

Planning Committee – 12 September 2018

Present: - Councillor Bowrah (Chairman)
Councillor Mrs Hill (Vice-Chairman)
Councillors Brown, Cavill, Coles, Hall, C Hill, Morrell,
Mrs Reed, Mrs Smith, Townsend, Watson and Wedderkopp

Officers: - Tim Burton (Assistant Director Planning and Environment), Bryn Kitching (Planning Manager), Gareth Clifford (Planning Officer), Martin Evans (Solicitor, Shape Partnership Services) and Tracey Meadows (Democratic Services Officer)

Also present: Councillors Berry, Lisgo, Williams and Mrs A Elder, Chairman of the Standards Advisory Committee.

(The meeting commenced at 6.15 pm)

62. Apologies/substitutions

Apologies: Councillors Mrs J Adkins, M Adkins, Martin-Scott and Nicholls

Substitutions: Councillor Cavill for Councillor M Adkins
Councillor Hall for Councillor Martin-Scott
Councillor Mrs Smith for Councillor Nicholls

63. Declarations of Interest

All Councillors declared that they had received correspondences from the following; Quantock House, Lyngford House and leaflets on alternative approach to Coal Orchard. Councillor Bowrah declared that he had received various emails. He declared that he had not 'fettered his discretion'. Councillor Mrs M Hill declared that she had a meeting regarding information on Lyngford House. She declared that she had not 'fettered her discretion'. Councillor Watson declared that he was the Ward Councillor for Bishops Lydeard, application No. 53/18/0005, he declared that had not 'fettered his discretion'. Councillor Townsend declared that Elliot Haines, application No. 38/18/0185 was his Landlord of his business premises, he declared that he had not 'fettered his discretion'. Councillor Hall declared that he was on the Quantock House committee with quantum. He declared that he had not 'fettered his discretion'.

64. 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:-

65. 53/18/0005

Application for approval of reserved matters for outline application 53/16/0012 for up to 30 dwellings, 3 live/work units, public open space, landscaping, and associated highways, engineering and infrastructure works at Land to the East of North Villas, Dene Road, Cotford St Luke, Taunton (amended plans including details such as internal layouts and elevation treatment. Additional plans to address handing where previously missing.)

Reported this application.

Resolved that the decision to grant reserved matters consent be delegated to the Assistant Director Planning and Environment subject to no new issues arising from responses from the County Highway Authority and Local Lead Flood Authority and the inclusion of any relevant conditions be imposed:-

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

- (A3) DrNo P1644:01 Location Plan;
- (A1) DrNo 2283/520-1 Rev C Engineering Layout (1 of 2);
- (A1) DrNo 2283/520-2 Rev A Engineering Layout (2 of 2);
- (A1) DrNo 2283/530-1 Rev A Section 38 Plan (1 of 2);
- (A1) DrNo 2283/530-2 Rev A Section 38 Plan (2 of 2);
- (A1) DrNo 2283/535 Footpath Link Details;
- (A1) DrNo 2283/550 Rev A Off-Site Highway Works General Arrangement Plan;
- (A1) DrNo 2283/555 Off-Site Highway Works Swept Path Assessment;
- (A1) DrNo 2283/600 Rev A Road Longitudinal Sections;
- (A1) DrNo 2283/700 Drainage Construction Details;
- (A1) DrNo 2283/701 Pipe Bedding Details;
- (A1) DrNo 2283/710 Rev A Manhole Schedules;
- (A1) DrNo 2283/720 Rev A Detention Basin Details;
- (A1) DrNo 2283/730 Highway Construction Details;
- (A1) DrNo P1644:03 Rev C Proposed Site Layout;
- (A1) DrNo P1644:04 Rev C Site Concept Analysis;
- (A1) DrNo P1644:05 Rev C Site Layout Analysis;
- (A3) DrNo P1644:06 Refuse Strategy;
- (A3) DrNo P1644:09 Boundary Treatments 1 of 2;
- (A3) DrNo P1644:10 Boundary Treatments 2 of 2;
- (A3) DrNo P1644:11 Rev A Type 2308 Floor Plans;
- (A1) DrNo P1644:12 Rev B Proposed Garages;
- (A3) DrNo P1644:13 Rev A Type 2224 Brick Variant Plot 9 & 21 (Plans and Elevations);
- (A3) DrNo P1644:14 Rev A Type 2224 Brick Variant (Plans & Elevations);

