



Notice of Meeting of

PLANNING COMMITTEE - NORTH

Tuesday, 14 November 2023 at 2.00 pm

**Sedgemoor Room, Bridgwater House, King
Square, Bridgwater, TA6 3AR**

To: The members of the Planning Committee - North

Chair: Councillor Kathy Pearce
Vice-chair: Councillor Matthew Martin

Councillor Brian Bolt	Councillor Alan Bradford
Councillor Hilary Bruce	Councillor Ben Ferguson
Councillor Bob Filmer	Councillor Tony Grimes
Councillor Pauline Ham	Councillor Alistair Hendry
Councillor Harry Munt	Councillor Gill Slocombe
Councillor Brian Smedley	

For further information about the meeting, including how to join the meeting virtually, please contact Democratic Services democraticservicesnorth@somerset.gov.uk.

All members of the public are welcome to attend our meetings and ask questions or make a statement **by giving advance notice** in writing or by e-mail to the Monitoring Officer at email: democraticservicesteam@somerset.gov.uk by **12noon on Monday, 13 November 2023**.

This meeting will be open to the public and press, subject to the passing of any resolution under the Local Government Act 1972, Schedule 12A: Access to Information.

The meeting will be webcast and an audio recording made.

Issued by (the Proper Officer) on Thursday 2 November 2023.

AGENDA

Planning Committee - North - 2.00 pm Tuesday, 14 November 2023

Public Guidance Notes for Planning Committees (Agenda Annexe)
(Pages 7 - 10)

Click here to join the online meeting (Pages 11 - 12)

1 Apologies for Absence

To receive any apologies for absence and notification of substitutions.

2 Minutes from the Previous Meetings (Pages 13 - 28)

To approve the minutes from the previous meetings held on 12 September 2023 and 10 October 2023.

3 Declarations of Interest

To receive and note any declarations of interests in respect of any matters included on the agenda for consideration at this meeting.

(The other registrable interests of Councillors of Somerset Council, arising from membership of City, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes: [City, Town & Parish Twin Hatters - Somerset Councillors 2023](#))

4 Public Question Time

The Chair to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public who have submitted any questions or statements, please note, a three minute time limit applies to each speaker.

Requests to speak at the meeting at Public Question Time must be made to the Monitoring Officer in writing or by email to democraticservicsteam@somerset.gov.uk by 5pm on Wednesday 8 November 2023.

5 Major Planning Application 34/23/00007 Land To The North Of, Olivers Road, Middlezoy, Bridgwater (Pages 29 - 42)

To consider an application for the proposed formation of a temporary material stockpile for reservoir embankment construction, erection of fencing and gates, siting of welfare unit, alterations to existing access with parking and turning area.

6 Planning Application 08/23/00209 Commercial Buildings & Land At, Clarks Road, Bridgwater, Somerset, TA6 (Pages 43 - 60)

To consider an application for the demolition of the existing commercial buildings/structures, erection of 3 detached residential dwellings with parking provisions, amenity spaces, landscaping, bin and cycle storage, and new boundary fences/treatments.

7 planning Application 12/23/00025 Rose Cottage Farm Nursery, Burnham Moor Lane, Edithmead, Highbridge, TA9 4HE (Pages 61 - 68)

To consider an application for a conversion of child's nursery to form 5 no. dwellings including rear extensions, associated parking and demolition of outbuildings.

8 Planning application 41/23/00004 19 Old Pawlett Road, West Huntspill, Highbridge, TA9 3RH (Pages 69 - 74)

To consider an application for the erection of workshop extension to the South elevation on site of existing storage building (to be demolished).

9 Information sheets (Pages 75 - 86)

To receive the Information Sheets covering the period from 1 August 2023 to 31 October 2023.

- Planning Appeals Received
- Planning Appeals Decided
- Enforcement Appeals Decided
- S106 Agreements
- Certificate of Lawfulness Existing Decided
- Certificate of Lawfulness Proposed Decided

10 Training and Updates for the Committee

For Members of the Committee only – Information on proposed training sessions and general update on matters relating to Planning.

Other information:

Exclusion of the Press and Public for any discussion regarding exempt information

The Press and Public will be excluded from the meeting when a report or appendix on this agenda has been classed as confidential, or if the Committee wish to receive confidential legal advice at the meeting. If the Planning Committee wish to discuss information in Closed Session then the Committee will be asked to agree the following resolution to exclude the press and public:

Exclusion of the Press and Public

To consider passing a resolution having been duly proposed and seconded under Schedule 12A of the Local Government Act 1972 to exclude the press and public from the meeting, on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, within the meaning of Schedule 12A to the Local Government Act 1972:

Reason: Para 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

(Or for any other reason as stated in the agenda or at the meeting)

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Public Guidance Notes for Planning Committees

Can I speak at the Planning Committee?

The Applicant or Agent, Parish, Town or City Council, Division Members and objectors or supporters are able to address the Planning Committee. **All speakers need to register – please see details on the next page.**

The order of speaking will be:-

- Those speaking to object to the proposal - maximum of 5 speakers of 3 minutes each
- Those speaking in support of the proposal - maximum of 5 speakers of 3 minutes each
- Parish, Town or City Council(s) - 3 minutes each
- Councillors of Somerset Council (non-Committee members) - 3 minutes each
- The applicant or their agent - 3 minutes

Public speaking will be timed and the Chair will be responsible for bringing the speech to a close. The speaker/s will be allowed to address the Committee during their registered slot only and will not be allowed to provide further clarification. If an item on the Agenda is contentious, with a large number of people attending the meeting, a representative speaking to object or support the proposal should be nominated to present the views of a group.

The Chair can exercise their discretion in consultation with the Legal Adviser and this maybe, for example, it maybe that comments are derogatory in which case the Chair will exercise discretion to prevent the speaker from continuing, or if balance was required in terms of speakers for and against or to make a specific point, to allow a further speaker.

Comments should be limited to relevant planning issues. There are limits to the range of issues that can be taken into account when considering planning applications.

Although not an exhaustive list, these might include:

- Government planning policy and guidance
- Planning legislation
- The suitability of the site for development
- Conflict with any planning policies such as the relevant Development Plan – which are available for inspection on the Council's website
- Adopted Neighbourhood Plans
- Supplementary Planning Documents (SPD)

- Previous planning applications and decisions
- Design, appearance, layout issues and relationship with the surrounding area.
- Living conditions such as privacy, noise and odour.
- Highway safety and traffic issues
- Biodiversity and ecology
- Impact on trees and the landscape
- Flood risk in identified areas at risk.
- Heritage assets such as listed buildings, conservation areas and archaeology
- The economy, including job creation/retention.
- Drainage and surface water run-off.

Issues that are not usually relevant will vary with each application, but the courts have established that the following matters cannot be taken into account when considering planning applications:

- The history or character of an applicant
- Perceived or actual impact of development on property values.
- Land ownership, restrictive covenants or other private property rights including boundary and access disputes or maintenance.
- An applicant's motivations or future intentions.
- Retrospective nature of applications;
- Impact on private views;
- The extent of public support or opposition for a proposal alone;
- Competition between businesses;
- Matters controlled by other (non-planning) legislation such as licensing and building regulations or other laws.

How do I register to speak at Planning Committee?

A request to speak must be made to the Council's Democratic Services team no later than 12 noon on the working day before the Committee meeting either by email to democraticservicesnorth@somerset.gov.uk or by telephone on 01278 435739. For those speaking to object or support the proposal, the speaking slots will be allocated on a first come first served basis. If there are numerous members of the public wishing to speak in one slot it is advisable to make arrangements for one person to make a statement on behalf of all. The meetings are hybrid and you can speak either in person at the meeting or virtually. If you wish to speak at the meeting virtually please inform Democratic Services so that they can advise you of the details. If you have registered to speak, the Chairman will invite you to speak at the appropriate time during the meeting.

Can I present information to the Committee?

Please be advised that you cannot present documents in any form to the Committee Members at the meeting – this includes photographs and presentations (including Powerpoint presentations).

How do I know what time an application will be heard?

If you have registered to speak in person, we recommend arriving at the meeting venue about 15 minutes before the start time. If joining virtually, please consider joining the meeting a few minutes early to ensure your technology is working correctly - you may have to wait in a lobby until being admitted to the meeting. It is not possible to estimate the exact time an application will be heard.

What if my Division Member does not sit on the Planning Committee?

If your local Councillor is not a member of the Planning Committee, he or she can still address the meeting to outline any concerns or points of support. However, they will not be permitted to take part in the main debate, to make or second a proposal or to vote on any item.

Presentation of planning applications

The Planning Officer will present the case to the Committee explaining the factual matters and any salient points which need to be drawn out with the use of a visual presentation. It is important to note that the Planning Officer is not an advocate for either the applicant or any third parties but will make an impartial recommendation based on the merits of the proposal and any relevant material considerations.

The role of Officers during the debate of an application

When an application is considered at Planning Committee, it is the Officers' role to explain why they have concluded that permission should be approved or refused and answer any questions that Members may have. Whilst the Committee has to reach its own decision bearing in mind the Officer advice, report and recommendation, the Lead Planning Officer and Council Solicitor in particular have a professional obligation to ensure that a lawful and unambiguous decision is made in accordance with the Council's Development Plan, planning legislation, regulations and case law. This means, in the event that a contrary decision is sought, they will need to explain the implications of doing so. This can sometimes mean that Officers need to advise and

guide Members as to planning policy, what are or are not material considerations, what legally can or cannot be considered or given weight and the likely outcome of any subsequent appeal or judicial review.

Officers' views, opinions and recommendations may, on occasion, be at odds with the views, opinions or decisions of the Members and there should always be scope for Members to express a different view from Officers. However, any decision by the Committee must be based on proper planning reasons as part of the overall aim to ensure that a lawful and unambiguous decision is made. Where this is contrary to that recommended within the Officer report, the Lead Planning Officer and Council Lawyer will advise Members in making that decision.

Recording of the Meeting

Please note that this meeting will be recorded, and the recording will be made available on the Council's website and/or on YouTube. You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during the recording will be retained in accordance with the Council's policy. Therefore, unless you are advised otherwise, by taking part in the Council meeting during public participation you are consenting to being recorded and to the use of the sound recording for access via the website or for training purposes.

The Council supports the principles of openness and transparency. It allows filming, recording, and taking photographs at its meetings that are open to the public – providing this is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings, No filming or recording may take place when the press and public are excluded for that part of the meeting.

PLANNING NORTH COMMITTEE 14 NOVEMBER 2023

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Minutes of a Meeting of the Planning Committee - North held in the Sedgemoor Room, Bridgwater House, King Square, Bridgwater, TA6 3AR, on Tuesday, 10 October 2023 at 2.00 pm

Present:

Cllr Kathy Pearce (Chair)
Cllr Matthew Martin (Vice-Chair)

Cllr Brian Bolt	Cllr Hilary Bruce
Cllr Bob Filmer	Cllr Tony Grimes
Cllr Alistair Hendry	Cllr Gill Slocombe
Cllr Brian Smedley	

In attendance:

Other Members present remotely:

Cllr Simon Coles

36 Apologies for Absence - Agenda Item 1

Apologies were received from Councillors Alan Bradford, Ben Ferguson, Pauline Ham and Harry Munt.

37 Declarations of Interest - Agenda Item 2

Councillors Hilary Bruce, Kathy Pearce, Gill Slocombe and Brian Smedley declared an Other Registrable Interest as members of Bridgwater Town Council but took no part in any discussions on applications 08/22/00194 & 08/23/00307.

Councillor Matt Martin declared an Other Registrable Interest as application 38/22/00011 was in his division but he took no part in discussions on these applications.

Councillors Bob Filmer and Tony Grimes declared an Other Registrable Interest in application 24/23/00020 as the application was within their division but have taken no part in any discussions.

Councillor Bob Filmer declared a Non Registerable Interest in application 33/23/00021 as applicant was known.

Councillor Filmer also wished to clarify that in respect of 33/23/00021, he was not pre-determined as he had not made comment on the application as stated within the report.

Councillor Gill Slocombe declared a Non Registrable Interest in respect of the following applications:

08/23/00307 as agent was known and that she was a member of the Somerset Nuclear Engagement Group

38/22/00011 as agent was known.

Councillors Bob Filmer and Alistair Hendry declared an Other Registrable Interest as they were members of the Internal Drainage Boards but took no part in any discussions in these applications.

38 Public Question Time - Agenda Item 3

There were no requests to speak on this item, but speakers registered to speak on each application are detailed on the Speakers List.

39 Planning Application 01/22/00037 20 Bath Road, Ashcott, Bridgwater, Somerset, TA7 9QT - Agenda Item 4

The application 01/22/00037 20 Bath Road, Ashcott for the erection of a warehouse, change of access and parking was not considered as the application had been withdrawn by the agent and closed down as a result.

40 Planning Application 08/22/00194 Land to the East of 6, Ashleigh Mews, Ashleigh Terrace, Bridgwater, Somerset, TA6 - Agenda Item 5

The Planning Officer introduced the application to the Committee with the assistance of a presentation.

The committee were address by the Agent who confirmed that the vehicular access was a civil matter but that there was legal access. The application sought to create a natural extension to the current terrace of houses and there was no adverse impact

on neighbours or amenity.

During discussion, it was clarified that the County Highways officer had recommended standing advice, which stated that one parking space should be provided. There was no space to provide such provision given the limitations of the site and so it was a judgement to be made by the planning officer, taking into account the benefits of the proposal and the shortfall of parking provision. It was considered that the site was near to the town centre and close to amenities and that the parking standard are only optimal.

