

# ILMINSTER TOWN COUNCIL

Minutes of a meeting of the **PLANNING COMMITTEE** held in the Council Chamber, Ilminster on Tuesday, 28 August, 2012 at 7.30 p.m.

## **Present**

**Chairman:** Cllr L Vijeh

**Councillors:** Cllr S Austin, Cllr P Burton, Cllr C Goodall, Cllr D Miller, Cllr J Pallister, Cllr S Sainsbury, Cllr A Shearman, Cllr S Shepherd, Cllr R Swann, Cllr E J Taylor and Cllr P Whaites

**Officers:** Mrs M Shelley, Mrs R L Hope

## **1 Minutes of the previous meetings**

It was RESOLVED that the minutes of the Planning Committee held on 10 July 2012 be approved and signed as a correct record.

## **2 Apologies for absence**

Apologies for absence were received from Cllr Lawson

## **3 Declarations of Interest**

Cllr Burton declared an interest in planning application 12/03070/FUL as it is a neighbouring property

Cllr Shearman declared an interest in Item 8 - East Street parking

## **4 Matters Arising**

None

## **5 Planning Applications**

**(a)** 12/02552/FUL and 12/02553/LBC, Part demolition of wall to create off road parking and the installation of gates. 33 West Street Ilminster TA19 9AB

No objections

**(b)** 12/02633/FUL, Installation of timber cladding on front elevation and upgrade of 5

No. Trolley bays. Tesco Store Shudrick Lane Ilminster TA19 0BN

No objections

**(c)** 12/02790/S73, Application to vary condition 07(2) (finished floor levels) of planning permission 10/01377/FUL. Land adjacent to 1 Green Lane Ilminster

No objections

**(d)** 12/02897/FUL, Demolition of existing 3 No. Dwelling houses, the erection of 3 No.

Replacement dwelling houses and alterations and conversion of redundant

agricultural barn to residential. Knott Oak Townsend Ilminster TA19 0JA

No objections subject to Highways approval

**(e)** 12/03070/FUL, erection of two storey side extension, 19 Higher Beacon, Ilminster

No objections – Cllr Burton declared an Interest

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## 6 Planning Decisions

**(a) 12/01607/FUL**, Alteration and the erection of a first floor extension to create one pair of semi-detached dwelling houses and parking.

GRANT PERMISSION FOR THE FOLLOWING REASON(S):

01. The proposal, by reason of its size, scale and materials, respects the character of the area and causes no unacceptable harm to residential amenity or highway safety, in accordance with the aims and objectives of policies STR1 and 49 of the Somerset and Exmoor National Joint Structure Plan, saved policies ST5 and ST6 of the South Somerset Local Plan 2006 and the provisions of chapters 6 and 7 of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING CONDITION(S):

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

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall not be carried out otherwise than in complete accordance with the following approved plan: 'SSHP2', received 26<sup>th</sup> April 2012.

Reason: For the avoidance of doubt as to the development authorised and in the interests of proper planning.

03. The development hereby permitted shall not be commenced until particulars of materials (including the provision of samples) to be used for the external walls

**(b) 12/01615/FUL**, Erection of a terrace of 3 No. Dwelling houses with rooms in roof, Land adjacent 35A East Street Ilminster

GRANT PERMISSION FOR THE FOLLOWING REASON(S):

01. The proposal is for a quality housing development of appropriate density, design and materials, which will result in no loss of residential amenity for occupiers of neighbouring dwellings and will enhance the character and appearance of the conservation area. Furthermore, the town centre location means that onsite parking is not considered necessary. The proposal is therefore in accordance with the aims and objectives of policies ST5, ST6, EH1 and EH5 the South Somerset Local Plan 2006.

SUBJECT TO THE FOLLOWING CONDITION(S):

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

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans: Elevations/Floor Plans/Roof Plan(1:100), Block Plan (1:200) and site location (1:1250) received 23/4/2012; and Block Plan (1:500) and West Elevation (1:100) received 17 May 2012.

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

03. Notwithstanding the provisions of the Town and Country Planning (General

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Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed in the building, or other external alteration made without the prior express grant of planning permission.