- (A3) DrNo P1644:15 Rev A Type 2324/2323 Render (Floor Plans & Elevations);
- (A3) DrNo P1644:16 Rev A Type 2318 Render (Plans & Elevations);
- (A3) DrNo P1644:17 Brick Variant Elevations;
- (A3) DrNo P1644:18 Render Variant Elevations;
- (A3) DrNo P1626:19 Floor Plans & Elevations;
- (A3) DrNo P1626:20 Rev A Type 2B Brick (Floor Plans);
- (A3) DrNo P1626:21 Rev A Type 3B Brick (Floor Plans);
- (A3) DrNo P1644:22 Rev A Type 2428 Render (Plans & Elevations);
- (A3) DrNo P1644:23 Rev A Type 2409 Render (Plots 10 & 12);
- (A3) DrNo P1644:24 Rev A Type 2404 Brick (Plot 9);
- (A3) DrNo P1644:25 Rev A Type 2404 Plans (Plot 9);
- (A3) DrNo P1644:26 Rev A Type 2502 Render (Elevations);
- (A3) DrNo P1644:27 Rev A Type 2502 Brick (Elevations);
- (A3) DrNo P1644:28 Rev B Type 2502 Plans (Plot 1);
- (A3) DrNo P1644:29 Rev A Type 1302 Floor Plan (Plot 7);
- (A3) DrNo P1644:30 Rev A Type 1302 Render Plot 7 (Elevations);
- (A3) DrNo P1626:31 Type 2B Brick (Elevations);
- (A3) DrNo P1626:32 Type 3B Brick (Elevations);
- (A3) DrNo P1644:33 Type 2409 Render Variant (Plots 4, 11, 18 & 19);
- (A3) DrNo P1644:34 Type 2404 Brick (Elevations Plot 20);
- (A3) DrNo P1644:35 Type 2404 Floor Plans (Plot 20);
- (A3) DrNo P1644:36 Rev A Type 2502 Floor Plans (Plot 6, 21);
- (A3) DrNo P1644:37 Type 1302 Floor Plan (Plot 8);
- (A3) DrNo P1644:38 Type 1302 Render (Plot 8);
- (A3) DrNo P1644:39 Live Work Unit Plans and Elevations (Plot6);
- (A2) DrNo R/2109/1 Rev D Landscape Masterplan;
- (A2) DrNo R/2109/2 Rev A Landscape Details;
- (A2) DrNo R/2109/3 Rev A Landscape Details;

(b) Before any part of the development hereby permitted is commenced, the hedges to be retained on the site shall be protected by a chestnut paling fence 1.5m high, placed at a minimum distance of 2.0m from the edge of the hedge and the fencing shall be removed only when the development has been completed. During the period of construction of the development the existing soil levels around the base of the hedges so retained shall not be altered;

(c) Prior to construction above floor slab level of the dwellings hereby permitted, samples of the materials to be used in the construction of the external surfaces of the development shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter maintained as such;

(d) (i) The landscaping/planting scheme shown on the submitted plan 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 development, 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;

(Notes to applicant:- (1) Applicant was advised that in accordance with paragraphs 38 of the National Planning Policy Framework the Council had worked in a positive and pro-active way and with the applicant and had negotiated amendments to the application to enable the grant of planning permission; (2) Applicant was advised that for avoidance of doubt, this reserved matters consent does not approve the layout or equipment to be installed in the children's play area as required by condition 3 of the outline planning consent. At the time of this decision, this condition remains to be fully complied with, including the submission of layout and equipment to be installed.)

66. 38/18/0144

Reserved matters for the approval of layout, scale, appearance and landscaping for the proposed development of Area I Firepool Lock to provide 44 residential dwellings

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

- (A1) DrNo 2072-MAL-01-ZZ-DR-A-003 C Floor Plans ;
- (A3) DrNo 2072-MAL-01-ZZ-DR-A-003 C Floor Plans;
- (A3) DrNo 2072-MAL-01-ZZ-DR-A-001 B Location Plan;
- (A1) DrNo 2072-006 East, West Elevation;
- (A1) DrNo 2072-005 North, South Elevation;

(b) No development, excluding site works, shall begin until a panel of the proposed materials has been built on the site and both the materials 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;