There were further concerns raised by the local councillors due to the traffic and parking in the area.

Councillor Filmer requested that if the application was granted, an additional condition should be added in respect to biodiversity enhancements i.e. bird and bat boxes.

Councillor Smedley proposed that the application be refused on the grounds of lack of parking and over development and this proposal was seconded by Councillor Bruce.

Councillor Grimes then proposed that the application be granted with the additional condition relating to ecological matters and this proposal was seconded by Councillor Hendry as it was considered that although the parking was an issue, on balance there were no adverse impacts on the neighbours or amenity.

The proposal for refusal was then taken to the vote but fell as follows: For 3, Against 6.

The committee then voted on the proposal for Approval: For 6, Against 3.

RESOLVED:

That application 08/22/00194 for the erection of a dwelling at land to the east of 6 Ashleigh Mews, Ashleigh Terrace, Bridgwater be approved subject to the conditions detailed within the report and an additional condition for biodiversity.

41 Planning application 08/23/00307 52 North Street, Bridgwater, Somerset, TA6 3PN - Agenda Item 6

The committee were introduced to the application by the Planning Officer with the aid of a presentation.

He updated the committee as the description of the application, as within the report there was reference to 7 person HMO, this was incorrect and it was clarified that it should be 8 person HMO and Condition 3 would be amended to make this

clarification.

The agent spoke on the application stating that there was a known lack of single person accommodation due to EDF and although the Town Council objected to the proposal, the location was in a sustainable location and that the rooms were larger than the housing standards and had large communal rooms with gardens front and rear of the property.

Councillor Smedley expressed his frustration due to the number of Homes of Multiple Occupation within the town and the resultant lack of parking and overdevelopment of some areas; he therefore proposed refusal of the application on these grounds however this proposal was not seconded.

The committee then agreed that as there would be no change to the footprint of the property and that there was a need for 1 bed homes, this application should be approved subject to the change to Condition 3 to clarify number of occupiers of the dwelling.

Councillor Hendry proposed the granting of the application subject to amendment of Condition 3 and Councillor Bolt seconded the proposal (For 8, Against 1).

RESOLVED:

That application 08/23/00307 52 North Street, Bridgwater to change the use of the dwelling to an 8 person HMO be APPROVED as detailed within the agenda report with the amendment to Condition 3 stating that the property shall not be occupied by more than 8 persons and that there should be no further subdivision of the property other than that shown on the approved plan.

42 Planning application 24/23/00020 Rookery Manor, Edingworth Road, Edingworth, Weston-super-mare, Somerset, BS24 0JB - Agenda Item 7

The committee were updated on this application by the Planning Officer with the aid of a presentation. The Planning Officer confirmed that the report was incorrect as it had reported Councillor Filmer had commented on the application, however his comments related to the referral process and not the actual application and he apologised for this error.

The Parish Council spoke against the proposal as they considered that they had concerns regarding occupation of these properties, the flood issues and the use of a privately owned first floor in an adjacent property and no designated parking; they also requested clarification on the use of these units i.e. holiday lets or residential dwellings?

The Planning Officer in response to questions from the committee members and the Parish council confirmed that previous planning applications had removed Permitted Development Rights, holiday use conditions had been removed and the red line of the planning permission showed allocated parking spaces for these units.

Although the committee understood some of the issues raised by the Parish Council and local Ward Members, it was agreed that they could only consider the application as presented.

Councillor Hendry proposed the Approval of the application and this was seconded by Councillor Bolt (For 6, Abstention 3).

RESOLVED:

The application 24/23/00020 at Rookery Manor, Edington for the retention of a single storey side extension was APPROVED subject to the conditions detailed within the agenda report.

43 Planning application 33/23/00021 Orchard Cottage, The Causeway, Mark, Highbridge, Somerset, TA9 4QD - Agenda Item 8

The Planning Officer introduced the application to the committee with the assistance of a presentation and updated the committee on a late representation received from a neighbour who was objecting to the proposal as they state that their disabled daughter needed the use of their garden for her well being but limited information had been received. The Planning Officer in his presentation noted the Public Sector Equality Duty and the duty for Members to have 'due regard' to consider these issues in the planning balance. The Planning Officer confirmed that there would be a large gap between the proposed properties and the neighbouring dwelling and garden. This was an Outline application with all matters reserved and the principal of the scheme was the issue before members.

It was noted that an additional condition would be needed for an additional level for the properties for flood protection measures.

The applicant then spoke on their application stating that there was existing development around the site, that the proposal was for small scale development and for self-build dwellings, meeting Policy D9. She could not comment on the late representation as this had not been raised previously.

The committee debated the issues together with the Public Sector Equality Duty and were satisfied with the proposals and agreed that this would be ideal for self-build

dwelling.

Councillor Hendry proposed the approval of the application and was seconded by Councillor Filmer (For 8, Abstention 1).

RESOLVED:

That application 33/23/00021 for the outline permission for the erection of 2 dwellings at Orchard Cottage, The Causeway, Mark was APPROVED subject to the conditions detailed on the agenda report and also subject to an additional condition relating to flood refuge space to be included within the reserved matters application.

44 Planning Application 37/23/00054 Land North of, 2 Manor Cottage, West Newton Road, West Newton, Bridgwater, Somerset, TA7 - Agenda Item 9

The committee were introduced to the application by the Planning Officer with the aid of a presentation.

The Agent spoke on the application providing an overview of the application and mitigation measures

Overall the Committee supported the scheme.

An additional condition was proposed in respect to biodiversity enhancements i.e. bird and bat boxes. However, due to the erection of additional landscaping in the form of native hedgerows along the boundaries, this was not felt necessary.

Councillor Slocombe proposed the approval of the application and this was seconded by Councillor Hendry (For 8, Against 1).

RESOLVED:

That the application 37/23/00054 for the change of use of land to residential garden area and the erection of a detached garage at land north of 2 Manor Cottages, West Newton Road, West Newton, Bridgwater was APPROVED subject to the conditions detailed in the agenda report.

45 Planning application 38/22/00011 Land to the West of, Townsend, Othery, Bridgwater - Agenda Item 10

The Planning Officer introduced the application with the assistance of a presentation.

The committee were addressed by a local resident, the Parish Council and the Agent

in support of the application; comments that were made included:

- Houses proposed would be integrated with the adjacent dwellings but it was acknowledged that the site was just outside of the settlement boundary,
- The proposed footpath would assist local residents
- The village was linear along the A361 and it was considered that the proposal was a natural extension to the village, especially as there was another self-build dwelling being erected adjacent to this plot
- The Agent confirmed that the access would be via a current agricultural access and could easily accommodate the visual access needed.

During discussion, Councillor Slocombe proposed that the application be granted as it was considered that the proposal was well related to the settlement boundary, would be self build properties and therefore met Policy and would also have a benefit to the village with the new footpath proposed. This was seconded by Councillor Filmer and for conditions to be agreed with the Chair and Vice-Chair of the committee (Unanimous).

RESOLVED:

That the application 38/22/00011 for outline permission for 2 self-build dwellings at land to the west of Townsend, Othery, Bridgwater subject to any comments received from Natural England to delegate authority to APPROVE with appropriate conditions to be agreed with the Service Manager, Chair and Vice-Chair of the committee.

(The meeting ended at 4.45 pm)

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CHAIR

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Public Agenda Pack



Minutes of a Meeting of the Planning Committee - North held in the Sedgemoor Room, Bridgwater House, King Square, Bridgwater, TA6 3AR, on Tuesday, 12 September 2023 at 2.00 pm

Present:

Cllr Kathy Pearce (Chair)

Cllr Councillor Brian Bolt
Cllr Hilary Bruce
Cllr Tony Grimes
Cllr Harry Munt
Cllr Brian Smedley

Cllr Alan Bradford
Cllr Ben Ferguson
Cllr Pauline Ham
Cllr Gill Slocombe

Other Members present remotely:

Cllr Peter Clayton
Cllr Tony Lock

Cllr Andy Dingwall
Cllr Andy Soughton

26 Apologies for Absence - Agenda Item 1

Apologies were received from Cllr B Filmer (substituted by Cllr L Duddridge), Cllr A Hendry and Cllr M Martin.

27 Minutes from the Previous Meeting - Agenda Item 2

Resolved that the minutes of the Planning Committee - North held on 13 June 2023 and 11 July 2023 be confirmed as correct records.

28 Declarations of Interest - Agenda Item 3

Cllr G Slocombe declared an Other Registerable Interest as a member of Bridgwater Town Council but had taken no part in discussions on the applications.

Cllr H Munt declared an Other Registerable Interest in respect of application

33/23/00017 as he had a close association with the applicant and that he would leave the room during discussion of this item.

Cllr T Grimes declared an Other Registerable Interest in respect of applications 06-23-00001 as he was the Division Member but had taken no part in discussions on the application.

29 Public Question Time - Agenda Item 4

Details of public speaking is captured under the minute of the appropriate application.

30 Planning Application 06/23/00001 Ocean Holiday Park, South Road, Brean, TA8 2RD - Agenda Item 5

The Planning Officer introduced the application to the Committee with the assistance of a presentation.

The Committee were addressed by an objector to the application. Their comments included:-

- A new acoustic report was required because the one provided was now out of date, did not take account of tonal noise, failed to comply with current guidance and did not take into account properties and businesses to the north.
- The locations of the kitchen's extractor fan and ducting had changed since the application had originally been submitted.
- The properties to the north and north-west had not been considered
- The dormer windows overlooked properties to the north.
- There were concerns over the lighting.
- The changes made to the parking layout had resulted in the refuse bins being located by the northern fence and close to neighbouring properties.

The Committee were addressed by the Agent. Their comments included:

- The owner had purchased the site in 2019 and removed 5 caravans in order to increase the parking which was now sufficient for a site of this size.
- In 2020 they had applied for retrospective permission for the extractor fans
- They wished to join the bar to the seating area and convert the 1st floor to 4 holiday units.

In response to questions from Members, the Planning Officer advised:

- A previous application, with conditions, had already been agreed and this

application was just for 4 additional accommodation units and the extension to the bar.

- The parking was compliant with Highways' standing advice.
- Environmental Health had reviewed the noise assessments and had not raised any concerns
- The refuse bins were a pre-existing issue but as there was clearly space within the red line of the plans their positioning could be conditioned.
- The noise generated from the tourist accommodation was likely to be different to that from a bar.
- There was a lighting scheme that was conditioned.
- The dormer windows did not directly overlook any properties.
- Conditions 3 to 7 of the previous application could be added to:
 - Ensure an acoustic fence to the northern boundary
 - Prohibit public address loudspeaker systems or amplified music in the outdoor areas
 - Condition the noise permitted within the indoor areas
 - Restrict the operating hours to the bar to 11.00 to 22.00 hours
 - Ensure there was signage to remind patrons that there were neighbouring properties.

Members acknowledged that they were only considering the amendments to the extant consent but felt that with the suggested strengthening of conditions it was appropriate to grant permission. It was proposed by Cllr A Bradford and seconded by Cllr G Slocombe to grant permission subject to the conditions in the Planning Officer's recommendations together with conditions 3 to 7 of the previous application and an additional condition to control the siting of the refuse bins. On being put to the vote the proposal was carried unanimously.

Resolved:

That planning application 06/23/00001 for the erection of two storey extensions to the West, South and North elevations, single storey extensions to the North elevation and change of use of existing accommodation, to create 4no. holiday accommodation units at Ocean Holiday Park, South Road, Brean, Burnham On Sea, Somerset, TA8 2RD be APPROVED subject to conditions, as detailed in the agenda report, and subject to conditions Nos. 3, 4, 5, 6 & 7 of application 06/22/00002 and an additional condition to secure agreement of refuse storage area prior to occupation of holiday units. The wording of these conditions to be delegated to the Service Manager Planning North and agreed in consultation with the Chairman and Deputy Chairman of the Planning Committee - North.

- 31 Planning Application 11/23/00018 Land to the rear of, 9-11, High Street, Burnham On Sea, Somerset, TA8 - Agenda Item 6**

The Planning Officer introduced the application to the Committee with the assistance of a slide presentation.

The Committee were addressed by the Agent. Their comments included:

- Following the previous applications refusal they'd had lengthy meeting with the officers to resolve the issues.
- Both the Burnham-On-Sea & Highbridge Town Council and the neighbouring properties had not objected.
- The revised scheme improved the street scene and provided 2 vehicle parking spaces for each dwelling.

Members felt that the revised scheme had addressed all of the previous concerns. It was subsequently proposed by Cllr B Bolt and seconded by Cllr G Slocombe to recommend approval of the application subject to conditions as per the Planning Officer's recommendations. On being put to the vote the proposal was carried unanimously.

Resolved:

That planning application 11/23/00018 for the demolition of existing garages and storage, erection of 2no. semi detached dwellings, with associated parking at Land to the rear of, 9-11, High Street, Burnham On Sea, Somerset be APPROVED subject to conditions as detailed in the Agenda report,

Cllr H Munt then left the room.

32 Planning Application 33/23/00017 Portland House, The Causeway, Mark, Highbridge, Somerset, TA9 4QF - Agenda Item 7

The Planning Officer introduced the application to the Committee with the assistance of a presentation.

The Committee were addressed by Agent. Their comments included:-

- The triple garage had been built 25 years ago.
- The roof was being raised, to create the annexe level accommodation, by 1m and not by the 2.3m stated in error in the application.
- The Parish Council fully supported the application
- The proposal would block out the unsightly views of the industrial sheds to

the rear of the building.

