

## Planning Committee – 2 September 2009

Present:- Councillor Mrs Hill (Chairman)  
Councillor Mrs Allgrove (Vice-Chairman)  
Councillors Bishop, Bowrah, Brooks, Mrs Copley, Denington,  
Ms Durdan, Mrs Floyd, Horsley, House, 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: Councillors Coles and Morrell

(The meeting commenced at 5.00 pm)

### 89. Apologies/Substitutions

Apologies: Councillors Critchard, C Hill and Miss James  
Substitutions: Councillor Mrs Stock-Williams for Councillor Critchard  
Councillor Stuart-Thorn for Councillor C Hill  
Councillor Horsley for Councillor Miss James

### 90. Minutes

The minutes of the meeting held on 12 August 2009 were taken as read and were signed.

### 91. Declarations of Interest

Councillor House declared a personal interest in application no 24/09/0011.  
Councillor McMahon declared a personal interest in application nos  
41/09/0001 and 41/09/0002. Although he had spoken on this item he felt he  
had not “fettered his discretion”.

### 92. 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:-

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

#### **24/09/0011**

**Erection of a terrace of housing comprising 6 two bedroom houses, 2  
one-bedroom flats and 13 car parking spaces at the site of the former  
White Hart Inn, Knapp Lane, North Curry**

#### **Conditions**

- (a) The development hereby permitted shall be begun within one year of the date of this permission;
- (b) Prior to development commencing on site details of the construction of the retaining wall under the canopy of the existing tree shall be submitted to, and approved in writing by, the Local Planning Authority. These details shall include a method statement for any root remediation and future monitoring on the health and maintenance of the trees. The development shall thereafter be carried out in accordance with the agreed details;
- (c) No development shall commence until a detailed surface water drainage strategy, including details to prevent the discharge of surface water onto the highway has been submitted to, and agreed in writing by, the Local Planning Authority. The agreed strategy shall be implemented prior to the occupation of the first dwelling and shall thereafter be maintained as such;
- (d) Details, including samples of the brick, slate, clay tile, ridge tile, coping stones and cills shall be submitted to, and approved in writing by, the Local Planning Authority prior to wall construction commencing;
- (e) The windows to plots 7 and 8 shall be of a vertical sliding sash design only;
- (f) A sample panel of the brick and render shall be erected on site and agreed in writing by the Local Planning Authority prior to commencement of wall construction and thereafter carried out as agreed;
- (g) Details of venting of the roof areas shall be submitted to, and approved in writing by, the Local Planning Authority prior to roof construction and thereafter shall be carried out as agreed;
- (h) Specific details of the design materials and appearance of the door case to Plot 7 and voussoirs to Plots 1 and 2 shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter carried out as agreed;
- (i) The windows shall be recessed a minimum of 90mm from the face of the wall unless otherwise agreed in writing by the Local Planning Authority;
- (j) No bell casts shall be formed in render over window heads to Plots 7 and 8;
- (k) The pathway illustrated on drawing 0728/11B shall be provided prior to occupation of any unit;
- (l) All existing trees on site shall be protected in accordance with BS583:2005 Trees in relation to construction;
- (m) The access hereby permitted shall not be brought into use until drop kerbs have been installed at the carriageway edge and a vehicle crossover constructed across the footway fronting the site for the width of the access;
- (n) Before the dwellings and flats hereby permitted are first occupied a properly consolidated and surfaced access shall be constructed (not loose stone or gravel), details of which shall have been submitted to, and approved in writing by, the Local Planning Authority;
- (o) The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- (p) Prior to development commencing on site details of communal bin storage facilities shall be submitted to, and approved in writing by, the Local Planning Authority. The approved bin storage facilities shall be constructed and fully provided prior to occupation of the dwellings hereby

permitted, and shall thereafter be retained for those purposes, unless otherwise agreed in writing by 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). Due to the state of the current housing market and possible alternative developments on the site, it was acknowledged that the current proposal would not provide any affordable housing. Therefore a shorter implementation period was required in order to allow the viability to be reassessed should the development not come forward in the short term. Accordingly it was considered that the proposal complied with the requirements of Policy H9 of the Taunton Deane Local Plan.

**41/09/0001**

**Erection of two stable blocks, one feed building and one stock shed to support farm business at Sunnyside Farm, Tolland Down, Tolland**

**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 buildings hereby permitted, including ground works, shall take place until a drainage strategy dealing with foul and surface water run-off has been submitted to, and agreed in writing by, the Local Planning Authority. The agreed details shall be installed and fully operational prior to the agricultural buildings 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) The development hereby permitted shall not be open to the general public. (Notes to applicant:- (1) Applicant was advised that the site must be drained on a separate system with clean roof and surface water being kept separate from foul drainage; (2) Applicant was advised that manure and dung heaps must be sited in an area where they will not cause pollution of any watercourse or water source by the release of contaminated run-off; (3)

Applicant was advised that the subsequent disposal of collected wastes must be undertaken in accordance with the MAFF Code of Good Agricultural Practice for the Protection of Water; (4) Applicant was advised that there must be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or via soakaways and ditches).

