site Plan;
- (A1) DrNo 1100 Rev A Building 01 Proposed Floor Plans;
- (A1) DrNo 1170 Rev A Building 01 Proposed Elevations;
- (A1) DrNo 2120 Rev B Building 02 Proposed Roof and Deck Floor Plan;
- (A1) DrNo 2100 Rev B Building 02 Proposed Ground Floor Plan;
- (A1) DrNo 2110 Rev B Building 02 Proposed First Floor Plan and Car Deck;
- (A1) DrNo 2170 Rev B Building 02 Proposed Elevations;
- (A1) DrNo 3100 Building 03 Proposed Floor Plan and Elevations;

(c) Prior to the commencement of the development of any new buildings (excluding demolition, site clearance and any preliminary site works) a scheme for the disposal of surface water shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall show that it maximises opportunities for infiltration. The scheme shall be fully implemented before the use hereby permitted is commenced and shall thereafter be maintained as such;

(d) Before the use hereby permitted is commenced, a detailed external lighting scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented only in strict accordance with the approved details and shall thereafter be maintained as such. No other external lighting shall be installed on the site;

(e) Any other conditions which appear to be reasonably and necessarily recommended by the County Highway 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 entered into pre-application discussions to enable the grant of planning permission; (2) Applicant was advised of the following :- WILDLIFE AND THE LAW. The protection afforded to wildlife under UK and EU legislation is irrespective of the planning system and any activity undertaken on the tree(s) must comply with the appropriate wildlife legislation; BREEDING BIRDS. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered must not be disturbed. If works are to be carried out during the breeding season (from February to August, possibly later) then the tree(s) should be checked for nesting birds before work begins; BATS. The applicant and contractors must be aware that all bats are fully protected by law under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Natural Habitats and Species (Amendment) Regulations 2012, also known as the Habitat Regulations. It is an offence to intentionally or recklessly damage, destroy or obstruct access to structures or places of shelter or protection used by bats, or to disturb bats whilst they are using these places; Trees with features such as rot holes, split branches or gaps

behind loose bark, may be used as roost sites for bats. Should a bat or bats be encountered while work is being carried out on the tree(s), work must cease immediately and advice must be obtained from the Government's advisers on wildlife, Natural England. Bats should preferably not be handled (and not unless with gloves) but should be left in situ, gently covered, until advice is obtained; (3) Applicant was advised that the drawings show car parking spaces under one of the mast stay lines and near to another. The mast operator advises that it is important for the structural integrity of the mast that there are vehicle height restrictions in this area to avoid damage to the stays which could render the structure unstable. You should liaise directly with the operator to avoid damage to the mast; (4) Applicant was advised that it should be noted that the radio transmitter operates at Medium Frequency, which can cause sparking between different materials and can cause interference with some construction plant and machinery. You should consult with the mast operator on the choice of materials and for advice in relation to any plant and machinery they might wish to use).

**99. Erection of single storey extension to the front of 31 Buckland Road, Taunton (38/15/0367)**

Reported this application.

**Resolved** that subject to the receipt of no objections by 16 October 2015, the Assistant Director – 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:-

**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) Location Plan;
  - (A4) Site Plan;
  - (A1) DrNo. 01 Existing Elevations, Section and Floor Plan;
  - (A1) DrNo. 02A Proposed Elevations, Section and Floor Plan;

(Note to applicant:- Applicant was advised 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 imposed planning conditions to enable the grant of planning permission.)

**100. Appeals**

Reported that two new decisions had been received details of which were submitted.

**Resolved** that the report be noted.

(The meeting ended at 8.30 p.m.)