- The main house would remain the most imposing building on the street scene and the extension would not harm its setting and have no detrimental impact on the street scene.

Members then discussed the application. Whilst it was generally acknowledged that it was an improvement on what was already there some felt that a better proposal could have been made.

Officers confirmed that that conditions could be imposed to control the time, materials, finish and design of the windows to match the house and to ensure that they accommodation remained ancillary to the main building.

It was proposed by Cllr G Slocombe and seconded by Cllr B Ferguson, on the grounds that the proposed alterations were of an appropriate design and detailing that would not harm the setting of the listed building, subject to appropriate conditions including the materials, details of the windows and its ancillary use. On being put to the vote the proposal was carried by 5 votes in favour, 4 votes against and 1 abstention.

Resolved

That planning application 33/23/00017 for the Erection of a two storey extension to the East & West elevations with 2no. dormers on the South elevation of existing garage to form annexe at Portland House, The Causeway, Mark, Highbridge, Somerset be APPROVED, contrary to the officer recommendations, on the grounds that the proposed alterations were of an appropriate design and detailing that would not harm the setting of the listed building, subject to conditions regarding the following:-

- Time
- Plans
- Materials – external wall & roofs and window/door detailing
- To be ancillary to main house

The wording of these conditions to be delegated to the Service Manager Planning North and agreed in consultation with the Chairman and Deputy Chairman of the Planning Committee - North.

Cllr H Munt re-joined the meeting.

33 Planning Application 38/22/00011 Land to the West of, Townsend, Othery, Bridgwater - Agenda Item 8

The Planning Officer introduced the application to the Committee with the assistance of a presentation.

The Committee were addressed by a resident in support of the application. Their comments included:-

- There was a pattern of growth along that side of the road with planning permission having recently been granted in the neighbouring field.
- The property would not be seen by neighbours due to the existing hedgerow.
- There was a wide enough verge to allow a safe route of access for pedestrians, wheelchair users and cyclists.

The Committee were addressed by the Parish Council. Their comments included:-

- The Parish Council unanimously supported this application.
- The applicant had commissioned an independent specialist traffic report which confirmed that the development would not have a detrimental effect.
- The proposed access point was a gateway that had been in use since the 1840s and it would improve highways safety, being used for domestic and not agricultural vehicles.
- The proposal also includes a footpath along the area of the verge
- They would also be able to keep their eventing horses in the adjacent field, which they also owned.
- It would help allow local people to stay in the village.

The Committee were addressed by the Agent. Their comments included:-

- The site was well related to the village and it met the self-build criteria.
- The site plan shown was out of date and does not show the proposed new footpath across the whole of the sites frontage and extending across the site of the adjacent dwelling.
- The site would use an existing agricultural access, which was well set back from the highway and would have 60m of visibility.
- Data showed only one minor accident at that location during the past 5 years.

In response to questions from Members the Planning Officer apologised that the plan shown was not the most up to date. They also pointed out that regardless of this, any footpath would lie on land outside of the red line of the site and there would be concerns regarding the relatively narrow section near the speed camera. Also, as this was not a rural needs application the keeping of horses was not a material consideration. However, it was not clear whether access to the adjacent field would need to be maintained.

Members, whilst believing policies D14 and D19 were complied with, felt that there was a lack of clarity on a number of points, most importantly over that of the footpath. Consequently, Cllr A Bradford, seconded by Cllr H Munt, proposed that the application be deferred. On being put to the vote the proposal was supported unanimously.

Resolved:

That application 38/22/00011 for outline planning permission, with some matters reserved, for 2 self-build dwellings at land to the West of, Townsend, Otherey be DEFERRED for up to 2 cycles to allow amended plans showing the footpath to be consulted upon and considered.

34 Planning application 45/23/00016 Sunnyside Bungalow, Charlynch Road, Four Forks, Bridgwater, TA5 1BJ - Agenda Item 9

The Planning Officer introduced the application to the Committee with the assistance of a presentation. They highlighted that the Parish Council had believed that the Applicant would be demolishing the existing dwelling once the new one had been constructed. They also felt the application was factually incorrect and misleading on this point. The Officer then pointed out that in the original outline application, the existing bungalow was outside of the red lines of the site and that this application was consistent with that, and the proposal was not for a replacement dwelling.

The Committee were addressed by Agent. Their comments included:-

- Since the Committee had granted outline permission a few months ago they had taken on board Members comments at the time, and had come up with a design that they believed fitted into the street scene.
- There were no issues regarding flooding.

With the Committee having no issues with the proposal Cllr G Slocombe, seconded by Cllr A Bradford, proposed that the application be granted. On being put to the vote the proposal was supported unanimously.

Resolved

That planning application 45/23/00016 of reserved matters, for the erection of 1no. dwelling and vehicular access formation at Sunnyside Bungalow, Charlynch Road, Four Forks, Bridgwater, TA5 1BJ be APPROVED subject to the conditions in the agenda report.

35 Information Sheets - Agenda Item 10

The committee considered the following Information sheets:

- Planning Appeals Received
- Planning Appeals Decided

Resolved:

To note the reports.

(The meeting ended at 3.46 pm)

.....
CHAIR

Committee date 14/11/2023

Application No: 34/23/00007

Application Type: Full Planning Permission

Case Officer: Amelia Elvé

Registered Date: 27/06/2023

Expiry Date: 25/09/2023

Parish: Middlezoy

Division: Bridgwater East & Bawdrip

Proposal: Proposed formation of a temporary material stockpile for reservoir embankment construction, erection of fencing and gates, siting of welfare unit, alterations to existing access with parking and turning area.

Site Location: Land To The North Of, Olivers Road, Middlezoy, Bridgwater

Applicant: Environment Agency

**** THIS APPLICATION IS CODED AS A MAJOR APPLICATION ****



Committee decision required because

This is a major application and the officer's recommendation is contrary to the view of the adjoining Parish Council.

Background

The application site is a field located to the north of a public right of way and 200m to the north of an unclassified road.

The application seeks consent for the formation of a temporary material stockpile to service three reservoirs in the vicinity; Southlake Moor, Curry Moor and Westmoor. The scheme includes the erection of fencing, a welfare unit and alterations to the existing parking and turning area.

Relevant History

None

Supporting information supplied by the applicant

Site Location Plan Drg No. ENV0000727C-ATK-XX-3SP-DR-PL-000001C02

Site Layout Drg No. ENV0000727C-ATK-XX-3SP-DR-PL-000002C03

Floor Plan & Elevations Drg No. ENV0000727C-ATK-XX-3SP-DR-PL-000004C01

Floor Plan & Elevations Drg No. ENV0000727C-ATK-XX-3SP-DR-PL-0000041C01

Levels Plans Drg No. ENV0000727C-ATK-XX-3SP-DR-PL-000003 Rev C01

Sections Plan Drg No. ENV0000727C-ATK-XX-3SP-DR-PL-000005 Rev C01

Consultation Responses

Middlezoy Parish Council – Support

The PC agreed unanimously to support this application – as any measure to stop the change of flooding is good.

Westonzoyland Parish Council – Object

Westonzoyland Parish Council welcome the action of the Environment Agency in increasing local protection against flooding, but wishes to raise the following points:

1. Concern around safety at the junction of Oliver's Road and the A372

a) This is a fast 60mph bend with restricted visibility and during wet weather

significant puddling of surface water around this junction and the Grandfields learner driver / motocross area / entrance to the Middlezoy Airfield and Aviation Museum . Accidents and near-misses due to inappropriate speed and overtaking are common. This junction also serves T & K Motorcycle Training Centre and is therefore in frequent use by vulnerable road users including young learner drivers and motorcyclists. Looking at the pattern shown by Crashmap.co.uk for the A372 Westonzoyland to Middlezoy stretch, the most common accident site is this junction, with 8 recorded accidents including a serious 3 vehicle accident requiring air and land ambulance extraction (07/10/21), and several other severe or fatal accidents close by. Other serious accidents have occurred between Springway Road and Middlezoy since the end of this recording period including a fatal accident involving a motorcyclist (01/06/2022) by the Old Ambulance House on the stretch between Oliver's Road and Middlezoy .

b) The applicant's traffic survey s are predominantly estimated, and do not include recent significant increases in HGV traffic using the A372 between Westonzoyland and Middlezoy serving commercial operations such as the recent Durston's and other compost production operations on the northern side of the airfield, and the Towens waste processing and soil stockpiling operations on the Springway estate. The traffic survey data (27031) for the A372 (Bower Lane to A361) is estimated from 2018, and precedes this expansion in local traffic and the anticipated further increase that imminent development of the Gravity Site will bring. The traffic survey (6998) A372 west of site was a manual count during 2021, a year in which traffic was reduced by the Covid-19 pandemic with associated lockdown and home-working. The key accident sites indicated on the above map focus around road junctions serving these commercial operations.

c) The proposal estimates 120 x 20T HGV movements a day supplying soil to the site, and an equal volume of soil moved to the recipient sites in a wider range of vehicle sizes. On top of these proposed vehicle movements along the A372 consideration should include the proposed 60 x daily HGV movements to a second proposed soil stockpile site proposed by Towens (SCC/4048/2023 under consideration) and the significant number of HGV movements associated with the Durstons and another site (believed to be Rocketgro)

compost production sites using the concrete runways to the north of the A372. One of these is immediately adjacent to this Environment Agency application, and appears to have access from Oliver's Road, which would compound congestion around the junction with the A372. Unfortunately, this site is operating without seeking planning permission so it is impossible to know the daily transport movements associated with its operation. Using the figures quoted in this application the two current soil storage planning applications alone would almost double the daily HGV movements along the A372 (traffic survey 2021 estimated from manual survey 2018 198 HGVs a day to 365) causing increased noise, vibration and congestion at the two pinch points within Westonzoyland and the narrow part to the north of Middlezoy. Given the identified initial donor sites at Rumwell / Comeytrow, much of this incoming HGV traffic will rumble through Westonzoyland village impacting our residents adversely.

Westonzoyland Parish Council request the following actions regarding the junction of the A372 with Oliver's Road :

- Further swept path and turn timing analysis at this junction to assess the additional risk to other road users.*
- New traffic survey to inform decision-making around road safety / development of the airfield area.*
- Improve the safety of road users on the A372 between Springway Lane and The Old Ambulance House by introducing double white lines / reducing the speed limit / preventing mud and surface water.*

2. Proximity to vulnerable SSSI The application site lies close to the King 's Sedgemoor , Greylake and Langmead and Weston Level SSSIs, and drains down towards two ponds 40m and 60m north of the site and the rhyne system that supplies the King's Sedgemoor SSSI. The closest SSSI is 250m away from the proposed site.

Westonzoyland Parish Council make the following points regarding our local SSSIs:

- *We support a restriction of height of the soil piles below 2m and request that other conditions are also required to minimise soil dust and seeds being carried by the prevailing wind towards these ecologically sensitive areas.*
- *We request that further mitigation such as testing should be used to ensure nutrient / invasive species / contaminant load in the imported soil is low and does not threaten our SSSIs.*
- *Soil from the potentially contaminated Gravity / Royal Ordnance Factory site should not be imported into this sensitive area.*
- *We suggest that an additional ecological buffer zone is created at the northern end of the site to further segregate the stockpiled soils and minimise surface run-off and leaching of any organic nutrients towards the ponds.*
- *Further guidance should be sought from Natural England given their understanding of the nutrient issue within the local SSSIs.*

Environment Agency – No objection

In providing this response, we have utilised staff not involved previously in this project. This is to provide a more independent response reflecting our role as planning consultee and regulator.

Given the temporary nature of these works required to support a flood risk management project, largely take place outside of the designated Flood Zone, we have no comments to make.

LLFA – Comment recommending appropriate condition to secure permeable surfacing.

Ecology – Comment recommending appropriate condition in respect of securing the ecological measures set out in the submitted EMP.

Highways – No objection subject to the imposition of conditions to secure a CTMP and condition surveys.

SW Heritage – Comment recommending compliance condition to ensure that no ground disturbance takes place within the area identified as containing archaeology.

Environmental Health – No comment/observation.

Representations

24 letters of objection from 21 addresses, raising the following planning considerations:

- Resultant environmental damage
- Volume of traffic generated
- Air, noise and dust pollution generation
- Risk to pedestrians and impact on highways safety
- Visual impact on the landscape

4 comments from 2 addresses, raising the following planning considerations:

- Concern relating to the level of vehicle movements to be generated
- Possible issues with the designated route for construction traffic

Most Relevant Policies

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF require that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Framework July 2021

Section 9 – Promoting sustainable transport

Section 12 – Achieving well-designed places

Section 15 – Conserving and enhancing the natural environment

Section 16 – Conserving and enhancing the historic environment

Sedgemoor Local Plan (2011-2032)

CO1: Countryside

D1: Flood Risk and Surface Water Management

D2: Promoting High Quality and Inclusive Design

D14: Managing the Transport Impacts of Development

D19: Landscape

D20: Biodiversity & Geodiversity

D25: Protecting Residential Amenity

D26: Historic Environment

Main Issues

Principle of Development

The application site is outside of any settlement boundary and as such is considered to be in the countryside where development is strictly controlled and is only supported when there is a specific locational requirement, as set out in policies S2 and CO1.

The stockpiling is required to store imported fill material which is then used to facilitate embankment construction and improvement works to address recommendations made by the Inspector. The submitted Planning Statement sets out that the application site has been chosen due to this proximity to the reservoirs that it will serve – the closest sited approx. 10 minute drive and the further located approx. 30m drive from the application site.

Additionally the location of the proposed development has appropriate ground conditions that will allow for the proposed stockpiling to take place.