(c) No dwelling shall be occupied until the parking and turning spaces have been laid out in accordance with the submitted plans. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted;

67. Proposed demolition of swimming pool and erection of mixed use development comprising of retail, commercial, restaurant, residential,

**car park and associated public realm at Coal Orchard, Taunton
(38/18/0185)**

Reported this application

Resolved that subject to a legal agreement to secure affordable housing and a children's play contribution and variation of the previous agreement to secure the highway works and travel plan. The Assistant Director for Planning and Environment be authorised to determine the application in consultation with the Chairman and 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:-

- (A1) DrNo COT-LL-ZZ-00-DR-L-90-200-S4 Rev B Steps/Seating Steps Sections;
- (A1) DrNo COT-LL-ZZ-00-DR-L-90-002-S4 Rev B Planting Strategy - Sheet 1;
- (A1) DrNo COT-LL-ZZ-00-DR-L-90-003-S4 Rev A Planting Strategy - Sheet 2;
- (A1) DrNo COT-LL-ZZ-00-DR-L-90-001-S4 Rev D Illustrative Master Plan;
- (A1) DrNo COT-LL-ZZ-00-DR-L-90-000-S4 Rev C Hardworks & Levels;
- (A1) DrNo COT-LL-A-ZZ-DR-A-20-001-S4 Rev P02 Site Location and Block Plans;
- (A1) DrNo COT-LL-A-03-DR-A-20-013-S4 Rev P01 Roof Plan;
- (A1) DrNo COT-LL-A-01-DR-A-20-012-S4 Rev P04 Second Floor Plan;
- (A1) DrNo COT-LL-A-01-DR-A-20-011-S4 Rev P04 First Floor Plan;
- (A1) DrNo COT-AHR-E-ZZ-DR-A-20-152 Planning Elevations - Block E - Sheet 2;
- (A2) DrNo COT-AHR-D-01-DR-A-20-050 Rev P01 Planning GA - Block D - First Floor Plan;
- (A1) DrNo COT-AHR-E-ZZ-DR-A-20-151 Rev P01 Planning Elevations - Block E - Sheet 1;
- (A2) DrNo COT-AHR-E-03-DR-A-20-050 Rev P01 Planning GA - Block E - Roof Plan;
- (A2) DrNo COT-AHR-E-02-DR-A-20-050 Rev P01 Planning GA - Block E - Second Floor Plan;
- (A2) DrNo COT-AHR-E-01-DR-A-20-050 Rev P01 Planning GA - Block E - First Floor Plan;
- (A2) DrNo COT-AHR-E-00-DR-A-20-050 Rev P01 Planning GA - Block E - Ground Floor Plan;
- (A2) DrNo COT-AHR-D-03-DR-A-20-050 Rev P01 Planning GA - Block D - Roof Plan;

- (A2) DrNo COT-AHR-D-02-DR-A-20-050 Rev P01 Planning GA - Block D - Second Floor Plan;
- (A2) DrNo COT-AHR-D-00-DR-A-20-050 Rev P01 Planning GA - Block D - Ground Floor Plan;
- (A3) DrNo COT-AHR-C-01-DR-A-20-050 Rev P01 Planning GA - Block C - Roof Plan;
- (A3) DrNo COT-AHR-C-00-DR-A-20-050 Rev P02 Planning GA Block C Ground Floor Plan;
- (A3) DrNo 42312/2001/100 Rev C Vehicle Turning Area Option 1;
- (A3) DrNo 1634/TLP Rev A Tree Location Plan;
- (A1) DrNo 04115-SDS-XX-EX-DR-E-70XX-1003 Rev P02 External Lighting;
- (A1) DrNo C161148-C502 Post Development Overland Flow Routes;
- (A1) DrNo 04115-SDS-XX-EX-DR-E-70XX-1003 Rev P02 External Lighting;
 - (A1) DrNo 42312-2001-500 Surface and Foul Water Drainage Layout;
 - (A1) DrNo COT-AHR-D-ZZ-DR-A-20-152 Rev P01 Planning Elevations - Block D - Sheet 2;
 - (A1) DrNo COT-AHR-D-ZZ-DR-A-20-151 Rev P01 Planning Elevations - Block D - Sheet 1;
 - (A1) DrNo COT-LL-A-ZZ-DR-A-20-200-S4 Rev P03 Proposed Sections;
 - (A1) DrNo COT-LL-A-ZZ-DR-A-20-103-S4 Rev P03 East & West Elevation;
 - (A1) DrNo COT-LL-A-ZZ-DR-A-20-102-S4 Rev P03 North and South Elevations;
 - (A1) DrNo COT-LL-A-ZZ-DR-A-20-101-S4 Rev P03 Proposed Elevations;
 - (A1) DrNo COT-LL-A-ZZ-DR-A-20-100-S4 Rev P03 Contextual South Elevations;
 - (A1) DrNo COT-LL-A-00-DR-A-20-010-S4 Rev P04 Ground Floor Plan;
 - (A1) DrNo COT-AHR-C-ZZ-DR-A-20-151 Rev P01 Planning Elevations - Block C - Sheet 1;