Reason: In the interests of the visual and residential amenities of the area in accordance with Policy ST6 of the South Somerset Local Plan 2006.

04. Before the development hereby permitted shall be commenced precise details of the external materials of construction, including samples and of the walling, roof and window details, shall be submitted to and approved in writing by the Local Planning Authority. Such details once carried out shall not be altered without the prior written consent of the Local Planning Authority. Any samples shall be provided for inspection by an officer of the Authority, who will provide written confirmation as to the acceptability of the sample.

Reason: To ensure the satisfactory appearance of the development, in accordance with Policy ST6 of the South Somerset Local Plan 2006.

05. Before any of the development hereby permitted is commenced, details of the internal ground floor levels of the buildings to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved levels.

Reason: In the interests of the visual and residential amenities of the area in accordance with Policy ST6 of the South Somerset Local Plan 2006.

06. Before the development hereby approved commences, schemes showing the means of construction of all proposed retaining walls and the means of disposal of surface water drainage for the whole site shall be submitted to and approved by the Local Planning Authority. Such approved systems shall be completed prior to the occupation of any approved dwelling and following their installation be permanently retained and properly maintained thereafter.

Reason: To ensure the satisfactory appearance and construction of the development in accordance with Policy ST6 of the South Somerset Local Plan 2006.

07. No removal of vegetation that may be used by nesting birds (trees, shrubs, hedges, bramble, ivy or other climbing plants) nor works to or demolition of buildings or structures that may be used by nesting birds, shall be carried out between 1st March and 31st August inclusive in any year, unless previously checked by a competent person for the presence of nesting birds. If nests are encountered, the nests and eggs or birds, must not be disturbed until all young have left the nest.

Reason: To avoid disturbance to nesting birds thereby ensuring compliance with the Wildlife and Countryside Act 1981, as amended by the CROW Act 2000, and in accordance with Policy EC8 of the adopted South Somerset Local Plan.

- (c) **12/01722/FUL**, Demolition of existing building and erection of 2 No dwelling houses, Part of the Old Bakery, Ditton Street, Ilminster  
**GRANT PERMISSION FOR THE FOLLOWING REASON:**

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01. The proposal, by reason of its size, scale and materials, respects the character of the area and causes no demonstrable harm to residential amenity in accordance with the aims and objectives of policy ST5 of the South Somerset Local Plan 2006.

**SUBJECT TO THE FOLLOWING CONDITIONS:**

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

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall not be commenced until particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area and to accord with policies ST5 and ST6 of the South Somerset Local Plan 2006.

03. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions (including dormer windows) to these buildings without the prior express grant of planning permission.

Reason: To safeguard the character and appearance of the area and to accord with policies ST5 and ST6 of the South Somerset Local Plan 2006.

04. Before the development hereby permitted is commenced details of the material and external finish to be used for all windows, doors, boarding and openings (including meter cupboards) shall be approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the character and appearance of the area and to accord with policies ST5 and ST6 of the South Somerset Local Plan 2006.

05. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To safeguard the character and appearance of the area and to accord with policies ST5 and ST6 of the South Somerset Local Plan 2006.

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06. No construction deliveries or construction work shall take place outside of the hours of 8am-6pm Monday to Friday, 8am-1pm on Saturdays. No construction deliveries or construction work shall take place on a Sunday or Public/Bank Holidays. Reason: To protect residential amenity to accord with Policy ST6 of the South Somerset Local Plan.

07. No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site.

Moreover, it must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

08. No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

09. Implementation of Approved Remediation Scheme

The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the

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effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

## 10. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

11. An assessment must be undertaken in accordance with the requirements of condition 7, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition 8.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with condition 9.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

12. Before the development hereby approved is occupied, a fully sheltered lockable cycle parking facility shall be provided within the site in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme following its installation shall thereafter be permanently retained and maintained.

Reason: There is no parking included in the application proposal, secure cycle parking will provide future occupiers with an alternative means of transport in accordance with Policy ST5 of the South Somerset Local Plan 2006.

13. The development hereby permitted shall be carried out in accordance with the

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following approved plans: Site Plan (1:1250), Drawing No.'s 811/206 and 811/205 received 4 May 2012; Drawing No. 811/201A Rev A received 8 May 2012; Drawing No. 811/203 received 16 May 2012; and Drawing No. 811/202 dated February 2012.  
Reason: For the avoidance of doubt and in the interests of proper planning.