As the location has been justified it is considered therefore that the principle of the development is supported by policy CO1 of the Local Plan.

Flood Risk & Surface Water Management

The application site is in Flood Zone 3. Policy D1 of the Local Plan states that when undertaking site-specific Flood Risk Assessments (FRA), regard should be had to the sources of flooding as detailed in Sedgemoor's Strategic FRA and any more recent mapping made available by the Environment Agency.

Where the Sequential Test is considered to be passed the vulnerability of the development must still be compatible with the Flood Zone, including application of the Exception Test (as required). A FRA must also demonstrate that the development will be safe over its life time and not increase flood risk elsewhere, including addressing any residual flood risk and access/egress issues.

Policy D1 of the Local Plan seeks to ensure that the surface water run off generated from development is adequately assessed and does not result in a detrimental impact on the wider area and existing water courses.

Part of the site lies within Flood Zone 3, and due to the countryside location, the alternative site search area for the Sequential Test is the entire Sedgemoor District unless a specific locational requirement can be demonstrated.

The submitted Planning Statement sets out that the application site is in close proximity to the three reservoirs that the stockpile will be utilised for, and as the majority of the site is located outside of the flood zone and therefore at a lower risk than sites that are located closer to the reservoirs. Additionally, the ground conditions of the application site have been set out as being more suitable as alternative locations are located atop of peat soils which can sink when used for stockpiling. It is therefore considered that the Sequential Test is considered passed.

In respect of the Exceptions Test, the proposed site layout plan indicates no development will take place within the part of the site that is located within Flood Zone 3. As such, the application is considered to pass.

Considering surface water drainage, the LLFA have reviewed the submission and following liaisons with the agent and revised details submitted, appropriate conditions have been recommended.

It is therefore considered that in this respect, the application complies with policy D1 of the Local Plan.

Visual Amenity & Landscape

Policy D2 seeks to achieve high quality, sustainable and inclusive design which responds positively to and reflects the local characteristics of the site and identity of the surrounding area and be of a design solution that makes the most efficient use of land through appropriate densities, whilst recognising the need for positive treatment of the spaces around and between the building.

Policy D19 of the Local Plan supports development within the setting of AONBs if potential harm can be *negated through appropriate and acceptable* mitigation measures. The policy seeks to protect and enhance the natural environment wherever possible and seeks to ensure that schemes incorporate mitigation and compensation measures.

The proposal is located in an isolated location and there are public rights of way in the vicinity. It is noted that during the lifetime of the development, there will be a visual impact arising from the stockpiled material and associated boundary treatments. Nevertheless, considering the temporary nature of the development, and the intent to restore the land to its former appearance by way of planting it is considered that any detrimental impact on the amenity of the site is limited. As such, the application is considered to comply with policies D2 and D19 of the Local Plan.

Residential Amenity

Policy D2 states that development should 'respect the amenity value of the occupiers of nearby buildings or the wider area' and new development should deliver buildings that are "enjoyable to use". This is further supported by Policy D25 which states that 'Particular consideration will be given to the extent that the proposal could result in unacceptable impacts'. This includes consideration of loss of privacy, overlooking, visual dominance, loss of light, noise/disturbance, odour, fumes, vibration and living conditions of future occupants.

A residential property is located approx. 40m from the north west corner of the application site boundary. Due to the distance, orientation and ecological buffer this is not considered to result in an unacceptable impact on the amenities of future occupiers. It should also be noted that

Environmental Health have not raised by any objection.

It is therefore considered that in this respect, the application complies with policies D2 and D25 of the Local Plan.

Highways Safety

Policy D14 of the Local Plan states that managing the transport impacts is essential for creating sustainable communities. The policy sets out that development proposals should seek to manage the transport impacts of development.

The Highways Authority have reviewed the submission and have raised no objection, providing that conditions are imposed to secure a CTMP and a road condition survey. It is noted that the Parish Council have raised concerns in relation to the highways impact of the development. However as the Highways Authority have reviewed the application and consider that due to the temporary nature of the development and that there are no impacts on highways safety no objection has been raised. Appropriate mitigation can be conditioned, the application is considered to comply with policy D14 of the Local Plan.

Ecology

Policy D20 of the Local Plan seeks for proposals to contribute to maintaining and where appropriate enhancing biodiversity and geodiversity. The application site lies within a Bat Consultation Zone and policy D23 of the Local Plan seeks to secure relevant mitigation measures that could protect relevant species from the impacts of development.

The ecologist originally requested that a LEMP was secured by condition however following the submission of additional detail from the agent, this has been revoked. A condition will still be used to ensure that the development is carried out in accordance with the mitigation measures submitted in the Ecological Management Plan.

As appropriate conditions can be used, it is considered that in this respect, the application

complies with policy D20 of the Local Plan.

Historic Environment

Policy D26 sets out that development proposal should avoid harm to, sustain and, where appropriate enhance the significance of heritage assets and their setting, in a manner consistent with their historical significance.

The application site lies within an area of high archaeological potential. SW Heritage have raised no objection and recommend an appropriate condition to ensure that the known archaeology is left in situ. As such, the application is considered to comply with policy D26 of the Local Plan.

Conclusion

It is noted that during the lifetime of the development there will be a visual impact on the area. However the site is to be used for a temporary period of to facilitate the improvement of flood defences in the vicinity. It is therefore considered that the proposal is of an acceptable design and appearance that would have no adverse impact of the character of the existing building or the locality, residential amenity, flood risk, surface water drainage, historic environment, ecology or highways safety. As such the proposal complies with policies CO1, D1, D2, D14, D19, D20, D25 and D26 of the Sedgemoor Local Plan 2011-2032.

RECOMMENDATION

GRANT PERMISSION

- 1 The development hereby approved shall have ceased and any buildings or works authorised by the permission shall be removed and the land reinstated to its former condition no later than 2 years from the date of this permission.

Reason: The application is for a temporary development.

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Prior to the commencement of development, a plan for the maintenance of the permeable surfacing for the period of use shall be submitted to and approved by the Local Planning Authority. The approved works shall be completed and maintained in accordance with the details agreed.

Reason: This is a pre-commencement condition to safeguard the operation of the proposed system to ensure development is properly drained as in accordance with policy D1 of the Sedgemoor Local Plan 2011-2032.

- 4 All ecological measures and/or works shall be carried out in accordance with the submitted and hereby approved Ecological Impact Assessment (Atkins, May 2023) and the Environmental Management Plan (Kier, 02/05/23).

Reason: In the interests of the 'Favourable Conservation Status' of populations of European and UK protected species, UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with Policy D20 of the Sedgemoor Local Plan 2011-2032.

- 5 The development shall be carried out in accordance with the submitted and hereby approved Construction Traffic Management Plan (CTMP) within the Transport Assessment (Atkins, 12 May 2023) and adhered to fully for the length of the construction period.

Reason: To minimise the likely impact of construction traffic on the surrounding highway network and prevent the possible deposit of loose material on the adjoining highway as in accordance with policy D14 of the Sedgemoor Local Plan 2011-2032.

- 6 No ground disturbance should take place in the area identified as containing archaeology, except the storage of soils as described in the submitted and hereby approved "Planning, Design and Access Statement & Sustainability Statement Doc No. ENV0000727C-ATK-XX-3SP-RP-PL-000001, 24 May 2023" and the "Site Layout Drg No. ENV0000727C-ATK-XX-3SP-DR-PL-000002C03".

Reason: The site contains areas of archaeological interest and the Council wish to ensure preservation in-situ of remains on the site as in accordance with policy D26 of the Sedgemoor Local Plan 2011-2032.

- 7 No development shall take place (including investigation work, demolition, siting of site compound/welfare facilities) until a survey of the condition of the

adopted highway on Olivers Road from the junction with the A372 and A361 to the site entrance has been submitted to and approved in writing by the Local Planning Authority. The extent of the area to be surveyed must be agreed by the Highways Authority prior to the survey being undertaken. The survey must consist of:

- A plan to a scale of 1:1000 showing the location of all defects identified;
- A written and photographic record of all defects with corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of the survey.

Within 6 months of the cessation of use of the development hereby approved, any damage to the adopted highway network shall be made good to the satisfaction of the Highway Authority.

Reason: In the interest of highways safety as in accordance with policy D14 of the Sedgemoor Local Plan 2011-2032.

Schedule A

Site Location Plan Drg No. ENV0000727C-ATK-XX-3SP-DR-PL-000001C02
 Site Layout Drg No. ENV0000727C-ATK-XX-3SP-DR-PL-000002C03
 Floor Plan & Elevations Drg No. ENV0000727C-ATK-XX-3SP-DR-PL-000004C01
 Floor Plan & Elevations Drg No. ENV0000727C-ATK-XX-3SP-DR-PL-0000041C01
 Levels Plans Drg No. ENV0000727C-ATK-XX-3SP-DR-PL-000003 Rev C01
 Sections Plan Drg No. ENV0000727C-ATK-XX-3SP-DR-PL-000005 Rev C01
 Strategic Stockpile Drainage Strategy dated 11/10/2023 Doc No.
 ENV0000727C-ATK-XX-4ZZ-RP-D-000001 Rev P02

DECISION

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Committee date 14/11/2023

Application No: 08/23/00209

Application Type: Full Planning Permission

Case Officer: Dean Titchener

Registered Date: 14/04/2023

Expiry Date: 08/06/2023

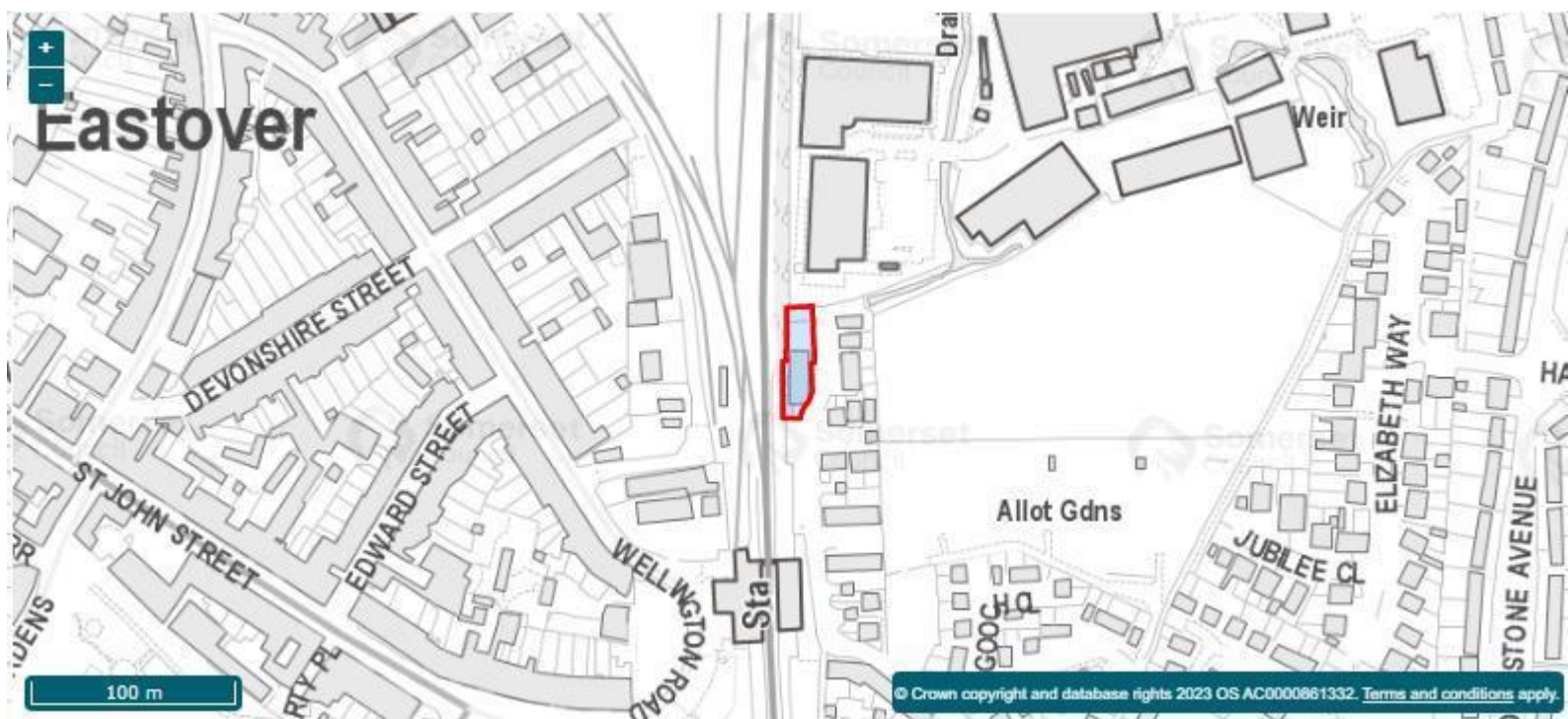
Parish: Bridgwater

Division: Bridgwater North & Central

Proposal: Demolition of the existing commercial buildings/structures, erection of 3 detached residential dwellings with parking provisions, amenity spaces, landscaping, bin and cycle storage, and new boundary fences/treatments.

Site Location: Commercial Buildings & Land At, Clarks Road, Bridgwater, Somerset, TA6

Applicant: Eleven 10 Architecture Limited



Committee decision required because

This application is referred to the area committee at the request of the Chair and/or Vice Chair to enable the issues raised by the Town Council and elected member to be debate.

