

SWT Planning Committee

Thursday, 20th August, 2020,
1.00 pm

**Somerset West
and Taunton**

[SWT VIRTUAL MEETING WEBCAST
LINK](#)

Members: Simon Coles (Chair), Marcia Hill (Vice-Chair), Ian Aldridge,
Mark Blaker, Sue Buller, Dixie Darch, Roger Habgood,
Mark Lithgow, Chris Morgan, Craig Palmer, Andrew Sully,
Ray Tully, Brenda Weston and Loretta Whetlor

Agenda

11. Planning Committee amendment sheet

(Pages 3 - 8)



**JAMES HASSETT
CHIEF EXECUTIVE**

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If you would like to ask a question or speak at a meeting, you will need to submit your request to a member of the Governance Team in advance of the meeting. You can request to speak at a Council meeting by emailing your full name, the agenda item and your question to the Governance Team using governance@somersetwestandtaunton.gov.uk

Any requests need to be received by 4pm on the day that provides 2 clear working days before the meeting (excluding the day of the meeting itself). For example, if the meeting is due to take place on a Tuesday, requests need to be received by 4pm on the Thursday prior to the meeting.

The Governance and Democracy Case Manager will take the details of your question or speech and will distribute them to the Committee prior to the meeting. The Chair will then invite you to speak at the beginning of the meeting under the agenda item Public Question Time, but speaking is limited to three minutes per person in an overall period of 15 minutes and you can only speak to the Committee once. If there are a group of people attending to speak about a particular item then a representative should be chosen to speak on behalf of the group.

Please see below for Temporary Measures during Coronavirus Pandemic and the changes we are making to public participation:-

Due to the Government guidance on measures to reduce the transmission of coronavirus (COVID-19), we will holding meetings in a virtual manner which will be live webcast on our website. Members of the public will still be able to register to speak and ask questions, which will then be read out by the Governance and Democracy Case Manager during Public Question Time and will be answered by the Portfolio Holder or followed up with a written response.

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For further information about the meeting, please contact the Governance and Democracy Team via email: governance@somersetwestandtaunton.gov.uk

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PLANNING COMMITTEE AMENDMENT SHEET

Planning Committee Date 20 August 2020.

Agenda Item:

Application number: 06/20/0025

Amended Description: N/A

Amended Site History: N/A

Amended Recommendation: N/A

Amended Conditions:

Amended wording to condition No.1 - The fencing hereby granted approval shall be erected before 27th January 2021. Once erected the fence shall be retained and maintained as per the approved drawings number SH.PK 01 200 Rev P07 and SH.PK 02 300 P4 in perpetuity.

Reason: In the interests of visual amenity, to ensure consistency of approach to the previous consent which this permission amends and in the interests of the setting of the grade II* Listed Building and its parkland setting.

Condition No. 4 - All works within the Root Protection Zones of the trees must be carried out in strict accordance with the details provided on drawings SH.PK 01 200 RevP07 and SH.PK 02 300 P4. Within Root Protection Zones, every fence-post hole must be carefully hand-dug under arboricultural supervision. If a major root is encountered, one with a diameter of over 10mm, the post hole position must be relocated to avoid damaging the root in question Reason: To maintain the health and amenity of the trees.

Amended Consultation Responses:

Clarity on the Hertiage Officers Dr O'Hara, comments

"I have reviewed and I do not have any further comments to make regarding the amended application"

Landscape Officer

Further to my earlier comments I would like to confirm that the revised alignment and fencing and gate details are acceptable and that their implementation will add to the historic character of the parkland and its setting of the Mansion House. I would add just one further comment and that is that some of the posts have to be installed within the root protection area (RPA) of trees protected by Tree Preservation Order. A condition of the approval should be that any works within the trees RPA are hand

dug and that roots exposed should be cut with a pruning saw. David Galley the Tree Officer will be able to advise on the appropriate wording of the condition.

Amended Representations Received:

General updates and considerations

Lewis Brown Site Location Plan has been removed as it was causing confusion.

CONTACT OFFICER: Denise Todd

PLANNING COMMITTEE AMENDMENT SHEET

Planning Committee Date 20 August 2020.

Agenda Item:

Application number: 38/19/0426

Amended Description:

Amended Site History:

Amended Recommendation:

Amended Conditions:

Amended Consultation Responses:

Representations Received:

Historic England

Representations received 7 February 2020

Recommendation

Historic England's interests lie in relation to the Church of St Mary Magdalene and the scheduled medieval town bank and ditch

Historic England has concerns regarding the application on heritage grounds.

The scale of the proposed new development will have a harmful impact on the significance the grade I listed church derives from its setting. This will be caused by the introduction of a conspicuous feature into the visitor's experience of the church, which as a grade I listed building, its conservation should be afforded great weight (Para 193 and 200). Similarly the proposals have potential for a harmful impact on the significance of the scheduled monument of the town defences through further damage to the continuation of these remains within their setting. The council should seek both further information in relation to the archaeological impacts on the remains of the town defences so that these can be avoided, and amendments in line with Historic England's advice to the architectural design in order to minimise the harm. Following these steps being taken the council in the determination of the application need to be satisfied by the justification for the scheme (Para 194, NPPF) and that any justified harm is demonstrably outweighed by the public benefit offered by the scheme (Para 196, NPPF).

In determining this application you should bear in mind the statutory duty of section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Representations received 9 March 2020

Recommendation

Historic England has concerns regarding the applications on heritage grounds. The applicant has taken steps to minimise the harm caused to the significance that the grade I listed church derives from its setting. Albeit steps have been taken to minimise the impact, the development will still introduce a conspicuous feature into the visitor's experience of the church, which at grade I listed, its conservation should be afforded great weight (Para 193 and 200). In the determination of the application, the council need to be satisfied by the justification for the scheme (Para 194, NPPF) and that any justified harm is demonstrably outweighed by the public benefit offered by the scheme (Para 196, NPPF).

The application stills has the potential for a harmful impact to be caused to the significance of the scheduled monument of the town defences through further damage to the continuation of these remains within their setting. The council should seek further information in relation to the archaeological impacts on the remains of the town defences as well as appropriate mitigation as required under the NPPF (Para 189 & 199).

In determining these applications you should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice.

General updates and considerations

The earlier representations have been included in the update sheet for clarity as reference was made to the representation in later comments from English Heritage and in the response from the Councils Heritage Officer.

The issue relating to the scheduled ancient monument has been resolved through the submission of additional information to South West Heritage Trust who considered sufficient information had been submitted to enable the significance of the asset and impacts on the asset to be understood and for conditions to be included (Page 20 and 27 of report).

The design of the building has been amended during the assessment of the application to incorporate a number of changes to address the concerns of English Heritage.

Whilst it is acknowledged there will be some harm in terms of the impact on the Grade I listed building, it is considered that the benefits of providing affordable housing in this location would outweigh this harm.

Members will be aware there is a listed building application reference 38/19/0427/LB which is currently under consideration and these issues will be addressed in the consideration of that application.

CONTACT OFFICER: Denise Grandfield

PLANNING COMMITTEE AMENDMENT SHEET

Planning Committee Date 20 August 2020.

Agenda Item: 8

Application number: 3/26/19/0024

Amended Description: N/A

Amended Site History: N/A

Amended Recommendation: N/A

Amended Conditions:

Condition added (no.11) for protection of trees and hedgerows –

Before development commences (including site clearance and any other preparatory works) a scheme for the protection of trees and hedgerows 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.

Amended Representations Received:

General updates and considerations

CONTACT OFFICER: Alex Lawrey