(c) No development shall be commenced until details of the surface water drainage scheme based on sustainable drainage principles together with a programme of implementation and maintenance for the lifetime of the development have been submitted to, and approved in writing by, the Local Planning Authority. Such works shall be carried out in accordance with the approved details.

These details shall include: -

Details of phasing (where appropriate) and information of maintenance of drainage systems during construction of this and any other subsequent phases.

Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage

facilities, means of access for maintenance, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters.

Any works required off site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant).

Flood water exceedance routes both on and off site, note, no part of the site must be allowed to flood during any storm up to and including the 1 in 30 event, flooding during storm events in excess of this including the 1 in 100yr (plus 40% allowance for climate change) must be controlled within the designed exceedance routes demonstrated to prevent flooding or damage to properties.

A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Residents' Management Company and / or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development;

- (d) (i) A landscaping scheme shall be submitted to, and approved in writing by the Local Planning Authority prior such a scheme being implemented. The scheme shall include details of the species, siting and numbers to be planted; (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development; (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;
- (e) The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall be based on the advice of Grass Roots submitted report, dated April 2016 and October 2017 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 the species could be harmed by disturbance;
 3. Measures for the retention and replacement and enhancement of places of rest for bats and birds;
 4. Details of any lighting.

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 and thereafter the resting places and agreed accesses for wildlife shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance

and provision of new bat and bird boxes and related accesses have been fully implemented;

- (f) The improved footway to Coal Orchard shall be provided prior to occupation of any flat and there shall be no obstruction to visibility greater than 300 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the car park access and extending to points on the nearside carriageway edge 33 metres either side of the access or as agreed if less. Such visibility shall be fully provided before the development hereby permitted is brought into use and shall thereafter be maintained at all times;
- (g) No new construction shall take place until the applicant, or their agents or successors in title, has secured the implementation of the agreed programme of archaeological work in accordance with the written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The development shall be carried out at all times in accordance with the agreed scheme or some other scheme that may otherwise be agreed in writing by the Local Planning Authority and any finds shall be recorded and reported;
- (h) The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated July 2016 Hydrock ref: R/C161148/001.02, and the Technical Note plans dated 10 April 2018, and the following mitigation measures detailed within the FRA:
- 1- No residential dwelling below 15.62 m AOD.
 - 2- Provide flood resilience to the ground floor of the building.
 - 3- Provide floodplain compensation storage for the building located in Flood zone 3.
 - 4- No interruption to the overland flood route.
- The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the LPA;
- (i) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with;
- (j) No development approved by this permission shall be commenced until a scheme for prevention of pollution during the construction phase has been approved by the LPA. The scheme should include details of the following:
1. Site security.
 2. Fuel oil storage, bunding, delivery and use.
 3. How both minor and major spillage will be dealt with.

4. Containment of silt/soil contaminated run-off.
5. Disposal of contaminated drainage, including water pumped from excavations.
6. Site induction for workforce highlighting pollution prevention and awareness.