Background

The application site is located in Bridgwater and comprises building and associated land located to the north east of the town's train station and immediately to the east of the railway line. The site is accessed via Clarks Road, a residential cul-de-sac that runs along the eastern boundary of the site. The final section of the road terminates in a short section of a private drive that provides vehicular access to numbers 64, 66 and 68 Clarks Road. On the west side of the end of the road is a single storey industrial unit oriented on a north-south axis parallel to the railway line. The building is constructed of corrugated sheet metal under a roof of the same materials; the unit is considered to have been built in the pre-war period.

Two previous schemes, both which proposed the erection of four dwellings have been refused. The latter was refused on the grounds of poor design and amenity. This scheme was appealed but dismissed by an Inspector in 2022. The Inspector agreed with concerns about design, but was broadly neutral with regard to issues of amenity. Their conclusion stated:

'I have found that the proposed development would cause unacceptable harm to the character and appearance of the surrounding area. I have also found that the proposed development would not have an unacceptable effect on the living conditions of neighbouring residents, and would provide acceptable living conditions for prospective future residents, in both cases with particular regard to outlook. However, my conclusions on that second main issue do not deflect from the harm I have found would be caused in respect of the first main issue. Furthermore, although I have found that there would not be unacceptable harm to the neighbouring residents in terms of outlook, neither would the proposed development represent a clear benefit in that respect, particularly given the additional massing and height compared with the existing building.'

A new scheme has now been submitted which substantially differs in design from that dismissed at appeal. This seeks permission for the demolition of the commercial building and the erection of three dwellings in its place. The units are to be detached dwellings of contemporary design. Each will be two storey in height with its own private rear garden. Materials are to be a mix of contrasting brick (buff and grey), metal roofs, aluminium coping, grey aluminium windows and doors, with permeable paving externally and rear boundaries of vertical close boarded timber.

The application was initially submitted proposing four dwellings. This has been reduced to three on the advice of the planning officer.

Relevant History

Reference	Case Officer	Decision	Proposal
08/21/00052	DT	REF (appeal dismissed)	Erection of 4no. dwellings, on site of existing buildings (to be demolished) including formation of parking area, landscaping and associated works (revised scheme).
08/20/00007	DT	REF	Erection of 4 No. semi-detached dwellings with parking. Erection of commercial workshop and office building for B1 Use, parking, hard and soft landscaping provisions including the erection of new boundary fences (on site of existing commercial buildings to be demolished).

Supporting information supplied by the applicant

Environmental Noise Assessment
Design and Access Statement
Flood Risk Assessment
Site Check Assessment

Consultation Responses

Cllr Redman (Ward Member) – Objects:

'I am one of the local councillors for the area, I have a number of concerns that would like reviewed prior to the application going forward.

I am concerned about possible overlooking and loss of privacy from the front. Can I have details of this consideration?

I am concerned that 4off 2 bed properties would increase vehicles requiring parking, the property is on a section that is narrow and often causes issue if street parking is used, I would like to see as much dedicated parking for the properties to minimise the need for street parking. Can we see plan showing more detailed parking, the current 5 parking spaces for 8 bed spaces is not sufficient?

I would like confirmation of the properties consulted in the area and details of how that has been done.

I wish to register an objection, I will consider any further comments once I have seen the responses to the above and any residents responses.'

Cllr Redman (Ward Member, provided further comments) – Objects:

‘Good morning, I would further like to add to my original objection and ask that committee note previous applications under very similar design plans that were 08/20/00007 & 08/21/00052

I will add to my original objection by highlighting the following:

I believe the scale of development sought and design choices on this small and constrained plot has resulted in a cramped and contrived form of development which is out of character with the surrounding residential development.

I believe the proposed development features dwellings oriented towards existing properties on Clarks Road. By virtue of the height, width of this elevation and proximity of the proposed dwellings to existing properties on Clarks Road the development would give rise to visually dominating effects that unacceptably compromise the outlook of existing residents to the detriment of their amenity and living conditions.’

Bridgwater Town Council (when initially consulted) – Objects:

‘Objection due to overdevelopment.’

Bridgwater Town Council (when reconsulted on scheme of reduced dwellings) – Objects:

‘Although there has been reduced development this council still wishes to object on the grounds that as new information has been supplied by Network Rail, the council would now like to wait the outcome of the noise and vibration assessment.’

County Highways – No objection, but requests conditions on footway provision, visibility splays, EV charging points, bicycle parking, disposal of surface water, parking and turning areas and submission of a construction management plan.

South West Heritage Trust – No objection.

Environmental Health – Recommends noise and vibration conditions, controls on hours of operation/demolition, contaminated land watching brief condition.

Network Rail – No objection in principle but due to proposal being next to NR land have included asset protection comments which applicant is strongly recommended to action should the planning permission be granted.

Natural England – No objection.

County Ecologist – Upon submission and review of ecology appraisal does not object and recommends conditions regarding external lighting, site clearance, biodiversity enhancements and informatives regarding protected species.

Civil Contingences – If approved recommends completion and maintenance of Flood Warning and Evacuation Plan.

Representations

9 addresses provided representations in objection (to the initial scheme of 4 dwellings):

- Inadequate parking provision for future residents of scheme
- Road is dangerous, scheme will exacerbate safety issues
- Impact of additional traffic
- Design of properties not in accordance with others locally
- Impact on privacy and overshadowing from proximity of properties
- Scheme of 2 dwellings would be acceptable
- Drainage/sewerage impacts
- Queries whether issue with certificates now resolved regarding land ownership
- Scheme impacts on railway safety buffers at rear of plot
- Raises issues with rights of access
- Inappropriate next to railway line
- Lack of need for housing
- Site may be contaminated
- Impact on property value

6 addresses provided representations in objection (to the revised scheme for 3 dwellings):

- Amendments do not address previous concerns
- Inadequate parking provision for future residents of scheme
- Impact of additional traffic
- Impact on privacy and overshadowing from proximity of properties
- Road is dangerous, scheme will exacerbate safety issues
- Impact on property value
- Scheme impacts on railway safety buffers at rear of plot
- Loss of turning head
- Raises issues with rights of access
- Overdevelopment of site
- Scheme is moderate improvement over previous

Most Relevant Policies

National Planning Policies

National Planning Policy Framework: Section 12 'Achieving well-designed places'

Sedgemoor Local Plan (2011-2032)

S2 Spatial Strategy for Sedgemoor

S4 Sustainable Development Principles

D1 Flood risk and surface water management

D2 Promoting high quality and inclusive design

D5 Housing Mix

D13 Sustainable Transport and Movement

D14 Managing the Transport Impacts of Development

D16 Safeguarding Existing Employment Land and Buildings

D20 Biodiversity and geodiversity

D24 Pollution Impacts of Development

D25 Protecting residential amenity

Community Infrastructure Levy (CIL)

The application is for residential development in Bridgwater where the Community Infrastructure Levy (CIL) is Urban Residential £52.60/sqm of additional gross internal floor area created. Based on current rates, the CIL receipt for this development would be in the region of £20,452.47. This amount does not take into account any existing floor space on site that may be converted or demolished, or any CIL exemption or relief that may be eligible.

Main Issues

Principle of development

The application site is located within Bridgwater where new residential development is acceptable in principle. The site involves the demolition of an existing workshop building. This building is understood to have been in place for many decades (it is asserted to be a pre-war structure); it is also stated to have lain empty for many years now, with no occupants having taken up a tenancy.

Policy D16 states that proposals to change the use or redevelop existing employment sites and buildings to non-employment uses will be supported where it can be demonstrated that there is no likelihood of a viable employment use, or it would be preferable, as a result of adverse environmental impact to be relocated to a suitable site. The property has been marketed on and off in the past but there had not been any uptake. Marketing feedback suggested that this may be due to restricted access for HGV vehicles. It has also been stated that significant monies would need to be invested in the building to bring it up to an energy efficient standard that would enable it to be lawfully let to tenants.

No evidence has been provided to substantiate the marketing undertaken. Nor has anything been provided regarding the works needed to bring the building up to an energy efficient standard. However, it is accepted that the building is an old structure and is in an awkward location being

positioned at the end of a residential cul-de-sac. The unit is essentially a leftover building from the time before the wider Clarks Road housing estate was constructed. For unknown reasons, the building was not included as part of the redevelopment of the area. There would likely be limitations on the size of commercial vehicles that would access the site, as the only local turning space is within the estate, rather than on site.

There would also be benefits to removing the commercial unit from what is a predominantly residential area. The proximity of the unit to the dwellings immediately to the east on Clarks Road is such that any commercial activities taking place could have the potential to negatively impact on the living conditions and residential amenity of existing occupants. As such, there are environmental benefits which would arise if the commercial use proposed ceased. Therefore, notwithstanding the lack of submitted marketing evidence, it is considered that there is suitable justification for the loss of this small employment unit.

The site is brownfield land, so its redevelopment is broadly supported by both national and local policy. The site falls within the settlement limit for Bridgwater, where residential development is considered appropriate. The principle of redeveloping the site for an alternative use would be acceptable, subject to the detailed assessment of the constraints of the site and the scheme's impact (of which there are various issues that bear on this application).

Design and visual impact

Policy D2 of the Sedgemoor Local Plan commits the Council to achieving high quality, sustainable and inclusive design for all new development across the district. This includes the development of buildings, places and spaces that are attractive and safe, accessible for all, enjoyable to use, convivial and socially interactive, environments to encourage healthy lifestyles, conducive to walking and cycling, designed with flair, imagination, style and innovation, and responsive to and reinforcing local context, character, scale distinctiveness of place. Section 12 of the National Planning Policy Framework states that good design is a key aspect of creating better places in which to live and work.

The Council raised significant concern with the scale of the previous schemes and the design of the dwellings. The most recent scheme was poor, featuring 'blind' recessed brick windows and extensive obscurely glazed windows to the street scene – design elements which gave rise to harm to the street scene. These concerns were shared by the Inspector who dismissed the recent appeal.

The new scheme is substantially different from the previous refusal. It proposes three dwellings of contemporary design. The designs proposed make use of local materials such as brick and are of a height and spacing which picks up on local character. However, the designs are distinctly contemporary, and provide their own features and level of interest. Their form, which is slightly skewed to the road frontage, their use of the staircase overhang, the narrow vertical windows on the front elevation, projecting brick detailing and metal sheet roof give the proposal a unique and high

quality appearance.

The proposal is considered to be a significant improvement over the previous refusal. The proposal adds interest to the street scene in place of the dilapidated commercial premises. It is considered that the previous concerns have been overcome and the design is now considered acceptable.

Amenity impacts

Policy D25 states that proposals which unacceptably impact on the residential amenity of occupants of nearby dwellings and any potential future occupants of nearby or proposed dwellings will not be supported. Policy D24 states that development proposed within close proximity to an existing source of potential pollution will not be supported where the proposal would be adversely affected by it. The NPPF states that development should provide a high standard of amenity for existing and future users.

The site lies immediately adjoining a busy railway line. This is an existing source of noise and vibration that has the potential to impact upon the amenity of future occupants. The issues of noise and vibration, and the impact of the scheme itself on amenity are considered separately below.

Noise and vibration impacts

The dwellings to be erected are located adjoining a busy railway line. The frequent passing of trains has the potential to negatively impact on the amenity of future occupants through noise and vibration. An earlier scheme was refused on one ground regarding these impacts. It was at that point considered, despite submission of a noise and vibration assessment, that there was insufficient information to confirm that the proposals would not have a significant detrimental impact on future occupants. This issue was however addressed in the most recent (though refused scheme). The discussion below from the refused scheme remains relevant to the current application:

'To enable an assessment and potential mitigation of any impacts, the application has been accompanied by a revised Noise Impact Assessment. Clarification has been sought from the Council's Environmental Health department regarding noise levels at different times of the day, and further assessment regarding the possibility of adverse impacts from vibration. Further commentary has been provided by the applicant's consultant with regard to how vibration and noise impacts could be reduced in the design choices proposed to be used during construction.

In light of the responses the EH department are no longer raising an objection to the proposal. They are requesting detailed controls through conditions to secure the recommendations about the nature of the dwelling designs as set out in the applicant's noise and vibration assessment. These include internal and external noise levels not exceeding certain limits, construction and ventilation requirements, installation of a noise control barrier and commission testing to ensure standard of

dwelling falls below the Low Probability of Adverse Comment in British Standard BS6472. Subject to the imposition of these conditions, it is considered that the scheme is now acceptable with regard to noise and vibration impacts. The previous reason for refusal on this matter is considered to be overcome.'

Environmental Health's position has not changed and they continue to recommend conditions be imposed to control noise, but are not objecting to the application. The conditions most recently requested by EH will be imposed on the permission. Subject to their imposition, the impacts of noise and vibration are considered to be adequately addressed.

Scheme design amenity impacts

A concern with the previously refused scheme was the relation of the new dwellings with the existing properties to the east on Clarks Road. A reason for refusal on the grounds that the proposal would give rise to visually dominating effects which would detrimentally affect the amenity of nearby residents. The Inspector did not support this reason for refusal (but was neutral in writing that the proposals would not result in any improvement to outlook). The views of the Inspector are a material consideration in the determination of the current proposal.

The separation distance to the nearby properties remains similar to the earlier scheme, about 13.5m. However, the ridge height is lower by about 600mm (7.1m instead of 7.7m) and the width of each unit is narrower. These design choices reduce the massing of the units. The reduction in the number of units from four to three also provides the opportunity for more separation between, with consequential benefits for the outlook of the residents opposite.

