

Minutes of a Meeting of the Planning Committee - West held in the John Meikle Room, The Deane House, Belvedere Road, Taunton TA1 1HE, on Tuesday, 20 June 2023 at 2.00 pm

Present:

Cllr Simon Coles (Chair)
Cllr Derek Perry (Vice-Chair)

Cllr Norman Cavill (from 3.50pm)	Cllr Dixie Darch
Cllr Caroline Ellis	Cllr Habib Farbahi
Cllr Andy Hadley	Cllr Steven Pugsley
Cllr Andy Sully	Cllr Sarah Wakefield
Cllr Rosemary Woods	Cllr Gwil Wren (to 4.30pm)

Other Members present remotely:

Cllr Christine Lawrence	Cllr Tony Lock
Cllr Andy Soughton	

10 Apologies for Absence - Agenda Item 1

Apologies for absence were received from Councillor Ross Henley.

11 Minutes from the Previous Meeting - Agenda Item 2

Resolved that the minutes of the Planning Committee - West held on 16th May 2023 be confirmed as a correct record.

12 Declarations of Interest - Agenda Item 3

Councillor Gwil Wren declared he had received recent communication and responded appropriately to one of the objectors regarding Item 5 – Planning Application 3/39/21/028.

Councillor Habib Farbahi declared a personal and prejudicial interest in Item 10 – Planning Application 38/23/0098 as he was the applicant. He would leave the meeting when considering this item.

The Solicitor asked that it be noted all members of the committee held a personal interest in Item 10 – Planning Application 38/23/0098 as they were all elected members and acknowledged they were colleagues of the applicant.

Councillor Steven Pugsley and Councillor Andrew Hadley declared they had also received recent communication regarding Item 5 – Planning Application 3/39/21/028.

Councillor Rosemary Wood said she was predetermined in relation to Item 5 – Planning Application 3/39/21/028. She would make comment and then move to the public seating area.

Councillor Sarah Wakefield declared she had also received communication regarding Item 5 – Planning Application 3/39/21/028. She also reiterated her personal interest in Item 10: Planning Application 38/23/0098 and although she was a friend of the applicant, she had not discussed this application with him at any time and did not consider she had a prejudicial interest.

Councillor Andy Sully declared a personal and prejudicial interest in Item 7 – Planning Application 38/19/0426 as he was a representative for Taunton Heritage Trust. He confirmed that he would leave the meeting when considering this item.

Councillor Dixie Darch also wished to declare a personal interest in Item 5 – Planning Application 3/39/21/028 as she had also received recent communication. She was also a member of the Quantocks AONB Joint Advisory Committee and had a friend employed by the Architects.

Councillor Derek Perry declared a personal interest in Item 5 – Planning Application 3/39/21/028 as he also had a friend employed by the Architects.

Councillor Simon Coles also confirmed he had received recent communication regarding Item 5 – Planning Application 3/39/21/028 and declared a personal and prejudicial interest in Item 10 – Planning Application 38/23/0098 as he was a close colleague of the applicant. He confirmed that he would leave the meeting when considering this item.

13 Public Question Time - Agenda Item 4

There were no questions from members of the public.

14 Planning Application 3/39/21/028 - Land to the North of the Transmitting Station, Washford, Williton - Agenda Item 5

Following a short discussion, it was proposed by the Chair and seconded by Councillor Gwil Wren to defer the application due to the large amount of recent additional information received and the lack of time to read and consider this information. On being put to the vote this was carried by 8 in favour, 1 against and 1 abstention.

RESOLVED:

To defer application 3/39/21/028 and to be considered at a date and venue to be confirmed by officers.

(voting: 8 in favour, 1 against and 1 abstention)

15 Planning Application 06/22/0027 - Quantock View, Bishops Lydeard, Taunton - Agenda Item 6

The Planning Officer presented the application and highlighted the key considerations. He advised the application for a village green was considered under separate legislation and, whilst a material planning consideration, did not prevent Members of the Planning Committee from reaching an alternative decision to that of the recommendation. In summary, it was considered that the proposed parking bays would encourage the use of the private car as a non-sustainable mode of travel and would harm the character and appearance of the green space. The application did not demonstrate that the proposed parking area would have no impact on the protected trees. The limited benefit of providing the parking spaces did not outweigh the identified harm. The recommendation was for refusal.

Four members of the public addressed the committee in objection to the application. Some of their comments included:

- Quantock view was an unadopted road and not a public highway.
- Village green application made and should be a substantive material consideration.
- Flooding concerns in road and run off of surface water.
- Concerns regarding the ecological impact in the area.

- Proposal would have huge impact on the character of the area.
- Believe the Parish Council failed to justify the reason for this proposal.
- Concerns regarding safety and school pedestrian access.
- Nearby trees will be affected.
- This is one of only a few green spaces in the area and much needed for the health and well being of the local community.
- Believe proposal would encourage more traffic and cars, therefore going against the neighbourhood plan to encourage the use of more sustainable modes of transport.
- Difficulty for larger vehicles such as emergency services to manoeuvre.
- Believe there is already sufficient parking at Quantock View.

