

Minutes of a Meeting of the Planning Committee - North held in the Sedgemoor Room, Bridgwater House, King Square, Bridgwater, TA6 3AR, on Tuesday, 13 June 2023 at 2.00 pm

Present:

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

Cllr Brian Bolt	Cllr Alan Bradford
Cllr Hilary Bruce	Cllr Ben Ferguson
Cllr Bob Filmer	Cllr Tony Grimes
Cllr Pauline Ham	Cllr Harry Munt

11 Apologies for Absence - Agenda Item 1

Apologies were received from Cllr B Smedley who was substituted by Cllr L Redman, Cllr G Slocombe who was substituted by Cllr L Duddridge, and Cllr A Hendry.

12 Minutes from the Previous Meeting - Agenda Item 2

Resolved that the minutes of the Planning Committee - North held on 9 May 2023 be confirmed as a correct record.

13 Declarations of Interest - Agenda Item 3

Cllrs M Martin, L Duddridge, A Bradford, B Filmer, H Bruce and M Murphy all declared an Other Registrable Interest as they were members of the Drainage Boards.

Cllr B Filmer confirmed that he had taken part in the referral process in respect of application 07-23-00006, but that he retained an open mind and would listen to all the merits of the argument before casting his vote. He also declared an Other Registerable interest in respect of application 15/23/00002 as he was the Division Member but had taken no part in discussions on the application.

Cllr T Grimes declared Other Registerable Interests in respect of applications 07-23-00006 and 15/23/00002 as he was the Division Member but had taken no part in discussions on the applications.

Cllr L Redman declared an Other Registerable Interest in respect of application 08/21/00039 as he was a member of Bridgwater Town Council but had taken no part in any discussions. He also confirmed, having objected to the application, that he was pre-determined on this item and confirmed that he would speak and then leave the room during consideration of this item.

Cllr K Pearce declared an Other Registerable interest in respect of application 08/21/00039 as she was the Division Member but had taken no part in discussions on the application.

14 Public Question Time - Agenda Item 4

15 Application 07/23/00006 65 Brent Street, Brent Knoll, TA9 4DX - Agenda Item 5

The Committee was advised that since this item had been deferred at the last meeting revised proposals had been received with an amended frontage in a rendered finish and with the garage having a brick frontage.

Members felt that that the amended proposals blended into the street scene much better than the original design. It was proposed by Cllr Filmer and seconded by Cllr Grimes that the application be approved subject to the conditions in the Planning Officer's recommendation outlined in the report. On being put to the vote the proposal was carried unanimously.

RESOLVED:

To Grant Permission subject to the conditions below:

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 the extension hereby approved is first brought into use, the first floor side windows in the bedroom no. 1 shall be obscure glazed as shown on the approved drawing no.1001-06E.

The windows shall remain obscure glazed for all time thereafter.

Reason; To safeguard the privacy of neighbouring properties.

Schedule A

Existing Plans & Elevations Drg No. 1001-01

Proposed Floor Plans Drg No. 1001-05C

Proposed Elevations Drg No. 1001-06F received 11/05/23 Location Plan Drg No. 1001-07

Proposed Block Plan Drg No. 1001-08A

16 Application 08/21/00039 42 Sunnybank Road, Bridgwater, TA6 6JJ - Agenda Item 6

The planning officer introduced the application to the Committee with the assistance of a slide presentation.

The Committee were addressed by Cllr Redman in opposition to the application. His comments included:-

- That the application details available online were poor and that important details were wrong or misleading.
- His concerns over the party wall between the two properties.
- Concerns over overlooking, parking provision and highway safety.

Cllr Redman then left the room.

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

- That the report concludes that the proposal would have no adverse impact on the impact on the character of the area or the amenity of the neighbouring residents.
- That the existing structure did need to be replaced as it could not be occupied, was an eyesore and devalued neighbouring properties.
- As they would not be doing the works, conditions could be attached to ensure the neighbours rights are protected.

In response to questions from Members, the Planning Officer advised that the Part Wall Act was a civil act that sat outside of planning and that the demolition of the building would fall under the remit of Building Control.

Members felt that that the proposal was in character with the area and that there would be no issues with overshadowing or overlooking. Consequently, and it was proposed by Cllr Filmer and seconded by Cllr Bolt that the application be approved subject to the conditions in the Planning Officer's recommendation outlined in the report. On being put to the vote the proposal was carried unanimously.

RESOLVED:

To Grant Permission subject to the conditions below:

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 The dwelling hereby approved shall not be occupied until the windows in the south elevation are fitted with obscure glazing. The windows shall remain obscured for all times thereafter.

Reason: To safeguard the privacy of the neighbour property in accordance with Policy D25 of Sedgemoor District Council Local Plan.

4 Prior to the installation of any external lighting, a "lighting design for bats" shall be submitted to and approved in writing by the local planning authority. The strategy shall show how and where external lighting will be installed (with the provision of technical specifications and operation) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bat species using their territory or resting places. 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. No external lighting other than those approved under the lighting design for bats shall be installed without the prior written consent from the local planning authority.

Reason: In the interests of the Favourable Conservation Status of local populations of European protected species in accordance with Sedgemoor Local Plan 2011-2032 Policy D20.

5 Works will not in any circumstances commence until:

a) Construction and demolition operatives have been inducted by a licensed bat ecologist to make them aware of the possible presence of bats, their legal protection and of working practices to avoid harming bats. Written confirmation of the induction will be submitted to the Local Planning Authority by the licensed bat ecologist within one week of the toolbox talk

b) An improved cavity bat box or similar, to accommodate any discovered bat(s), will be hung on a suitable tree or building on or adjacent to the site at a minimum height of 4 metres as directed by a licensed bat ecologist. Any such box will be maintained in-situ thereafter; and

c) Works potentially affecting bats will then proceed under the supervision of the licensed bat ecologist.