To address concerns regarding the proximity of window to window separation distances, design choices have been taken to minimise overlooking from any first floor windows looking east across Clarks Road. These include either having windows serve non-habitable areas (such as staircases), the use of the narrow vertical slit windows, or use of obscure glazing for road-facing bathrooms. These choices act to limit any unacceptable impacts on the amenity of nearby residents.

Internally the units provide adequate space for future occupants. Each dwelling is served by rear private amenity space.

It is therefore considered that the scheme has been appropriately designed to maintain existing levels of amenity whilst providing acceptable living conditions for future occupants. The previous concerns of the Council are considered addressed and the scheme is now in compliance with policy D25.

Highways and parking

Policies D13 and D14 of the Sedgemoor Local Plan require development to enhance road and personal safety and be compatible with existing highway infrastructure.

The highway authority has commented in detail on the revised scheme. They note that Clarks Road is an unclassified cul-de-sac and that in their opinion the scheme will not place the existing

highway over capacity. They consider that due to the nature of the road and its location that vehicle speeds would unlikely be high.

The proposed one parking area to serve all three dwellings, providing a total of seven parking spaces. This parking area is located on the southern part of the plot immediately adjoining the public highway. Vehicles would be able to reverse out of these spaces whilst remaining on land within the public highway.

Despite the comments of local residents regarding parking issues in the location, the highway authority also considers the parking levels to be broadly in line with the Somerset Parking Strategy.

The highway authority confirm they raise no objection subject to the imposition of conditions to secure construction of the footway, pedestrian visibility splays, disposal of surface water, parking and turning kept clear of obstruction and submission of a Construction Management Plan. Given the absence of an objection from the highway authority, it is considered that the proposal is acceptable in terms of highway safety. If permission were to be granted, appropriate conditions would be imposed.

Flood risk

The application site is located within Flood Zone 3, the area of high flood risk. Much of eastern Bridgwater falls within this zone and consequently the Local Plan has stated that there is no requirement to undertake the sequential test. The exceptions test is however required.

A Flood Risk Assessment has been provided with the application. This includes mitigation measures including the setting of finished floor levels (FFL) at 7.25mAOD, being raised 0.25m above the level of Clarks Road, and 0.15m above the existing FFL of the commercial building. The development is designed to have first floor accommodation, thereby satisfying local Environment Agency (EA) standing advice. Flood resilient construction measures will be incorporated into the build and a flood warning and evacuation plan could be prepared, as well as signing up to the EAs flood warning systems. Provided these measures were all secured by a condition, the proposal would be considered satisfactory on flood risk grounds.

Impact on railway line

Network Rail (NR) has responded to the consultation given that the proposal being next to their land and infrastructure and to ensure that no part of the development impacts the safety, operation and integrity of the operational railway. They have made a detailed submission with comments, and whilst raising no objection in principle, they wish to see that their assets are protected during any construction period.

Clarification has been sought from Network Rail regarding how their objectives could be achieved. NR has requested that controls in the form of construction management plan to cover excavations and earthworks would need to be achieved via a condition on any permission. Their other comments setting out the obligations on the developer could be set out in informatives.

Whilst it is noted that local representations have been made with regard to the impact of the proposal on railway infrastructure (including impact on some purported railway safety buffers) given the absence of objection from NR it is not considered that this would constitute a reason for refusal.

Ecology

In terms of ecological constraints, the county ecologists recommended updated surveying take place. Upon review of such surveying the ecologist raises no objection subject to the imposition of conditions. Such conditions would control site clearance, installation of external lighting, and submission of a biodiversity enhancement plan. Informatives would also be added regarding protected species. Subject to their imposition it is not considered there are any ecological reasons to withhold permission.

Summary

The previous concerns of the Council are considered to have been overcome. The scheme represents the redevelopment of a brownfield site in a sustainable location. The designs proposed are high quality and provide acceptable levels of amenity for future occupants and existing residents. There are no other matters which cannot be addressed via conditions.

RECOMMENDATION

GRANT PERMISSION

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Prior to any vegetative clearance or groundworks, any vegetation in the construction area should initially be reduced to a height of 10 centimetres above ground level by hand, brushings and cuttings removed and the remainder left for a minimum period of 48 hours of fine warm weather (limited rain and wind, with temperatures of 10°C or above) before clearing to

minimise the risk of harming/killing any reptiles that may be present and to encourage their movement onto adjoining land. This work may only be undertaken during the period between March and October under the supervision of competent ecologist. Once cut vegetation should be maintained at a height of less than 10cm for the duration of the construction period. Any features such as rubble piles or other features which potentially afford resting places for reptiles will be dismantled by hand by a competent ecologist in April or August to October and any individuals found translocated to a suitable location prior to works commencing on site.

Reason: This is a pre-commencement condition in the interests of UK protected and priority species and in accordance with Sedgemoor District Council Local Plan: Policy D20 - Biodiversity and Geodiversity.

4 No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:

- Construction vehicle movements;
- Construction operation hours;
- Construction vehicular routes to and from site;
- Hours of operation for construction, demolition and deliveries
- Expected number of construction vehicles per day;
- Car parking for contractors;
- Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
- A scheme to encourage the use of Public Transport amongst contractors; and
- Measures to avoid traffic congestion impacting upon the Strategic Road Network.
- Measures to regulate the routing of construction traffic;
- The importation of spoil and soil on site;
- The removal /disposal of materials from site, including soil and vegetation;
- The location and covering of stockpiles;

- Details of measures to prevent mud from vehicles leaving the site and must include wheel-washing facilities;
- Control of fugitive dust from earthworks and construction activities; dust suppression measures;
- Noise and Vibration control plan (which includes control methods) to include mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 'Code of practice for noise and vibration control on construction and open sites' shall be used to minimise noise or vibration disturbance from construction works;
- A waste disposal policy (to include no burning on site);
- Measures for controlling the use of site lighting whether required for safe working or for security purposes;
- Details of any site construction office, compound and ancillary facility buildings;
- Specified on-site parking for vehicles associated with the construction works and the provision made for access thereto;
- A point of contact (such as a Construction Liaison Officer/site manager) and details of how complaints will be addressed, including an appropriate phone number

Reason: This is a pre-commencement condition to protect the amenity of local residents from potential impacts whilst site clearance, groundworks and construction is underway and in the interests of highway safety in accordance with Adopted Sedgemoor Local Plan 2011-2032 Policies D13, D14, D24 and D25.

- 5 The development hereby approved shall not commence until a Construction Method Statement, setting out full details of any proposed excavations or earthworks in the vicinity of the adjoining railway, any demolition, or piling has been submitted to and approved in writing by the local planning authority. The development hereby approved shall be carried out in accordance with the approved method statement.

Reason: This is a pre-commencement condition in order to protect the safe operation of the adjoining railway.

- 6 No development shall take place above damp proof course level until samples of the materials to be used on the external surfaces of the building hereby approved, to include windows, doors, walls and roof, have been submitted to

and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials.

Reason: In the interests of visual amenity in accordance with Sedgemoor Local Plan 2011-2032 Policy D2.

- 7 Where external lighting is to be installed, prior to construction above damp-proof course level, a lighting design for bats, following Guidance Note 08/23 - bats and artificial lighting at night (ILP and BCT 2023), shall be submitted to and approved in writing by the Local Planning Authority. The design shall show how and where external lighting will be installed. Lux levels should be below 0.5 Lux on key & supporting features or habitats. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with Sedgemoor District Council Local Plan: Policy D20 - Biodiversity and Geodiversity.

- 8 A Biodiversity Enhancement Plan (BEP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the works beyond damp proof course level. The mitigation/enhancements should be installed prior to first occupation of the development hereby approved and retained thereafter and should include the following:

- a) Any lawned areas should be turf and/or seed mixes that comprise native, species rich mixtures (such as Emorsgate seeds EL1 Flowering Lawn Mixture) that respond well to the proposed mowing schedule (e.g. the aforementioned seed mix responds well to regular short mowing). The planting and ongoing management for the retention of this area shall be specified.
- b) Any new fencing installed on site must have accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgehogs into and out of the site.
- c) 1x Integrated bee brick built into an appropriate external wall space of each dwelling. The bricks should be placed 1m above ground level and vegetation must not block the entrance holes. Please note, solitary bees

are harmless and do not sting.

d) Installation of 3x standard bird boxes purchased or built, situated on a mature tree on site or appropriately positioned on the proposed works, at a height above 3m. The ideal position for bird boxes is north facing (followed by north-east, and then east if no other aspects are possible. Under no circumstances should south or west elevations be used, and boxes aimed at different species should be spaced at least 2m apart.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 174(d) of the National Planning Policy Framework.

9 No part of the development hereby permitted shall be occupied until a Verification Report to demonstrate that the noise mitigation scheme has been implemented in full, (as in the Report titled “ Environmental Noise Assessment Former Commercial Building and Land at Clarks Road Bridgwater Ref: 10221/PR/SL which includes construction and ventilation requirements), has been submitted to the Planning Authority for approval. The measures shall be retained in perpetuity.

Reason: To prevent excessive noise and protect the residential amenity of occupiers in accordance with Policies D24 and D24 of the Sedgemoor Local Plan 2011-2032.

10 No part of the development hereby permitted shall be occupied until a Vibration Mitigation Report has been submitted to the Planning Authority for approval. The Report shall detail the mitigation measures required to minimise the possibility of “adverse comment possible” as described in BS6472 1:2008 and to adequately control vibration at acceptable levels.

Reason: To prevent excessive vibration and protect the residential amenity of occupiers in accordance with Policies D24 and D24 of the Sedgemoor Local Plan 2011-2032.

11 No part of the development hereby permitted shall be occupied until a Verification Report to demonstrate that the vibration mitigation scheme (as required by Condition 10 above) has been implemented in full, has been submitted to the Planning Authority for approval. The measures shall be retained in perpetuity.

Reason: To prevent excessive vibration and protect the residential amenity of occupiers in accordance with Policies D24 and D24 of the Sedgemoor Local Plan 2011-2032.

12 No part of the development hereby permitted shall be occupied until the footway fronting plots 1 and 2 has been carried out in accordance with a design and specification to be submitted to and approved in writing by the Local Planning Authority and to be fully implemented in accordance with the approved details.

Reason: In the interest of highway safety in accordance with Sedgemoor Local Plan 2011-2032 Policies D13 and D14.

13 The areas allocated for vehicle parking and turning on the submitted and approved Proposed Site Plan Drg No. 344_ D_ 10_ revision A, shall be kept clear of obstruction and shall only be used for the said purpose and not for any other purposes.

Reason: In the interest of highway safety in accordance with Sedgemoor Local Plan 2011-2032 Policies D13 and D14.

14 Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway,. Such provision shall be installed before first occupation and thereafter maintained at all times.

Reason: In the interest of highway safety in accordance with Sedgemoor Local Plan 2011-2032 Policies D13 and D14.

15 Finished floor levels for the dwellings hereby approved shall be 7.25mAOD.

Reason: To safeguard future occupants from flood risk in accordance with Sedgemoor Local Plan 2011-2032 Policy D1.

16 The development hereby approved shall be carried out in accordance with the flood resilience measures as set out in submitted and approved Flood Risk Assessment (Eleven10 Architecture, March 2023).

Reason: To safeguard the site and surrounding area from flood risk in accordance with Sedgemoor Local Plan 2011-2032 Policy D1.

17 If any unforeseen contamination is found during excavations, the Local Planning Authority shall be notified immediately. Where remediation is deemed necessary by the Local Planning Authority, a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority and then implemented in accordance with the submitted details.

Reason: To ensure that the land is suitable for the intended uses and to

ensure that the development can be carried out safely without unacceptable risks to human health, controlled waters and other receptors both onsite and offsite, in accordance with Policies D24 and D25 of the Sedgemoor Local Plan and section 11 and 15 of the National Planning Policy Framework.