Invitation for tenders for sub-contracted works must include a requirement for details of how the above will be implemented;

- (k) The electrical vehicle charging points shall be provided within the public car park prior to the occupation of the 20th residential unit;
- (l) The development shall provide for covered and secure cycle storage facilities, details of which shall be submitted as part of the condition. Such facilities shall be provided prior to the occupation of any dwelling to which it relates and shall thereafter be retained for those purposes;
- (m) Notwithstanding the materials shown on the submitted drawings and prior to the construction of any buildings, samples of the materials to be used in the construction of the external surfaces of the development shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter maintained as such;
- (n) A contract shall be let for the construction of the replacement building in place of the swimming pool within one month of the demolition completion;
- (o) No demolition works to which this consent/permission relates shall commence until a programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to, and approved in writing by, the local planning authority;
- (p) No new build development shall commence until a planning obligation pursuant to Section 106 of the Town and County Planning Act 1990 has been entered into by the landowner of the application site to secure:

the provision of eight discounted open market apartments to be sold at no more than 75% of the open market value in accordance with the approved Affordable Housing Scheme shown on the submitted drawing COT-LL-A-ZZDR-A-20-400;

an off-site financial contribution for children's play of £3,263 index linked per each dwelling comprising two or more bedrooms, to be paid prior to the first occupation of the 21st dwelling and to be used for the provision of play equipment within the vicinity of the development;

the provision of highway works in accordance with the planning obligations contained in the S106 Agreement dated 19th April 2018 in respect of planning permission reference number 38/16/0357;

the provision of a travel plan in accordance with the planning obligations contained in the S106 Agreement dated 19th April 2018 in respect of planning permission reference number 38/16/0357;

Notes to applicant (1) Applicant was advised that in accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission; (2) Applicant was advised of the Notes at the request of the Biodiversity Officer:

- The condition relating to wildlife requires the submission of information to protect wildlife. The Local Planning Authority will expect to see a detailed method statement clearly stating how the wildlife will be protected through the development process and to be provided with a mitigation proposal that will maintain favourable status for the wildlife that are affected by this development proposal;

- It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation;

- Most resident nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended); (3) applicant was advised notes requested of the Environment Agency; Measures should be taken to prevent the runoff of any contaminated drainage during the construction phase; We recommend that the applicant produces a flood warning and evacuation plan in consultation with the Emergency Planners at North Somerset Council. There must be no interruption to the surface water and/or land drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively; There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or via soakaways/ditches; Any oil or chemical storage facilities should be sited in bunded areas. The capacity of the bund should be at least 10% greater than the capacity of the storage tank or, if more than one tank is involved, the capacity of the largest tank within the bunded area. Hydraulically inter-linked tanks should be regarded as a single tank. There should be no working connections outside the bunded area; This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for some of the proposed works or structures, in, under, over or within eight metres of the top of the bank of the River Tone, designated a 'main river'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted; The need for an Environmental Permit is over and above the need for planning permission; (4) Applicant was advised of notes at the request of the Canal and River Trust; • The Canal & River Trust act as Navigation Authority only for the adjacent river. However, the river is hydraulically linked to the Bridgwater & Taunton Canal. We would therefore wish to ensure that no pollution of the water environment takes place during

the demolition and building phase and that all works comply with the environment Agency's guidance and best practice;

68. Erection of 88 assisted living extra care apartments (use class C2 with ground floor restaurant and associated car parking, mobility scooter parking, cycle stores, private landscaping and public art at Quantock House, Paul Street, Taunton (38/18/0173))

Reported this application

Resolved that subject to:-

1. The view of the Highway Authority on the access position, and
2. The applicant varying the Section 106 agreement to secure;
 - Improvements to the pedestrian crossing facilities at the signalised Paul Street/Mary Street junction;
 - A Travel Plan;
 - The inclusion of public art within the development;The Assistant Director for Planning and Environment be authorised to determine the application in consultation with the Chairman and Vice-Chairman and, if planning permission was granted the following conditions be imposed:-

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

- (A3) DrNo 903A-100 Location Plan;
 - (A1) DrNo 903A-101 Topographical Survey;
 - (A1) DrNo 903A-200 Site Layout – Lower;
 - (A1) DrNo 903A-201 Site Layout – Upper;
 - (A3) DrNo W15376_SX Topographical Survey;
 - (A1) DrNo 903A-202 Site Layout – Roof;
 - (A3) DrNo 903A-300 Lower Ground Floor;
 - (A1) DrNo 903A-301 Upper Ground Floor;
 - (A3) DrNo 903A-302 Floor Plans - 1st - 7th;
 - (A1) DrNo 903A-400 East Elevation;
 - (A1) DrNo 903A-401 South Elevation;
 - (A1) DrNo 903A-402 West Elevation;
 - (A1) DrNo 903A-403 North Elevation;
 - (A1) DrNo 903A-404 East Elevation;
 - (A1) DrNo 903A-405 South Elevation;
 - (A1) DrNo 903A-406 West Elevation;
 - (A1) DrNo 903A-407 North Elevation;
 - (A1) DrNo 903A-500 Sections A-A B-B;
 - (A1) DrNo 903A-501 Sections C-C, D-D;
 - (A1) DrNo 903A-600 Site Details;
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- (A1) DrNo 903A-203 Site Layout - Lower;