### **Reason for granting planning permission:-**

The proposed development was considered to be acceptable in its siting, scale and appearance and the development would not adversely affect the landscape qualities of the area, nor impact significantly upon the highway network or neighbouring property. The proposal therefore accorded with Local Plan Policies S1, S2, S7 and EN12 of the Taunton Deane Local Plan, Policy STR1 and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review, and advice contained in Planning Policy Statement 7.

### **41/09/0002**

### **Change of use of land to site temporary mobile home for an agricultural worker at Sunnyside Farm, Tolland Down, Tolland**

### **Conditions**

- (a) The mobile home hereby permitted shall be removed and the land restored to its former condition on or before 30th September 2012;
- (b) The occupation of the caravan shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or forestry or in connection with the commercial donkey business, or a widow or widower of such a person, and to any resident dependants;
- (c) The caravan shall not be stationed on the site until the agricultural buildings approved under planning reference 41/09/0001 have been built in accordance with the approved plans. Once completed the mobile home shall be sited in accordance with the approved plan and there shall be no material change to the position of the mobile home, or its replacement by another mobile home in a different location;
- (d) (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;
- (e) No development shall take place until details of the foul water drainage system and surface water drainage works have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be

carried out in accordance with the approved details before the mobile home on the site is occupied.

(Notes to applicant:- (1) Applicant was advised to seek the use of non-mains (private) drainage facilities. The applicant should ascertain if the site was located within an area served by a public sewer and, if this was the case, connections should be made to this sewer in accordance with Circular 3/99 (Planning requirement in respect of the Use of Non-Mains Sewage incorporating Septic Tanks in new Development); (2) Applicant was advised that if new septic tank/treatment plant was the only feasible option for the disposal of foul water, or if there was an increase in effluent volume into an exiting system, Consent to Discharge from the Environment Agency might be required. In the event that Consent to Discharge was required this must be obtained before any discharge occurs and prior to the development commencing).

#### **Reason for granting planning permission:-**

The proposed mobile home for an agricultural worker had a proven functional need in connection with a potentially viable business and, as such, provided suitable justification for its location outside the limits of a settlement. The visual and residential amenity of the area would not be detrimentally affected. The scheme therefore accorded with Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design), S7 (Outside Settlement), H13 (Agricultural or Forestry Workers) and M4 (Residential Parking Provision).

(2) That **planning permission be refused** for the under-mentioned development:-

**48/09/0027**

**Erection of a single storey extension to the rear and side to include conservatory and porch to front at Little Oaks, 16 Sylvan Way, Monkton Heathfield**

#### **Reason**

The proposed extensions, by virtue of their size, scale, design and bulk, appear as incongruous additions which dominate and detract from the bungalow to the detriment of its character and would result in a dwelling that would appear out of keeping with the scale and appearance of surrounding properties. As such, the proposal is contrary to Policies S1 (General Requirements), S2 (Design) and H17 (Extensions to Dwellings) of the Taunton Deane Local Plan.

#### **93. Revocation of Certificate of Proposed Lawful Use or Development relating to Development Works to Outbuildings at Higher Mill, Hatch Beauchamp**

Reported that a Certificate of Lawfulness for the proposed alterations and extension to existing outbuildings at the rear of Higher Mill, Hatch Beauchamp had been issued in December 2008 in order to provide garages, workshop, log store, mower store, study/office and gym as the information submitted with

the application constituted permitted development and did not require planning permission.

It had now come to the Council's attention that two false statements had been made on the original application.

**Resolved** that the Certificate of Proposed Lawful Use or Development relating to development works to outbuildings at Higher Mill, Hatch Beauchamp be revoked.

**94. Formation of access for domestic purposes, Cedar Moor, Meare Green, Stoke St Gregory**

Reported that it had come to the Council's attention that an access had been constructed to Cedar Moor, Meare Green, Stoke St Gregory without the necessary planning consent being granted.

The owner of the site had been contacted and an application for planning permission for the access had been submitted but had not been registered. The owner had also submitted a Lawful Development Certificate for the change of use of the site served by the access, although this had not yet been determined.

**Resolved** that:-

- 1) Enforcement action be taken to remove the access for domestic purposes to Cedar Moor, Meare Green, Stoke St Gregory; 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.

**95. Appeals**

Reported that one appeal decision had recently been received, details of which were submitted. The appeal 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 7.20 pm)