Schedule A

Location & Block Plans Drg No. 344_D_01

Site Plan Drg No. 344_D_02

Existing Plans & Elevations Drg No. 344_D_03

Existing Site Drainage System Drg No. 344_D_05

Proposed Site Plan Drg No. 344_D_10 Rev A

Proposed Type 1 Plans & Elevations Drg No. 344_D_13 Rev A

Proposed Type 2 Plans & Elevations Drg No. 344_D_14 Rev A

Street Elevations Study Drg No. 344_D_17 Rev A

Proposed Street Cross Section Drg No. 344_D_18 Rev A

Proposed Type 1 Materials/Finishes Board Drg No. 344_D_19 Rev A

Proposed Type 2 Materials/Finishes Board Drg No. 344_D_20 Rev A

Proposed Site Surface Water Drainage Plan Drg No. 344_D_21 Rev A

Proposed Site Foul Drainage System Drg No. 344_D_22 Rev A

Proposed Site Plan and Aerial View Drg No. 344_D_25

Proposed Street Elevations and 3D Views Drg No. 344_D_26

DECISION

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Committee date 14/11/2023

Application No: 12/23/00025

Application Type: Full Planning Permission

Case Officer: Liam Evans

Registered Date: 28/08/2023

Expiry Date: 22/10/2023

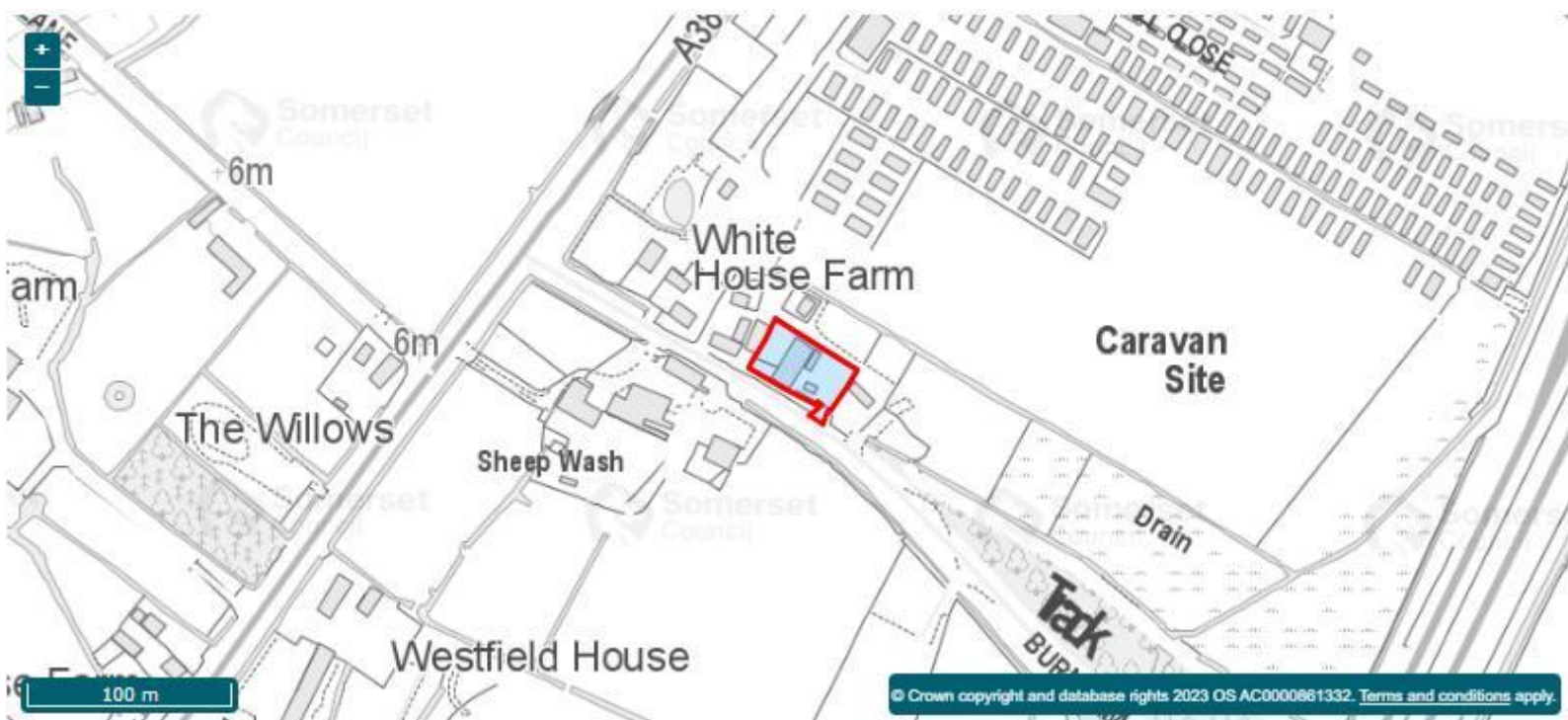
Parish: Burnham Without

Division: Brent

Proposal: Conversion of child's nursery to form 5 no. dwellings including rear extensions, associated parking and demolition of outbuildings.

Site Location: Rose Cottage Farm Nursery, Burnham Moor Lane, Edithmead, Highbridge, TA9 4HE

Applicant: West Country Park Homes



Committee decision required because

The views of the Parish Council are contrary to the officer's recommendation.

Background

Rose Cottage Nursery is located to the south of White House Farm and the Edithmead Roundabout that links with junction 22 of the M5. The site is accessed off Burnham Moor Lane and is occupied by a number of buildings which were used in association with a children's nursery that has since closed. The building subject to this application was converted from an agricultural building to a children's nursery, office and store in 2003.

In 2021 permission was granted to convert the nursery building into 2 dwellings. Each dwelling would have 2 bedrooms with open plan living space. The existing access and parking area was to be utilised.

Consent is now sought for an alternative scheme to convert the building into 5 one bedroom dwellings. The works would be similar to that previously approved with a small extension to the east elevation of similar materials with the overall appearance (monopitched roof above timber clad and render elevations) similar to that previously approved.

Each of the dwellings would be served by a garden to the north west with a shared parking and turning area off the existing access providing 9 spaces in total alongside a cycle rack and bin store.

Relevant History

12/03/00013	DC	Works in connection with continued use of buildings and land for childrens nursery, including change of use and conversion of agricultural building, change of use of outbuilding, continued use of land as childrens play space and for car parking, retention of oil tanks and containers, together with associated landscaping and fencing as detailed on application forms.	GTD
12/20/00006	DC	Conversion of nursery building into 2 dwellings.	GTD

Supporting information supplied by the applicant

Design and Access Statement
Flood Risk Assessment

Consultation Responses

Consultee Name	Summary of Response
Burnham Without Parish Council, 5 Channel Court	Objection <i>"Members are very concerned that the proposal will result in a greater number of vehicle movements at the Burnham Moor Lane/A38 junction over more days in the year than the former nursery.</i> <i>The junction has been the location of a large number of traffic accidents, many serious, usually caused by vehicles emerging from or turning into Burnham Moor Lane."</i>
Somerset County Council - Civil Contingencies	Recommended flood warning and evacuation plan informative.
Affordable Housing Officer - Sedgemoor District Council, Housing, Communities and Wellbeing	<i>"In light of the number of properties proposed, there are no affordable housing implications association with this proposal."</i>
Somerset Highways	No objection, recommend conditions.
Environmental Health	Recommend conditions relating to noise mitigation.

Representations

None received.

Most Relevant Policies

National Planning Policies

National Planning Policy Framework

Local Plan (2011-2032)

- C01 Countryside
- C03 Brownfield Sites in the Countryside
- D2 Promoting High Quality and Inclusive Design
- D14 Managing the Transport Impacts of Development
- D25 Protecting Residential Amenity

Community Infrastructure Levy (CIL)

The application is for residential development in Burnham Without where the Community Infrastructure Levy (CIL) is Non-urban Residential £111.81sqm of additional gross internal floor area created. Based on current rates, the CIL receipt for this development would be in the region of . This amount does not take into account any existing floor space on site that may be converted or demolished, or any CIL exemption or relief that may be eligible.

Main Issues

Principle

The site is located within the countryside and forms part of a mixed use site, which included the use of the existing building and those adjacent as a children's nursery. Policy S2 and C03 support proposals for re-use or remodelling of existing brownfield sites within rural areas.

The proposal seeks to convert and change the use of a non-traditional building nursery building to 5 dwellings. The building benefits from an extant planning permission for a residential conversion to 2 dwellings and this is a significant material consideration in the assessment of the proposal now submitted. As was considered the case previously, while the building is not of traditional rural character, it does display the characteristics of its former agricultural use. It is also a permanent structure and its conversion into 5 dwellings would have no impact on the character of the building.

Therefore, the proposal is acceptable in principle.

Impact on Flood Risk

Policy D1 (Flood Risk and Surface Water Management) of the Local Plan states that the vulnerability of the development must still be compatible with the flood zone, including application of the exceptions test and to ensure that the development will be safe over its lifetime.

The site is within Flood Zone 3a in an area with a high probability of flooding. However, in terms of vulnerability, the use as dwellings would be the same classification as a nursery (more vulnerable) and as such there would be no increase of risk/threat of flooding. A Flood Risk Assessment has been submitted.

With regard to the Sequential Test, the proposal involves the conversion of an existing building and therefore has a specific locational requirement and is considered to be passed. In terms of the Exceptions Test, the proposal includes a refuge at an upper level for each of the dwelling. This would be consistent with the previously approved plans although as now submitted these refuge areas would be larger in floor space (equating to the kitchen/dining areas) and it is considered that the flood mitigation measures are improved over that consented and certainly over the previous use

as a nursery.

It is considered that the Exceptions Test is passed and that the development is in accordance with Policy D1 of the Local Plan.

Impact on the Character of the Area

Policy D2 seeks to achieve high quality, sustainable and inclusive design which responds positively to and reflects the local characteristics of the site and identity of the surrounding area and be of a design solution that makes the most efficient use of land through appropriate densities, whilst recognising the need for positive treatment of the spaces around and between the buildings.

The existing building has no distinct rural character but is of an appearance that is not out of keeping with the locality and forms part of a site that has a selection of building with different styles and materials. The proposed changes to the building, including additional openings and a small extension, would have no adverse impact on the building and therefore it is not considered that the proposal would be detrimental to the street scene or wider area.

The proposal would accord with policy D2 of the Local Plan.

Impact on Highway Safety

Policy D14 of the Local Plan seeks to ensure provision is made for inclusive, safe and convenient access for all and that the nature and volume of expected traffic from development would not compromise highway safety and that development proposals must provide safe access to roads of adequate standard within the route hierarchy and ensure that the expected nature and volume of traffic and parked vehicles generated by the development would not compromise the safety and/or function of the local or strategic road networks in terms of both volume and type of traffic generated.

At this location the road is relatively straight and wide having passed over the M5 Bridge and the existing entrance is located approximately 160 meters from the Burnham Moor Lane junction with the A38. Notwithstanding the comments received from the Parish Council according to highway records there has been no recorded personal injury accidents recorded associated with the existing access.

It is considered that the traffic generated by the proposed development will not have a severe impact on the local highway network. The average dwelling generates 6 – 8 vehicle movements per day which means that this proposal would generate approximately 40 movements per day based on the higher figure. This is considerably less than the number of movements if the site was operating as a children's nursery.

The proposal seeks to utilise the existing access into the site from the highway which has been used for vehicles accessing the buildings as a children's nursery. The site plan indicates that this would be widened sufficiently to allow two vehicles to pass each other without conflict and lead to the proposed turning area. The proposal appears to provide a large enough space for parking and sufficient area for turning to allow vehicles to leave the site in a forward gear as well as not having to rely on the highway for parking. The access has served the nursery currently on site with no recorded accident history and, as it is likely that traffic movements would be reduced compared to the permitted use, this would result in an improvement to highway safety. The access provides sufficient visibility in both directions along what is a straight section of road and this would be retained.

It is not considered that the development would have any adverse impact on highway safety and proposal would accord with policy D14 of the Local Plan.

Impact on Residential Amenity

Policy D25 which states that 'Particular consideration will be given to the extent that the proposal would result in unacceptable noise and disturbance, over shadowing, overlooking and/or visual dominance.'

The buildings adjacent to the site comprises of holiday units and a permanent dwelling further to the west. The building is of sufficient distance from the neighbouring properties so as not to cause undue adverse impact to the amenities of the occupants of any of the neighbouring residential property.

While the Environmental Health team have recommended a noise mitigation condition be imposed with respect to potential impacts from traffic noise, it is considered that this would be unnecessary in this instance. While the dwellings would be adjacent to Burnham Moor Lane this is a moderately used highway of single width and in its own right unlikely to generate a significant impact on the amenity of future occupants. It should also be noted that such a condition was not imposed on the extant permission and therefore as the existing site and its situation remain as was previously assessed any such condition would be unreasonable.

The proposal would accord with policy D25 of the Local Plan.

Conclusion

The change of use and conversion of the building would have no adverse impact on highway safety, amenities of neighbouring residents, character of the area or flood risk.

RECOMMENDATION

GRANT PERMISSION

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Before any of the dwellings hereby approved are occupied the parking and turning areas as shown on plan no.223/7 shall have been provided and constructed within the site. 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.

Reason: In the interest of highway safety.

- 4 Any entrance gates erected shall be hung to open inwards, shall be set back a minimum distance of 5 metres from the carriageway edge and shall thereafter be maintained in that condition at all times.

Reason: In the interest of highway safety.

- 5 The development hereby approved shall be constructed with an integral safe refuge area for each dwellings set at a minimum of 6.75m AOD and all flood resilience measures detailed in section 2.03 of the submitted Flood Risk Assessment dated July 2023. These measures shall be implemented prior to first occupation and thereafter retained and maintained for the lifetime of the development.

Reason: To reduce flood risk to the development and future users.

Schedule A

Location Plan Drg No. 100022432

Existing Floor Plan & Elevations Drg No. 22014/01

Block Plan & Proposed Floor & Elevations Plan Drg No. 223/7

DECISION

Committee date 14/11/2023

Application No: 41/23/00004

Application Type: Full Planning Permission

Case Officer: Adrian Noon

Registered Date: 17/03/2023

Expiry Date: 11/05/2023

Parish: Pawlett

Division: Huntspill and Pawlett

Proposal: Erection of workshop extension to the South elevation on site of existing storage building (to be demolished).

Site Location: 19 Old Pawlett Road, West Huntspill, Highbridge, TA9 3RH

Applicant: A38 Tyres



Committee decision potentially required because

This application is referred to the area committee at the request of the Chair and/or Vice Chair to enable the issues raised by the Parish Council to be debated.

Background

The site is located outside of any settlement boundary approximately a kilometre south of the built up part of West Huntspill. It is located close to the junction of Pawlett Road (A38) and Old Pawlett Road. It comprises of an established car tyre and car workshop with associated buildings and forecourt.

It is proposed to build an extension to the side of the existing workshop.

During the processing of the application, the proposed building has been reduced in size and moved away from the boundary with the A38. revised drawings have been provided to reduce the redline area to omit a very small piece of highways land that have been accidently incorporated.

Relevant History

41/16/00004 Granted: Retention of building used as a workshop and tyre storage, under existing canopy.