A representative of Bishops Lydeard Parish Council addressed the committee and explained the consultation process taken place with both the Council and local residents which resulted in the proposal of the five spaces and believed to be of benefit to the local residents.

The Legal Advisor confirmed to members that the existing application for a village green would not prevent the committee from granting permission of the application should they be minded to do so.

During debate members acknowledged the parish council's dilemma, raised concerns regarding the surface drainage and overall considered the small net gain of only two parking spaces with the removal of current on street parking did not outweigh the benefit of the open green space to the local area.

The officer responded on the points raised by the public speakers and also on points of detail and technical questions raised by members regarding the actual net gain of spaces, proposed drainage of the site, adoption of the neighbourhood plan and reasoning behind the application.

It was then proposed by Councillor Derek Perry and seconded by Councillor Sarah Wakefield to refuse the application as per the officer's recommendation. On being put to the vote this was carried unanimously.

RESOLVED:

That application 20/03277/FUL be refused for the following reasons:

1. The proposed parking area would be attractive to parents using the bays for school drop off and pick up and would likely lead to an increased demand for parking by private cars and promote unsustainable modes of travel. The

development would conflict with the provisions of policies DM1, DM4, CP6, CP8 of the adopted Core Strategy, and Policy A1 of the Taunton Deane Adopted Site Allocations and Development Management Plan, and guidance contained within The Bishops Lydeard and Cothelstone Neighbourhood Plan.

2. The proposed parking area would erode the existing openness of the green space and would harm the character and appearance of the area. It has not been demonstrated that the proposed parking area can be constructed without adversely affecting the root protection area of an existing tree on site, which is the subject of a TPO. The development would conflict with the provisions of policies DM1, DM4, CP6, CP8 of the adopted Core Strategy, and Policy ENV1 and A1 of the Taunton Deane Adopted Site Allocations and Development Management Plan, and guidance contained within The Bishops Lydeard and Cothelstone Neighbourhood Plan.

(voting: unanimous)

16 Planning Application 38/19/0426 - Corfield Hall, Magdalene Street, Taunton - Agenda Item 7

Councillor Andy Sully, having earlier declared an interest, left the meeting during consideration of this item.

The Planning Officer presented the application and explained the history of the site application and that a phosphates mitigation solution was needed before a decision could be made and the Section 106 agreement signed.

She concluded that the recommendation had therefore been updated for approval subject to conditions and the applicant entering into a Section 106 agreement to secure:

- Affordable housing
- Phosphate mitigation solution, including completion of an HRA in accordance with the Conservation of Habitats and Species Regulation 2017.

Following a short debate and confirmation that the scheme qualified for the River Tone phosphate credits (second round), it was proposed by Councillor Steven Pugsley and seconded by Councillor Dixie Darch to approve the application as per the officer's updated recommendation. On being put to the vote this was carried unanimously.

RESOLVED:

That application 38/19/0426 be approved, subject to conditions detailed in the agenda report and the applicant entering into a Section 106 agreement to secure:

- Affordable housing
- Phosphate mitigation solution, including completion of an HRA in accordance with the Conservation of Habitats and Species Regulation 2017.

That delegated authority be granted to officers to agree the full wording of the conditions and Section 106 legal agreement.

(voting: unanimous)

17 Planning Application 42/22/0055 - Orchard Grove, Land at Comeytrowe/Trull, Taunton - Agenda Item 8

The Planning Officer presented the report and gave a detailed and comprehensive presentation of the site, proposed plans, and site access. In summary he highlighted the:

- Local square
- Gateway area
- Employment road
- Location of the approved care home
- Attenuation pond
- Landscaping and cycle link
- Approved western neighbourhood masterplan

The recommendation was for approval subject to some minor changes to the proposed conditions of approval which the Planning Officer drew Members attention to.

The officer responded to points of detail and technical questions raised by members regarding the attenuation basin, the enhanced cycling infrastructure, hedgerow removal and replacement, the installation of play equipment at the LEAP and the type of businesses within the employment area. It was further noted that the trigger point in the Section 106 agreement to complete the spine road was the completion of 1,450 dwellings.

At the conclusion of the debate, it was proposed by Councillor Gwil Wren and seconded by Councillor Andy Sully that the application be approved as per the officer's recommendation. On being put to the vote this was carried unanimously.

RESOLVED:

That reserved matters application 42/22/0055 be approved for the laying out of the employment area access road, with associated land regrading and drainage plus the laying out of an area of Public Realm called the Local Square at Orchard Grove, Land at Comeytrove/Trull, Taunton, subject to the conditions listed at Appendix 1 to the agenda report and the minor changes to the proposed conditions of approval which the Planning Officer highlighted in his presentation.

