

Planning Committee – 12 August 2009

Present:- Councillor Mrs Hill (Chairman)
Councillor Mrs Allgrove (Vice-Chairman)
Councillors Bishop, Bowrah, Brooks, Denington, Ms Durdan, Farbahi,
Mrs Floyd, Horsley, House, Miss James, McMahon, Mrs Stock-
Williams, Stuart-Thorn, Watson and D Wedderkopp

Officers:- Mr J Hamer (Development Control Area Manager West), Mr B Kitching
(Area Planning Manager), Mrs J Jackson (Legal Services Manager),
Ms M Casey (Planning and Litigation Solicitor) and Mrs G Croucher
(Democratic Services Officer)

Also Present: Mr P Malim (Independent Member, Standards Committee) and
Councillor Coles

(The meeting commenced at 5.00 pm)

82. Apologies/Substitutions

Apologies: Councillors Mrs Copley, Critchard, C Hill, McMahon and Woolley
Substitutions: Councillor Mrs Stock-Williams for Councillor Mrs Copley
Councillor Horsley for Councillor Critchard
Councillor Stuart-Thorn for Councillor C Hill

83. Minutes

The minutes of the meetings held on 1 July and 22 July 2009 were taken as
read and were signed.

84. Declarations of Interest

Councillor Watson declared a personal interest in application No 45/09/0008.
Although he had spoken on this item he felt he had not “fettered his
discretion”. Councillor Watson also declared a personal interest in application
No 45/09/0010 and left the meeting during its consideration; Councillor Mrs
Allgrove declared a personal interest in application No 52/09/0024; and
Councillor House declared a prejudicial interest in Minute No 87 and left the
meeting during consideration of this item.

85. Applications for Planning Permission

The Committee received the report of the Place Development Manager on
applications for planning permission and it was **resolved** that they be dealt
with as follows:-

That **planning permission be granted** for the under-mentioned
developments:-

25/09/0015

Erection of detached single garage to front of 1 Leaffield Close, Norton Fitzwarren

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) Only those materials specified in the application shall be used in carrying out the development hereby permitted unless otherwise agreed in writing with the Local Planning Authority;
- (c) (i) The plum tree shall be replaced with another in accordance with a site plan which shall be submitted to, and approved in writing by, the Local Planning Authority before development commences; (ii) The planting shall be carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority; (iii) For a period of five years after planting the tree shall be protected and maintained in a healthy, weed free condition and if the tree should cease to grow it shall be replaced by a tree of similar size and species, or an appropriate tree as may be approved in writing by the Local Planning Authority.

Reason for granting planning permission:-

The proposal would not have a detrimental impact upon visual amenity, residential amenity, or road safety, and was therefore considered acceptable. Accordingly, it did not conflict with Taunton Deane Local Plan Policies S1 (General Requirements) and S2 (Design).

38/09/0201

Erection of single storey extension to form ancillary accommodation to the side of 29 Ashley Road, Taunton

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) Only those materials specified in the application shall be used in carrying out the development hereby permitted unless otherwise agreed in writing with the Local Planning Authority;
- (c) The extension building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 29 Ashley Road, Taunton.

Reason for granting planning permission:-

The proposed development would not harm either visual or residential amenity, and it would not be damaging to the character of the main dwelling. Accordingly, the proposal did not conflict with Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design) and H17 (Extensions to Dwellings).

44/09/0008

Removal of Condition 5 (personal permission) of Planning Application 44/06/0021 at Two Acres, Ford Street, Wellington

Reason for granting planning permission:-

The remaining conditions would ensure that the site would only be occupied by bona fide gypsies in this open countryside location, in accordance with Taunton Deane Local Plan Policy H14 (Gypsy and Traveller Sites).

45/09/0008

Alterations of access and erection of double garage and agricultural building with yard area and silage pit on land adjacent to Stockham Cottages, West Bagborough

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) (i) The landscaping/planting scheme shown on the submitted plan shall be completely carried out within the first available planting season from the date of commencement of the development; (ii) For a period of five years after the completion of the landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy, weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species or other appropriate trees or shrubs as may be approved in writing by the Local Planning Authority;
- (c) No development relating to the agricultural building hereby permitted (including ground works) shall take place until a drainage strategy dealing with foul and surface water run-off had been submitted to, and approved in writing by, the Local Planning Authority. The agreed details shall be installed and fully operational prior to the agricultural building hereby permitted being brought into use and shall thereafter be maintained as such;
- (d) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority;
- (e) Before the building hereby permitted is brought into use, the access/parking/turning area over the first 10m of its length shall be surfaced in a properly consolidated surface (not loose stone or gravel) in accordance with details which shall previously have been submitted to, and approved in writing by, the Local Planning Authority;
- (f) The turning space shown on the submitted plan shall be kept clear of obstruction at all times;
- (g) At the proposed access there shall be no obstruction to visibility greater than 900mm above the adjoining road level within the visibility splays shown on the submitted plan, Such visibility splays shall be constructed

prior to the commencement of the development hereby permitted and shall thereafter be maintained as such;

- (h) Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 10m from the carriageway edge.

(Note to applicant:- Applicant was advised that the surface water drainage scheme required by condition (c) should include measures to prevent the discharge of surface water onto the highway).