- (A1) DrNo 903A-601 Site Layout - Tracking;

- (b) Before development construction commences (including demolition and site clearance and any other preparatory works) the protective fencing and ground protection detailed on Hellis Arboriculture & Landscape Design Drawing "Tree Protection Plan ref: TPPQH) received 05 July 2017 shall be erected/installed. The protective measures shall be maintained and retained for the full duration of works at the site 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;
- (c) The archaeological investigations detailed in the Written Scheme of Investigation produced by AB Heritage, project no. 60025 dated 04/05/2017 and as updated by the addendum dated 01/06/2017 shall be fully carried out prior to the commencement of any other work on the site. The results of the investigations shall be recorded and reported in accordance with the WSI dated 04/05/2017 prior to the occupation of the building hereby permitted;
- (d) Other than the demolition of the existing building, site clearance and any highway works, no development shall be commenced until the detailed design for the surface water drainage scheme, based on submitted proposed drainage strategy, together with a programme of implementation and maintenance for the lifetime of the development, have been submitted to, and approved in writing by, the Local Planning Authority. The drainage strategy shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume which provides a minimum of 30% betterment over existing runoff rates and volumes. Such works shall be carried out in accordance with the approved details;
- (e) Prior to their installation, samples panels of the materials to be used in the construction of the external surfaces of the development measuring at least 1m x 1m shall be built on the site and both the materials and the colour and type of mortar for pointing used within the panel shall be agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed details and thereafter maintained as such;
- (f) The applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to commencement of development and thereafter maintained until the use of the site discontinues;
- (g) Other than the demolition of the existing building and other site preparatory works, no work shall commence on the development hereby permitted until

the details of the access junctions generally in accordance with drawing number 903-201 Rev A Site Plan LGF Level, 903-202 Rev A Site Plan UGF Level, 903-203 Rev A Site Plan LGF Level Delivery Entrance have been submitted to, and approved in writing by the Local Planning Authority. The access shall then be fully constructed in accordance with the approved plan, to an agreed specification before the development is first brought into use;

- (h) Prior to its installation, 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;
- (i) (i) Prior to its implementation, 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 first occupation of the development; (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;
- (j) The applicant shall undertake all the recommendations made in Peach Ecology's Ecological assessment report dated September 2016, and provide mitigation for bats and birds as recommended;

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 new bird and bat boxes and related accesses have been fully implemented; Thereafter the resting places and agreed accesses shall be permanently maintained;

- (k) Prior to first occupation a servicing statement detailing measures to ensure that deliveries and refuse collection vehicles can safely move into the delivery area and avoid any conflict in entering and exiting vehicles shall be submitted to, and approved in writing by, the Local Planning Authority. Following occupation of the building, the measures detailed in the approved statement shall thereafter be fully complied with;
- (l) Taxi and ambulance bays as detailed by drawing number 903A-600 shall be formed at the point of access in accordance with the detailed plan and specifications. Such bays shall be completed before the development hereby permitted is first occupied and shall be available for the parking and checking of vehicles at all times. The bays shall at no time be used other than for the parking of vehicles on a short-stay basis;

- (m) The access, parking and turning spaces detailed on the drawings hereby permitted shall be properly consolidated and surfaced in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted;
- (n) There shall be no obstruction to visibility greater than 300 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access/egress and extending to points on the nearside carriageway edge 33 metres either side of the delivery and exit access. Such visibility shall be fully provided before the development hereby permitted is brought into use and shall thereafter be maintained at all times;
- (o) The Restaurant/Bistro/Community Meeting Room space (shown coloured light pink) on Level 01 (drawing 903-301) may be used for any purpose within classes A1, A3, D1 or D2 of the Schedule to the Use Classes Order 1987 as amended;