Informatives:

01. Ilminster Town Council request that during demolition and rebuilding disruption to the public highway should be kept to a minimum due to the siting of the development, on a one-way street. Also deliveries and removal of material should be carried out with due consideration to neighbours

**(d) 12/02358/FUL**, demolish rear lean-to and erection of single storey extension, Park View, Long Close, Ilminster

**GRANT PERMISSION FOR THE FOLLOWING REASON:**

01. The proposal, by reason of size, scale, materials and design does not adversely affect the residential or visual amenity in accordance with the aims and objectives of saved policies ST5 and ST6 of the South Somerset Local Plan (adopted April 2006), saved policy STR1 of the Somerset and Exmoor National Park Joint Structure Plan (adopted 2000) and NPPF Chapter 7: Requiring Good Design.

**SUBJECT TO THE FOLLOWING CONDITIONS:**

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

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing no. 3416/02 received 20 June 2012

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

03. The external surfaces of the development hereby permitted shall be of materials as indicated in the application form and no other materials shall be used without the written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and to accord with saved Policy ST6 of the South Somerset Local Plan (Adopted April 2006).

**(e) 12/02173/FUL**, the erection of a single storey front entrance porch, 7 The Incline Ilminster

**GRANT PERMISSION FOR THE FOLLOWING REASON(S):**

01. The proposal, by reason of its siting, design, scale and materials, will cause no adverse impact to residential or visual amenity in accordance with the aims and objectives of Policies ST5 and ST6 of the South Somerset Local Plan (2006) and Policy STR1 of the Somerset and Exmoor National Park Joint Structure Plan (2000).

**SUBJECT TO THE FOLLOWING CONDITION(S):**

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

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Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans:

Dwg no. S/2321/2.4 received 1st June 2012

Dwg no. S/2321/301 received 1st June 2012

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

03. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity and in accordance with Policy ST6 of the South Somerset Local Plan (2006).

**(f) 12/02298/R3C** see attached decision

**(g) 12/02482/FUL** the upgrading of existing antennae, addition of 1 No. 300mm dish, the addition of 1 No. 600mm dish, the upgrading of 2 No. Existing cabinets and the addition of 1 No. Further cabinet together with associated ancillary works.

**GRANT PERMISSION FOR THE FOLLOWING REASON:**

01. The proposal is considered not to have a detrimental impact upon visual amenity or landscape character and is therefore considered acceptable and in accordance with Policies ST5, ST6, EC3 and EU8 of the South Somerset Local Plan (2006) and guidance within the NPPF.

**SUBJECT TO THE FOLLOWING CONDITIONS:**

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

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No.'s 01 Rev A, 02 Rev C, 03 Rev C and 04 Rev A received 25 June 2012.

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

## **7 Planning Appeals**

The following appeal for 12/00197/FUL was noted – 18 The Beacon, Ilminster, Somerset TA19 9AH Alterations, the erection of single storey extension, first floor extension and insertion of dormer window to west elevation (revised application).

## **8 East Street parking**

Cllr Shearman declared an Interest

Cllr Vijeh informed the Committee that she was in receipt of several letters of complaint following Somerset County Councils decision to enforce parking restrictions in the town and that it was her intention to respond to these letters.

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She noted that SCC had had a process of consultation prior to the enforcement of the restrictions. That the restrictions had been in place for some time but had not been enforced. SSDC were responsible for the car parks in the town.

Following discussion the committee agreed that Cllrs Austin, Swann and Vjeh should convene a meeting with Colin Fletcher and Bev Norman of SCC to review the issues of parking within the town, this should also include Police representation. The conclusions reached at this meeting would be brought back to the committee.

## **9 Car parking**

Cllr Vjeh reported that they had been asked to give an assessment of the Car Parks in the town by SSDC with a closing date of September 14<sup>th</sup>. It was agreed that Cllr Goodall, Sainsbury and Vjeh should evaluate the car parks and in addition ask the traffic wardens for their comments.

The meeting closed at 8.41pm

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Signed

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Date