Supporting information supplied by the applicant

Design and Access Statement

Flood Risk Assessment

Vehicle swept paths for a recovery truck and visibility splay

Consultation Responses

Parish Council: Object

“Whilst the PC does not object to the principle of the proposed extension, it does object to the application as it stands as potential highway safety objections have not yet been resolved.”

Highway Authority: no objection to revised plans

- Recommend conditions regarding visibility and turning

OFFICER NOTE: no alteration is proposed to the access and drawings have been provided to show that the proposed building would not impinge on the visibility splay (with includes third party land) of the existing access. it is not therefore necessary or reasonable to impose the suggested condition. Highways have confirmed that the amended redline now omits any highways land.

Historic Environment Service: No objection

Environment Health: No objection

Drainage Board: refers to Standing Advice

Representations

None received

Most Relevant Policies

National Planning Policies

National Planning Policy Framework

Local Plan (2011-2032)

- D1 Flood Risk and Surface Water Management
- D2 Promoting High Quality and Inclusive Design
- D14 Managing the Transport Impacts of Development
- D15 Economic Prosperity

Main Issues

Principle

Development in the countryside is strictly managed and therefore only supported by the local planning authority if it accords with specific Local Plan policies which exceptionally allow certain types of rural development or where a proposed development relates to a specific countryside need i.e. when countryside location is essential or more sustainable.

The site comprises of an existing business premises and this proposal seeks to enhance the facilities which is considered to be acceptable in principle.

Impact on Highway Safety

The Highways Officer considers that the swept path drawings provided in support of the application demonstrate satisfactory manoeuvring ability within the site and adequate visibility for vehicles using the premises has now been shown on the amended drawings.

The Parish Council raise concern in respect of highway safety and the proposal has been amended to accord with the Highway Officer's advice. No further comments have been received from the Parish Council. However it is considered that as there is no objection on highway grounds, the development accords with Policy D14 of the Local Plan.

Design and Scale

The proposed building is of a suitable design, appropriate for its intended function and will relate well to the existing buildings on site. The proposal will be similar in scale to the buildings already on site and will be seen in context with the commercial character of the location. In terms of the colour of the cladding, the proposal is for a white clad building and while some of the existing buildings on the site are white and grey with dark trim and an existing building to be removed is dark green, it is considered that a more subtle dark green colour would be more appropriate. A condition requiring such details to be agreed would ensure that an appropriate colour is used.

As such, the proposal with an appropriate condition, is considered to accord with policy D2 of the Local Plan.

Residential Amenity

There would be minimal impact on residential amenity. The nearest dwelling to the site is on the northern side of the business premises and due to the size, scale and orientation of the buildings, it is not considered that the development would have any significant increase in the impact on residential properties or the wider area.

The proposal will therefore accord with Policy D25 of the Local Plan.

Conclusion

The development would benefit economic development and would have no undue adverse impact on highway safety, the character of the area or amenity of neighbouring residents.

RECOMMENDATION

GRANT PERMISSION

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Notwithstanding the details of the proposed cladding described on the approved Dwg no. 16/0002/102a, no approval is hereby given to those materials. Prior to the installation of the proposed cladding, details of the colour of the cladding shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials.

Reason: In the interests of visual amenity in accordance with Policy D2 of the adopted Sedgemoor Local Plan (2011-2032).

Schedule A

Location Plan Drg No. 16/0002/1000c

Existing Site Plan Drg No. 23/0002/500b

Existing Elevations Dwg 16/0002/100b

Existing Floor Plan Dwg 16/0002/101b

Proposed Site Plan Dwg 23/0002/501b

Proposed Elevations Dwg 16/0002/102b

Proposed Floor/layout Dwg 16/0002/103b

DECISION

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PLANNING APPEALS RECEIVED

Between 01/08/2023 and 31/10/2023

Agenda Item 9

Application No: 08/22/00226

Proposal: Retrospective application for the replacement boundary wall to the South elevation in the rear garden.

Appeal Received: 25-Oct-2023

Appeal Procedure:

Location: 1 Northfield, Bridgwater, Somerset, TA6 7EZ

Final decision level: Delegated

Applicant: Mr S Henderson

Application No: 13/23/00011

Proposal: Application to determine if prior approval is required for a proposed change of use of agricultural building to 5no. dwellinghouses and associated operational development.

Appeal Received: 27-Oct-2023

Appeal Procedure:

Location: Chilton Trivett Farm, Blackmore Lane, Cannington, Bridgwater, Somerset, TA5 2LG

Final decision level: Delegated

Applicant: Mr & Mrs Coles

Application No: 24/23/00005

Proposal: Erection of fence wrapping around the Western, Northern and Eastern boundary with access gate, to replace existing fencing.

Appeal Received: 26-Sep-2023

Appeal Procedure:

Location: Acelies, Bristol Road, Rooksbridge, Axbridge, Somerset, BS26 2TA

Final decision level: Delegated

Applicant: Mr Bodziarczyk

No. of Appeals received: 3

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PLANNING APPEALS DECIDED

Between 01/08/2023 and 31/10/2023

Application No: 08/21/00120:

Delegated or Committee: Delegated

Proposal: Erection of a four storey building containing 8no. flats.

Committee date (if applicable):

Officers recommendation: Refuse Planning Permission

Committee or Officers decision (if delegated): Refuse Planning Permission

Location: Land To The Rear Of, 27-28 Cornhill, Bridgwater, Somerset, TA6 3AY

Applicant: Cornhill one and Cornhill Two ltd

Appeal Procedure: Written Representations

Appeal decision date: 13-Oct-2023

Appeal decision: Appeal Dismissed

Application No: 08/23/00174

Delegated or Committee: Delegated

Proposal: Installation of 1no. internally illuminated 48-sheet D-Poster advertising display.

Committee date (if applicable):

Officers recommendation: Refuse Planning Permission

Committee or Officers decision (if delegated): Refuse Planning Permission

Location: 21 Old Taunton Road, Bridgwater, Somerset, TA6 3NX

Applicant: Wildstone Estates Limited

Appeal Procedure: Written Representations

Appeal decision date: 18-Sep-2023

Appeal decision: Appeal Allowed

Application No: 17/21/00085

Delegated or Committee: Delegated

Proposal: Erection of a dwelling and detached garage on site of existing outbuilding to be demolished.

Committee date (if applicable):

Officers recommendation: Refuse Planning Permission

Committee or Officers decision (if delegated): Refuse Planning Permission

Location: 1 Spring Cottage, Venns Gate, Cheddar, Somerset, BS27 3LW

Applicant: Mr Falcon

Appeal Procedure: Written Representations

Appeal decision date: 16-Aug-2023

Appeal decision: Appeal Dismissed

PLANNING APPEALS DECIDED

Between **01/08/2023** and **31/10/2023**

Application No: 24/22/00019

Delegated or Committee: Delegated

Proposal: Application for the Prior Approval of the proposed change of use of agricultural building to 1no. dwelling and associated operational development.

Committee date (if applicable):

Officers recommendation: Prior Approval Refused

Committee or Officers decision (if delegated): Prior Approval Refused

Location: Land To The North West Of, White House Lane, Loxton, Axbridge, Somerset, BS26

Applicant: Mr P O'Hara

Appeal Procedure: Written Representations

Appeal decision date: 22-Aug-2023

Appeal decision: Appeal Dismissed

No. of Appeals Decided: 4

ENFORCEMENT APPEALS DECIDED

Between **01/08/2023** and **31/10/2023**

Case No.: E/49/00067/C

Description: the use of land for non agricultural purposes including the siting of shipping containers, storage of vehicles, domestic paraphernalia, waste, building materials, rubble and plant, and the use of land for non residential purposes for the dismantling and storage of vehicles and associated materials

Location: Holly Tree Cottage, Sparrow Hill Way, Weare, Axbridge, BS26 2LA

Appeal procedure: Written Representations

Appeal decision date: 09-Oct-2023

Appeal decision: Appeal Dismissed

Count of appeals: 1

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S106 Agreements

Between **01/08/2023** and **31/10/2023**

Application No: 51/19/00003

Case Officer: Dawn de Vries

Location: Land at Cokerhurst Farm South of Wembdon Hill & North of, Quantock Road, Bridgwater, Somerset

Proposal: Hybrid (full and outline) application. Full application for the erection of 238 dwellings, formation of two new means of access onto A39, pedestrian/cycle link onto Wembdon Hill, public open space, parking and landscaping. Outline application with all matters reserved, for up to 437 dwellings, 500sqm (A1-A5) and/or community uses (D1)), 2.2ha site for up to 2 Form Entry Primary School and bus

This permission has been granted subject to an Agreement under Section 106 of the Town and Country Planning Act 1990.

Application No: 04/21/00007

Case Officer: Dean Titchener

Location: Land At, Bradney Lane, Bawdrip, Bridgwater, Somerset, TA7

Proposal: Outline application with some matters reserved, for the erection of up to 10no. dwellings and village hall with the formation of car park, open space area, landscaping as well as associate infrastructure.

This permission has been granted subject to an Agreement under Section 106 of the Town and Country Planning Act 1990.

No. of applications: 2

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CERTIFICATE OF LAWFULNESS - EXISTING USE

Between **01/08/2023** and **31/10/2023**

Application no.: 50/23/00067

Case officer: Chris Mitchell

Decision: Withdrawn (after registration)

Location: Bear House Farm, Stoughton Cross, Wedmore, BS28 4PU

Proposal: Certificate of lawfulness for the existing use of home garden office structure for business office use (clerical only) Monday - Friday between the hours of 9am - 5pm.

Application no.: 25/23/00007

Case officer: Liam Evans

Decision: Refuse Planning Permission

Location: The Oakley Farm, West Hill Lane, Bason Bridge, Highbridge, Somerset, TA9 4RF

Proposal: Certificate of Lawfulness for existing use of land as residential including the stationing of a caravan for the purpose of human habitation.

Application no.: 27/23/00007

Case officer: Liam Evans

Decision: Withdrawn (after registration)

Location: Chestnut Lodge, Church Road, Enmore, Bridgwater, Somerset, TA5 2DU

Proposal: Certificate of Lawfulness for the existing residential use of the building and associated land without compliance with condition 3 of planning permission 27/00/00002.

Application no.: 25/23/00010

Case officer: Liam Evans

Decision: Granted Permission

Location: Apple Tree Farm, West Hill Lane, Bason Bridge, Highbridge, Somerset, TA9 4RF

Proposal: Certificate of Lawfulness for the existing continued occupation of the above address, in breach of occupancy condition.

Application no.: 44/23/00013

Case officer: Emma Chorley

Decision: Granted Permission

Location: Blackdown Farm, Lippiatt Lane, Shipham, Winscombe, Somerset

Proposal: Certificate of lawfulness for the existing use of portacabin as staff welfare unit.

Application no.: 02/23/00020

Case officer: Emma Chorley

Decision: Refuse Planning Permission

Location: Deliverance, Axbridge Moor Drove, Axbridge, Somerset, BS26

Proposal: Certificate of lawfulness for the existing use of land and property as residential.

CERTIFICATE OF LAWFULNESS - EXISTING USE

Between **01/08/2023** and **31/10/2023**

Application no.: 37/23/00079

Case officer: Liam Evans

Decision: Granted Permission

Location: Building adjoined to, The Forge, Shearston, North Petherton, Bridgwater, Somerset, TA6

Proposal: Certificate of Lawfulness for the existing use of building as an independent dwellinghouse.

Application no.: 01/23/00014

Case officer: Emma Chorley

Decision: Withdrawn (after registration)

Location: 20 High Street, Ashcott, Bridgwater, Somerset, TA7 9PZ

Proposal: Certificate of Lawfulness for the existing building which has been split into 2no. dwellings.

Application no.: 12/23/00022

Case officer: Amelia Elvé

Decision: Withdrawn (after registration)

Location: Hillview, Edithmead Lane, Edithmead, Highbridge, Somerset, TA9 4HB

Proposal: Certificate of Lawfulness for the existing use of the land as a yard area associated with the adjoining business use.

No. of applications: 9

CERTIFICATE OF LAWFULNESS - PROPOSED USE

Between **01/08/2023** and **31/10/2023**

Application no: 11/23/00056

Case officer: Chris Mitchell

Decision: Granted Permission

Location: 8 Oxford Street, Burnham On Sea, Somerset, TA8 1LG

Proposal: Certificate of lawfulness for the proposed installation of an air source heat pump (ASHP) to the rear (North) of property.

Application no: 50/23/00062

Case officer: Emma Chorley

Decision: Granted Permission

Location: Home Farm, Snake Lane, Theale, Wedmore, Somerset, BS28 4SZ

Proposal: Certificate of lawfulness for the existing use of digging of a trench to receive foundations pursuant of the lawful commencement of planning permission 50/20/00075.

Application no: 53/23/00014

Case officer: Chris Mitchell

Decision: Granted Permission

Location: 29 Fore Street, Westonzoyland, Bridgwater, Somerset, TA7 0EF

Proposal: Certificate of lawfulness for the proposed erection of single storey rear (SE) extension.

Application no: 11/23/00075

Case officer: Amelia Elvé

Decision: Refuse Planning Permission

Location: 25 Charlestone Road, Burnham On Sea, Somerset, TA8 2AP

Proposal: Certificate of Lawfulness for the proposed extension of an existing hard surface, in connection with the siting of a mobile home, within the garden of the dwelling house for use as additional accommodation by a family member as part of one household.

Application no: 11/23/00093

Case officer: Liam Evans

Decision: Granted Permission

Location: THE BUNGALOW, 79 Stoddens Road, Burnham On Sea, Somerset, TA8 2BD

Proposal: Certificate of Lawfulness for the proposed erection of a garden room.

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