69. Re-development of Lyngford House site into 45 (C2 use class) assisted living dwellings consisting of 6 apartments, 33 new build houses, conversion and refurbishment of Lyngford House into 3 apartments and communal facilities, conversion and refurbishment of associated listed cottages (Coach House and Stables) into 3 houses. All with associated landscaping. Demolition of the conference centre and apartment block, closure of the Lyngford Lane site entrance , changes for pedestrians and cyclists and relocation of the Selworthy Road entrance to allow for a new key view and approach to Lyngford House as amended by plans 918/109B, 113A, 105A, 115 and 918/410 Rev B, 402C, 405and 412B (38/18/0108)

Reported this application

Resolved that subject to a S106 agreement to secure the C2 use and the Travel Plan.

the Assistant Director – 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 (subject to minor change or additional conditions following further consultation responses) 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:-

- A1) DrNo 918-413A House Type F Plans, Elevations & Section Plots: 29 – 36;
- (A1) DrNo 918-409A House Type E Plans, Elevations & Section Plots: 17 – 19;
- (A1) DrNo 918-406 House Type B Plans, Elevations & Section Plots: 11&12, 15&16;
- (A1) DrNo 918-405 House Type C1 Units 9&10;
- (A1) DrNo 918-404 House Type A Plans, Elevations & Section, Plots: 7&8, 13&14;
- (A1) DrNo 918-402C House Type C Plans, Elevations & Section Plots: 3&4, 5&6;
- (A1) DrNo 918-401A Type D1 Plans, Elevations & Section Plot: 2;
- (A1) DrNo 918-400 House Type D Plans, Elevations & Section Plot: 1;
- (A1) DrNo 918-303 Proposed Elevations & Section Coach House & Stable;
- (A1) DrNo 918-302 Proposed Plans Coach House & Stable;
- (A1) DrNo 918-213 Proposed Sections (2/2) Lyngford House C-C, D-D, E-E;
- (A1) DrNo 918-212 Proposed Sections (1/2) Lyngford House A-A, B-B;
- (A1) DrNo 918-211 Proposed Elevations (2/2) - Lyngford House East & South;
- (A1) DrNo 918-210 Proposed Elevations (1/2) - Lyngford House West & North;
- (A1) DrNo 918-209 Proposed Plans (3/3) - Lyngford House Roof Plan;
- (A1) DrNo 918-208A Proposed Plans (2/3) Lyngford House First Floor & Second Floor;
- (A1) DrNo 918-207 Proposed Plans (1/3) - Lyngford House Basement & Ground Floor;
- (A1) DrNo 918-114 Proposed Plots 12 & 13 / 22 Feversham Way Overlooking & Overshadowing;
- (A1) DrNo 918-113A Proposed Plots 9 & 10 / 20 Feversham Way / Overlooking & Overshadowing;
- (A1) DrNo 918-112 Proposed Plots 7 & 8 / 16 & 18 Feversham Way Overlooking & Overshadowing;
- (A1) DrNo 918-104 Demolition Plan;
- (A1) DrNo 918-100 Location Plan;
- (A1) DrNo 918-115 overlooking plots 27/28 Fletcher Close;
- (A1) DrNo 918-109 Rev B Proposed Site Sections A-A, B-B, C-C;
- (A1) DrNo 918-410 Rev B House Type G Plans, Elevations & Sections Plots:23-26;
- (A1) DrNo 918-412 Rev B House Type G1 Plans, Elevations & Section Plots 27 & 28;

- (A1) DrNo 918-105 Rev B Proposed Site Plan - Roof Plan

- (c) Prior to the construction of the building/extension samples of the materials to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter maintained as such;
- (d) (i) A landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority prior such a scheme being implemented. The scheme shall include details of the species, siting and numbers to be planted; (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development; (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;
- (e) Prior to the wall construction of any buildings, a hard landscape scheme shall be submitted to, and approved in writing by the Local Planning Authority showing details of existing and proposed walls, fences, ground levels, other boundary treatment and hard surface treatment of the open parts of the site, and a programme of implementation;
- (f) Any entrance gates erected shall be hung to open inwards, shall be set back a minimum distance of 6 metres from the carriageway edge and shall thereafter be maintained in that condition at all times;
- (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 the new access is brought into use and shall thereafter be maintained at all times;
- (h) The area allocated for parking and turning on the submitted plan, drawing number 1408_GP_100 shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted;
- (i) Prior to first occupation of the development hereby permitted, access to covered cycle, motor cycle and electric vehicle charging points shall be in accordance with a detailed scheme to be submitted to, and approved in writing by, the Local Planning Authority;
- (j) Prior to first occupation of the development hereby permitted, pedestrian and cycle visibility splays onto Lyngford Lane shall be submitted to, and approved in writing by, the Local Planning Authority;