(voting: unanimous)

18 Planning Application 3/32/22/010 - The Babbling Brook, Shurton Road, Stogursey, TA5 1QE - Agenda Item 9

The Planning Officer presented the application and highlighted the key considerations. He advised the recommendation was to approve the application for 3 glamping pods to be sited on grassland in the car park of the public house and subject to the noise management plan submitted, temporary permission was recommended to allow officers to assess any noise issues over the 3 year period. He concluded that the application was compliant with the adopted Local Plan.

Two local residents addressed the committee in objection to the application. Some of their comments included:

- They were not aware of any site visit conducted.
- The opening hours would be longer which could impact on crime statistics and the value of neighbouring properties.
- The access road was narrow and regularly used by tractors and school buses.
- There was only one entrance in and out of the car park and there could be an increased fire risk with wooden building containing cooking facilities.
- The presentation photographs did not show the differing heights on the site.
- The Environment Agency had recommended elevating the pods by 0.6m to avoid any flooding issues but this created overlooking issues for neighbours regardless of the use of opaque glass.
- Hedgehogs were present in the area.
- Not convinced that the proposal for a phone number to be provided to local residents and manned 24 hours a day to receive complaints would be effective at controlling noise.

In response to a question, the Legal Advisor confirmed that a 28 day occupancy clause was usual for holiday accommodation. The site owners should keep a record

of who stayed in the pods and when they stayed which could be requested by enforcement officers. The potential traffic and noise from different occupiers of the holiday accommodation was discussed together with whether it would be likely to be used by workers from Hinkley Point. It was noted that fire safety would be considered through the Building Regulations.

It was then proposed by the Chair and seconded by Councillor Caroline Ellis to approve the application as per the officer's recommendation. On being put to the vote this was carried unanimously.

RESOLVED:

That application 3/32/22/010 be approved subject to the conditions listed at Appendix 1 to the agenda report for the following reason:

The proposed development is considered to be compliant in principle with the adopted development plan when taken as a whole. The design, scale and materials of the glamping pods are considered to be acceptable and the impact on the landscape from the whole scheme is not considered to be materially harmful. The impact on neighbouring residential amenity is considered to be mitigated through measures secured through planning conditions and as discussed in the main body of the report. The impact on highway safety and flood risk are not considered to be reasons for refusing the application nor would the impact on ecology be materially harmful, subject to the attachment of conditions as detailed in the agenda report.

(voting: unanimous)

19 Planning Application 38/23/0098 - 22 Wilton Street, Taunton, TA1 3JR - Agenda Item 10

Councillors Simon Coles and Habib Farbahi, having earlier declared an interest, left the room during consideration of this item.

Councillor Sarah Wakefield advised that one of the public speakers was known to her and she declared a personal interest in the item.

The Planning Officer presented the application and highlighted the key considerations. She advised the recommendation was to approve the application for the widening of the access road and the provision of a car parking space. She noted

that one further representation had been received raising structural concerns and clarified that this would be addressed by the Building Control service. She concluded that any future development to the rear of the site was not part of the current application.

Two local residents addressed the committee in objection to the application. Some of their comments included:

- No site notice had been displayed at the address.
- Structural surveys should be supplied and a water sewage pipe to the rear of the properties should be taken into account.
- The proposed parking space should follow highway regulations as it would currently mean manoeuvring and reversing onto the highway.
- Five properties have access rights to the rear of their properties and permission should not be given until those 5 have agreed to it.

In response to questions, officers confirmed that:

- Ownership of land and rights of way were not material planning considerations.
- Structural concerns raised by objectors would be considered by Party Wall legislation and by Building Regulations.
- The disabled parking space could be located elsewhere on the street.
- It was not illegal to reverse onto a public highway. A condition to prevent reversing onto the highway would not be enforceable.
- Neighbour notification requirements had been met and they specified either a site notice or neighbour notification together with publicity in the local press.

During discussion it was noted that there were no planning reasons to refuse the application and the Highway advice had not raised any safety concerns.

It was then proposed by the Councillor Andy Sully and seconded by Councillor Andy Hadley to approve the application as per the officer's recommendation. On being put to the vote this was carried by 8 votes in favour, 0 against and 1 abstention.

RESOLVED:

That application 38/23/0098 be approved subject to the conditions listed at Appendix 1 to the agenda report for the following reason:

The proposal is not considered to have a detrimental impact upon the visual amenity

of the area or living conditions of nearby residents. It is therefore considered to comply with the policies in the development plan and permission is granted subject to the conditions contained in the agenda report.

(voting: 8 in favour, 0 against, 1 abstention)

20 Planning Appeal Decisions (for information) - Agenda Item 11

The list of planning appeal decisions listed in the Agenda were noted by Members.

(The meeting ended at 5.34 pm)

.....

CHAIR