Reason: A pre-commencement condition is required to ensure the strict protection of European protected species and in accordance with policy D20 of the Sedgemoor Local Plan 2011-2032.

6 Prior to first occupation of the dwelling hereby approved, the following biodiversity enhancement(s) will be installed at the site:

2x established shrub to be planted on site which must be high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The shrubs must also appeal to night-flying moths which are a key food source for bats. The Royal Horticultural Society guide, "RHS Perfect for Pollinators, www.rhs.org.uk/perfectforpollinators" provides a list of suitable plants both native and non-native plants

Installation of 2x 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

At least 1x refugia piles (e.g. log piles) as a shelter for reptiles, amphibians and small mammals constructed within the boundary of the site

Once installed, the biodiversity enhancement(s) shall thereafter be retained.

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 and Sedgemoor Local Plan 2011-2032 policy D20.

Schedule A

Location Plan Drg No. p2cuk/590280/800346

Existing Site & Roof Plan Drg No. 1909-S-01 Rev. A

Existing Ground Floor Plan Drg No. 05 Rev. A

Existing Elevations Drg No. 06 Rev. A

Proposed Site & Roof Plan Drg No. 1909-PL-01 Rev. B

Proposed Ground & First Floor Plans Drg No. 1909-PL-02

Proposed Elevations Drg No. 04 Rev. A

17 Application 15/23/00002 Land at Scotland Lane, Chapel Allerton, Axbridge, BS26 - Agenda Item 7

The Planning Officer outlined the application to the Committee with the assistance of a slide presentation. In response to questions confirmed:

- The issue regarding phosphates had been addressed.
- The applicants wished to grow fruit and vegetables for their own use and to re-wild, by planting wildflowers, approximately 40% of the land
- Whilst it was the applicant's intention to remove the caravan this could be conditioned.
- The biodiversity enhancement plan focused on bats because it was felt that the re-wilding would address any other issues.

It was subsequently proposed by Cllr Grimes and seconded by Cllr Bolt to recommend approval of the application subject to conditions as per the Planning Officer's recommendation in the report and an additional condition on the removal of the caravan. On being put to the vote the proposal was carried unanimously.

Resolved

To Grant Permission subject to the following conditions and subject to the additional condition as detailed by the officer, the wording of this condition to be delegated to the Service Manager Planning North to be agreed in consultation with the Chairman and Deputy Chairman of the Development Committee:

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. No external lighting shall be erected or installed on the building hereby permitted or within the application site unless prior written consent is sought from the Local Planning Authority.

Reason: In the interests of visual amenity, to protect the dark skies of the countryside and in the interests of the Favourable Conservation Status of local populations of European Protected Species in accordance with policies D2, D20 and D24 of Sedgemoor Local Plan 2011-2032

4. The building hereby permitted shall not be used for the housing of livestock without the prior written consent of the Local Planning Authority

Reason: to prevent unacceptable impacts as a result of increased phosphate loading associated with housing livestock and to prevent unacceptable impact on the amenity of neighbouring residents in accordance with policies D20, D24 and D25 Sedgemoor Local Plan 2011-2032

5. A Biodiversity Enhancement Plan (BEP) shall be submitted to and approved in writing by the Local Planning Authority prior to first use. The BEP shall include measures to ensure that no net loss to biodiversity occurs as a result of the development should include measures to enhance the site for horseshoe bats (such as the creation of species rich grassland around field margins). The BEP should also include a landscape masterplan which identifies the areas of planting proposed, a planting schedule and specification of seed mixes/species of stock and general implementation.

Reason: To ensure that development sites are appropriately landscaped to provide enhancement of the environment, mitigation for vegetation that is to be removed, to ensure biodiversity is maintained and that planting schemes are established and managed into the future, in accordance with policy D20 Sedgemoor Local Plan 2011-2032.

Schedule A

Location Plan Drg No. 01

Proposed Block Plan Drg No. CPS/141/AB25

Proposed Agricultural Shed Drg No. CPS/141/AB24

18 Application 17/23/00028 Land off Silver Street, Cheddar - Agenda Item 8

The Planning Officer outlined the application to the Committee with the assistance of a slide presentation. She updated members that the ecologist was recommending that conditions be attached to ensure that an external lighting plan be approved and for the installation of bird boxes.

The Committee heard the Agent's speech. Their comments included:

- The proposed building had a smaller floor area than the existing polytunnel.
- There was no loss of agricultural land.
- There was no foul drainage system as no slurry would be produced and any manure produced would be used as fertilizer.

The Committee, noting that it was the replacement of one agricultural building with another, supported the proposal. It was subsequently proposed by Cllr Bradford and seconded by Cllr Ferguson to recommend approval of the application subject to conditions as per the Planning Officer's recommendation in the report, and the two additional conditions, outlined by the Officer, in respect of the external lighting scheme and the installation of bird boxes. On being put to the vote the proposal was carried unanimously.

Resolved

To Grant Permission subject to the following conditions and subject to the two additional conditions as detailed by the officer, the wording of those conditions to be delegated to the Service Manager Planning North to be agreed in consultation with the Chairman and Deputy Chairman of the Development Committee:

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.

Schedule A

Location Plan with Existing Plans & Elevations Drg No. Young-23-82-01

Proposed Plans & Elevations Drg No. Young-23-82-02

(The meeting ended at 3.03 pm)

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CHAIR