- (k) No residential occupation of the site shall take place until a Traffic Regulation Order (TRO) on the southern side of Selworthy Road opposite the access to the site restricting parking has been implemented;
- (l) The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall be based on the advice of Wildwood Ecology's Ecological Impact assessments report (Bats) dated August 2017 and the Badger Mitigation Strategy and include:
- i. Details of protective measures to include method statements to avoid impacts on protected species during all stages of development;
 - ii Details of the timing of works to avoid periods of work when the species could be harmed by disturbance;
 - iii Measures for the retention and replacement and enhancement of places of rest for the badgers, bats and birds;
 - iiii Details of external lighting;
- 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 and thereafter the resting places and agreed accesses for badgers, bats and nesting birds shall be permanently maintained. The development shall not be occupied until the scheme for the maintenance and provision of the new badger sett and bird and bat boxes and related accesses have been fully implemented;
- (m) The development hereby permitted shall not be commenced until details of a scheme for the provision of a replacement badger sett has been agreed and provided and no development shall occur until the method statement for the protection of badgers during construction has been submitted to, and approved in writing by, the Local Planning Authority. The development shall be thereafter carried out in accordance with the approved scheme;
- (n) No development shall be commenced until details of the surface water drainage scheme in accordance with the principles outlined in the Flood Risk Assessment, report ref. 3373/CIV/1803/02 and Drainage Strategy Statement, together with a programme of implementation and maintenance for the lifetime of the development have been submitted to, and approved in writing by, the Local Planning Authority. The drainage scheme shall ensure that surface water runoff post development is attenuated on site and discharged at a rate and volume no greater than Greenfield runoff rates and volumes. Such works shall be carried out in accordance with the approved details;
- (o) i) 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; ii) Such fencing shall be erected prior to commencement of any other site operations and following a site meeting with the Council to agree its installation;

- iii) 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;
- (p) Detail of the public art element to be designed into the public realm of the site shall be submitted to, and agreed in writing by the Local Planning Authority and thereafter be provided on site prior to occupation of any dwelling;
- (q) The first floor windows in the east elevations of plots 29-31 shall be obscured glazed and limited opening. The type of obscure glazing and limit of opening shall be submitted to, and agreed in writing by, the Local Planning Authority prior to its installation and shall thereafter be so retained;
- (r) The first floor windows in the south west or west (rear) elevations of plots 4-8, 11 & 12 shall be obscured glazed and limited opening. The type of obscure glazing and limit of opening shall be submitted to, and agreed in writing by, the Local Planning Authority prior to its installation and shall thereafter be so retained;
- (s) Details of the obscure glazing to the second floor privacy screen and first floor windows to the north and side elevations of plots 27 & 28 shall be submitted to, and agreed in writing by, the Local Planning Authority and installed prior to occupation and thereafter so retained;
- (t) The arboriculture method statement submitted with the scheme shall be strictly adhered to;

(Notes to applicant:- (1) Applicant was advised that in accordance with paragraphs 38 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 the condition relating to wildlife requires the submission of information to protect badgers, bats and birds. The Local planning Authority will expect to see a detailed method statement clearly stating how badgers bats and birds will be protected through the development process and be provided with a mitigation proposal that will maintain favourable status for the badgers, bats and birds that are affected by the development; It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation

It should be noted that the protection afforded to badgers under the Protection of Badgers Act 1992 is irrespective of the planning system and the applicant should ensure that any activity they undertake on site must comply with the

legislation. A strategy to protect badgers through the development phase and provide a new sett will require that work is done under license.

All site operatives must be advised that badgers are active on site and if encountered must be left undisturbed.

Nesting birds are present on site and all operatives on site must be appropriately briefed on their potential presence. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended) and if discovered must not be disturbed.)

70. Appeals

Reported that one appeal and 4 decisions had been received details of which were submitted.

(The meeting ended at 9:42 pm)