

Planning Committee – 19 November 2008

Present:- Councillor Mrs Hill (Chairman)
Councillors Bishop, Bowrah, Mrs Copley, Critchard, Denington,
Hayward, C Hill, House, Miss James, McMahon, Mrs Smith, Watson
and D Wedderkopp

Officers:- Mr T Burton (Development Manager), Mr G Clifford (Area Planning
Manager, South), Miss M Casey (Planning and Litigation Solicitor) and
Mrs G Croucher (Democratic Services Officer)

Also present:-Councillors Coles, Mrs Court-Stenning, Ms K Durdan, Edwards,
Ms Herbert, Stone and Williams

(The meeting commenced at 5.00 pm)

121. Apologies/Substitution

Apologies: Councillor Mrs Allgrove (Vice-Chairman) and Councillors Mrs
Floyd and Ms Webber.

Substitution: Councillor Hayward for Councillor Mrs Allgrove.

122. Minutes

The Minutes of the meeting held on 29 October 2008 were taken as read and
were signed.

123. Declarations of Interest

Councillors Bowrah, Mrs Copley and Critchard declared an interest in the
enforcement item relating to a fence at Millstream Gardens, Wellington as
members of Wellington Town Council. Although they had spoken on this item
they felt they had not “fettered their discretion”.

124. Applications for Planning Permission

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

(1) That **planning permission be granted** for the under-mentioned
development, subject to the standard conditions adopted by Minute No
86/1987 of the former Planning and Development Committee and such further
conditions as stated:-

24/08/0042

**Relocation of cattery pens, new kennel pens and erection of single
storey extension to provide reception area and grooming room at St
Giles Kennels, Wrantage**

Condition

(a) 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.

(Notes to applicant:- (1) Applicant was advised to ensure adequate noise insulation was incorporated into the construction of the kennels; (2) Applicant was advised that if the development would make the public right of way less convenient for continued public use, require changes to the existing drainage arrangements or surface, or require new furniture, authorisation for these works must be sought from Somerset County Council's Rights of Way Group. If this development would result in any increased danger adjacent to a public right of way then adequate signage and fencing should be provided. Alternatively if the works would make the public right of way less convenient for continued use or create a hazard to users of it, a temporary closure order will be necessary and a suitable alternative route must be provided).

Reason for granting planning permission:-

The proposed alterations were associated with the established use of the site and were not considered to adversely affect the character and appearance of the surrounding countryside. There would be no significant increased impact on residential amenities beyond the level currently experienced and there would be no harm to highway safety. As such, the proposal was in accordance with Policy P5 (Landscape Character) of the Somerset and Exmoor National Park Joint Structure Plan Review and Policy S1 (General Requirements) of the Taunton Deane Local Plan.

(2) That **planning permission be refused** for the under-mentioned developments, subject to the standard reasons adopted by Minute No 86/1987 of the former Planning and Development Committee and such further reasons as stated:-

38/08/0459

Erection of 6 detached four bedroom houses and 2 link detached four bedroom houses on part of rear gardens of 12-28 Stoke Road, Taunton accessed off Harp Chase, Taunton

Reason

The proposed development, by reason of the overbearing nature of Plot 1 in relation to the boundary with the Harp Chase properties (19 and 21), would be detrimental to residential amenity, contrary to Taunton Deane Local Plan Policies S1(D) and S2(F).

Reasons for refusing planning permission contrary to the recommendation of the Development Manager:-

The Committee felt that the application was an over-development of the site.

42/08/0037

Erection of 7 affordable houses and 2 affordable flats at Dipford Cottage, Dipford Road, Trull

Reasons

- (a) The proposed development does not immediately adjoin the settlement of Trull and as such would create a form of unacceptable sporadic development in the open countryside. The proposal would harm the rural character and appearance of the area and be contrary to the provisions of Taunton Deane Local Plan Policies S1(D), S2(A), S7, H11 and EN12.
- (b) The occupiers of the development are likely to be reliant on private vehicles and such fostering of growth in the need to travel would be contrary to advice in PPG13, RPG10, Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 and STR6 and Taunton Deane Local Plan Policy S1(B).

125. Appeals by Redrow Homes (West Country), Persimmon Homes (South West), site at Monkton Heathfield Major Development Site, Monkton Heathfield (48/2005/072 and 48/2007/006)

Submitted for information details of the Secretary of State's provisional decision to allow the appeal at Monkton Heathfield Major Development Site.

A public inquiry had taken place in April 2008 into the non-determination of appeals. The appeals had been recovered to be determined by the Secretary of State rather than by the Planning Inspector as they raised policy issues that would significantly impact on the Government's objective to secure a better balance between housing demand and supply and create high quality, sustainable, mixed and inclusive communities.

The final decision of the Secretary of State would be issued by 18 December 2008.

Resolved that the report be noted.

126. Fence erected over two metres in height at 22 Hale Way, Taunton

Reported that it had come to the Council's attention that a fence over two metres in height had been erected at 22 Hale Way, Taunton without planning permission being obtained.

The owners of the property had been contacted and they had explained that the fence had been increased in height to compensate for the raised ground level which had been created by the developers of adjoining land.

In the view of the Development Manager the fence was not detrimental to visual amenities such as to warrant enforcement action being taken.

Resolved that no further action be taken.

127. Erection of retaining wall over one metre in height adjacent to the highway at Barrow Corner, Lower Henlade

Reported that it had come to the Council's attention that a retaining wall had been constructed at Barrow Corner, Lower Henlade without 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.

During the discussion of this item Members took the view that the retaining wall would be acceptable if suitable planting to "soften" the impact of the wall was undertaken.

Resolved that:-

1. No further action be taken; and
2. A planting scheme be submitted by the owners of the wall for approval of the Landscape Officer.

128. Fence erected adjacent to highway at Millstream Gardens, Wellington

Reported that it had come to the Council's attention that a fence had been erected adjacent to the highway at Millstream Gardens, Wellington without planning permission being obtained.

The fence had been erected to prevent the use of a lane that had been used for many years as a short cut. However, a gate had been provided within the fence to allow access if required.

Although the owners had declined to submit a planning application, in the view of the Development Manager it would not be expedient to take enforcement action.

Resolved that no further action be taken.

129. Planning Enforcement Progress Report

Submitted for information the latest update report giving details of the scope of activity undertaken in the enforcement of planning control. Also presented details of the number of complaints received by the Enforcement Officer to date, together with information as to how many had successfully been resolved.

Resolved that the report be noted.

130. Appeals

- 1) Reported that 17 new appeals had been lodged since August 2008.

- 2) Reported that 8 appeal decisions had been received. Six appeals had been dismissed and 2 appeals allowed.

(The meeting ended at 8.34 p.m.)