Reason for granting planning permission:-

It was considered that any visual impact would be satisfactorily mitigated against by the proposed extensive landscaping and would be outweighed by the agricultural need for the development. It was not considered that any unacceptable harm would result to the Area of Outstanding Natural Beauty specifically or the wider open countryside in general, the amenities of neighbouring property, wildlife interests or the highway network. The proposal was, therefore considered to comply with Policies S1, S2, S7, EN3 and EN10 of the Taunton Deane Local Plan, Policies STR1, STR6, 3 and 49 of the Somerset and Exmoor National Park Joint Structure Plan Review or advice contained in Planning Policy Statements 7 and 9.

46/09/0019

Erection of stable building on land between Manleys Farm and Calway Cottages, West Buckland

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) Only those materials specified in the application shall be used in carrying out the development hereby permitted unless otherwise agreed in writing with the Local Planning Authority;
- (c) (i) Before any part of the permitted development is commenced a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to, and approved in writing by, the Local Planning Authority; (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority; (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy, weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority;
- (d) There shall be no obstruction to visibility greater than 900mm above adjoining road forward of a line drawn 2m back from the carriageway edge on the centreline of the access and extending to point on the nearside carriageway edge 43m to the west of the access and a 2m back and parallel splay over the site frontage to the east of the access. Such visibility shall be fully provided before works commence on the

- development hereby permitted and shall thereafter be maintained at all times or unless otherwise agreed with the said Authority;
- (e) The access over the first 5m of its length shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority or unless otherwise agreed with the said Authority;
 - (f) Any existing or proposed entrance gates shall be hung to open inwards and shall be set back a minimum distance of 5m from the carriageway edge;
 - (g) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to, and approved in writing by, the Local Planning Authority;
 - (h) The use of the stables hereby permitted shall be limited to private use only and shall not be used for any business or commercial use.

(Note to applicant:- Applicant was advised that a Section 184 Permit under the Highways Act 1980 must be obtained and application for such a Permit should be made at least three weeks before access works are intended to commence. Where works are to be undertaken on or adjoining the publicly maintainable highway a licence under Section 171 of the Highways Act 1980 must be obtained from the Highway Authority. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services).

Reason for granting planning permission:-

The proposal was considered not to have a detrimental impact upon visual amenity, road safety, or the character and appearance of the Landscape Character Area and it was therefore considered acceptable. Accordingly, it did not conflict with Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), and EN12 (Landscape Character Area).

52/09/0024

Erection of 2 storey extension at Hillcroft, 2 Jeffreys Way, Comeytrowe

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) Only those materials specified in the application shall be used in carrying out the development hereby permitted unless otherwise agreed in writing with the Local Planning Authority.

Reason for granting planning permission:-

The proposal was considered not to have a detrimental impact upon visual or residential amenity and was therefore considered acceptable and, accordingly, did not conflict with Taunton Deane Local Plan Policies S1 (General Requirements) and S2 (Design).

86. Alterations to agricultural access at land opposite Vale View Cottages, West Bagborough (45/09/0010)

Reported this application.

Resolved that subject to no new issues being raised by representations made before 13 August 2009, the Place Development Manager in consultation with the Chairman be authorised to determine the application and, if planning permission was granted, the following conditions be imposed:-

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The existing access shall be closed off and the bank reinstated within 6 months of the date of this permission to the satisfaction of the Local Planning Authority;
- (c) (i) The planting of the proposed hedgerow shown on the submitted plan shall be completely carried out within the first available planting season from the date of commencement of the use of new vehicular access, in accordance with a scheme to include details of the species, siting and numbers which shall first be submitted to, and approved in writing by, the Local Planning Authority; (ii) For a period of five years after the completion of the landscaping scheme, the hedgerow shall be protected and maintained in a healthy, weed free condition and any shrubs that cease to grow shall be replaced by shrubs of similar size and species or other appropriate shrubs as may be approved in writing by the Local Planning Authority;
- (d) Within the proposed visibility splay there shall be no obstruction to visibility greater than 900mm above adjoining road level;
- (e) The access between the edge of carriageway and the entrance gates shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (f) The gradient of the access shall not be steeper than 1 in 10;
- (g) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority.

(Notes to applicant:- (1) Applicant was advised that a Section 184 Permit must be obtained and application for such a Permit should be made at least three weeks before access works are intended to commence; (2) Applicant was advised to consult with the Highway Service Manager with regard to the required reinstatement of the verge/bank at the access; (3) Applicant was advised that where works are to be undertaken on or adjoining the publicly maintainable highway a Licence under Section 171 of the Highways Act 1980 must be obtained. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services; (4) Applicant was advised that prior to works commencing on site plans sections, specifications and calculations of the proposed retaining wall must be submitted to the Local Planning Authority for the subsequent approval of the Highway Authority in accordance with Section 167 of the Highways Act 1980. This relates to retaining walls

that are wholly or partly within 3.7m of a street and which is at any point of a height greater than 1.37m above the level of the ground at the boundary of the street nearest that point).

87. Change of use of land to domestic curtilage and formation of access and driveway at Myrtle Tree Cottage, Saltmoor, Burrowbridge

Reported that it had come to the Council's attention that a new access and part of a driveway had been formed at Myrtle Tree Cottage, Saltmoor, Burrowbridge without the necessary planning permission being obtained.

The owner of the property had been contacted and an application for planning permission had been made but this had been refused under delegated powers.

Resolved that:-

- 1) Enforcement action be taken to remove the access and driveway formed at Myrtle Tree Cottage, Saltmoor, Burrowbridge; and
- 2) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the enforcement notice not be complied with.

88. Appeals

Reported that four appeal decisions had recently been received, details of which were submitted. All four appeals had been dismissed.

Also reported that two new appeals had been lodged, details of which were submitted.

Resolved that the report be noted.

(The meeting ended at 6.55 pm)

