

Planning Committee – 29 February 2012

Present:- Councillor Bishop (Chairman)
Councillor Coles (Vice-Chairman)
Councillors Mrs Allgrove, Denington, A Govier, Mrs Hill, Miss James,
Morrell, Nottrodt, Mrs Reed, Mrs Smith, Watson, A Wedderkopp,
D Wedderkopp and Wren

Officers:- Mr T Burton (Growth and Development Manager), Mr M Bale (West Area Co-ordinator), Mr G Clifford (East Area Co-ordinator), Mr A Pick (Major Applications Co-ordinator), Mrs J Jackson (Legal Services Manager), Miss M Casey (Planning and Litigation Solicitor) and Mrs G Croucher (Democratic Services Officer)

Also present: Councillor Stone in relation to application No 24/11/0039; and Mrs A Elder, Chairman of the Standards Committee

(The meeting commenced at 5.00 pm)

20. Apologies/Substitution

Apologies: Councillors Bowrah, C Hill, Mrs Messenger and Tooze.

Substitution: Councillor Nottrodt for Councillor Bowrah.

21. Minutes

The minutes of the meeting of the Planning Committee held on 8 February 2012 were taken as read and were signed.

22. Declarations of Interest

Councillors Govier and D Wedderkopp declared personal interests as Members of Somerset County Council. Councillor Nottrodt declared a personal interest as a Director of Southwest One. Councillors Mrs Hill and Mrs Smith declared personal interests as employees of Somerset County Council. Councillor Miss James declared a personal interest as an employee of Viridor. Councillor Wren declared a personal interest as an employee of Natural England. Councillor Mrs Reed declared a personal interest as her daughter worked as an administrator in Development Control.

23. Applications for Planning Permission

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

(1) That **reserved matters be approved** for the under-mentioned development:-

38/11/0595

Application for the approval of reserved matters following applications Nos 38/99/0394 and 38/06/0135 for the erection of 36 no 2 bedroom apartments with associated infrastructure and external works, Area J, Firepool Lock, Taunton

Conditions

- (a) The development hereby permitted shall be carried out in accordance with the approved plans listed in the letter and schedule attached to the letter dated 20 February 2012;
- (b) 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;
- (c) No dwelling shall be occupied until the building hereby permitted is served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the building and existing highway.

Reason for approving the detailed plans:-

The development represented a sustainable use of brown field land for residential purposes of design layout and scale considered appropriate to the nature of the site and in accordance with development plan policies. The application comprised details pursuant to an outline consent for development and was considered to constitute an acceptable form of development in accordance with the requirements of Planning Policy Statement 3 and Policies S1, S2 and T3 of the Development Plan.

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

42/12/0001

Formation of agricultural access and closure of previous access to the field off Amberd Lane, Staplehay

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The development hereby permitted shall be carried out in accordance with the approved plans;
- (c) (i) The landscaping and 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;

- (d) 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 modifications, no vehicular access gates shall be erected at any time unless they are set back a minimum distance of 10m from the carriageway edge and hung so as to open inwards only;
- (e) Details of the means of preventing surface water draining to the highway shall be submitted to, and approved in writing by, the Local Planning Authority and shall thereafter be implemented as agreed prior to the access being brought into use.

(Notes to applicant:- Applicant was advised that, having regard to the powers of the Highway Authority under the Highways Act 1980, the creation of the new access will require a Section 184 Permit).

Reason for granting planning permission:-

The proposal was not considered to harm the landscape character of the area, highway safety or flood risk and would not harm either visual or residential amenity. Accordingly the proposal did not conflict with Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design) and S7 (Outside Settlements) or Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

41/12/0001

Erection of single storey and two storey extensions to the rear of Dobles Farm, Tolland

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The development hereby permitted shall be carried out in accordance with the approved plans;
- (c) 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.

Reason for granting planning permission:-

The proposed development would not harm either visual or residential amenity, nor would it 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).

Reason for granting planning permission contrary to the recommendation of the Growth and Development Manager:-

Members considered that the proposed development would not be detrimental to the character of the main dwelling.

14/11/0051

Installation of 2 dormer windows to the front elevation of 3 Crown Lane, Creech Heathfield

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The development hereby permitted shall be carried out in accordance with the approved plans.

Reason for granting planning permission:-

The scale and design of the proposed dormers was considered to be acceptable and it was not thought that they would harm the appearance of the building or street scene or neighbouring amenity. Therefore, the scheme accorded with Taunton Deane Local Plan Policies S1 (General Requirements), S2 (Design) and H17 (Extensions to Dwellings).

02/12/0002

Removal of flat roof, erection of first floor extension and other alterations at the Old School House, Ash Priors

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The development hereby permitted shall be carried out in accordance with the approved plans;
- (c) 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;
- (d) The windows and doors hereby permitted shall be timber and thereafter maintained as such, in accordance with details to include sections, mouldings, profiles, working arrangements and finished treatment that shall first have been agreed in writing by the Local Planning Authority prior to their installation;
- (e) No development, excluding site works, shall begin until a panel of the proposed stone work measuring at least 1m x 1m has been built on the site and both the materials and the colour and type of mortar for pointing used within the panel have been agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed details and thereafter maintained as such.

Reason for granting planning permission:-

The proposed development was considered to preserve the character and appearance of Ash Priors Conservation Area and, by virtue of its scale and design, the proposals would not detract from the character of the original building. The proposals were therefore considered to be acceptable and accorded with Taunton Deane Local Plan Policies S1, S2 and H17.

Reason for granting planning permission contrary to the recommendation of the Growth and Development Manager:-

Members considered that the proposed development would not be incongruous and overpowering and would enhance the character and appearance of the Conservation Area.

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

24/11/0039

Change of use to agricultural land for storage, processing and delivery of firewood with landscaping and access enhancements at Moor Lane, North Curry

Reasons

- (1) The proposed development did not make adequate provision for the loading and unloading of goods vehicles within the site and would, therefore, encourage such vehicles to park on the highway with consequent additional hazard to all users of the highway. The proposal was therefore contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review (adopted April 2000);
- (2) The application, which proposes the removal of a substantial area of existing roadside vegetation, was considered to be unacceptable as it would have a detrimental landscape impact on the character of the area, contrary to Taunton Deane Local Plan Policies EN6 and EN12.

Also **resolved** that enforcement action requiring the cessation of the use of land for the delivery, storage, processing and distribution of firewood and logs be not taken.

24. Construction of the first section of the Wellington Northern Relief Road with access junction with Taunton Road, landscape planting and drainage infrastructure at Longforth Farm, Wellington (43/11/0105)

Reported this application.

Resolved that subject to:- (1) no adverse comments raising new issues being received by 7 March 2012 to the latest submission of plans and information; and (2) resolution of what species will make up the landscaping/ecological mitigation, the Growth and Development Manager be authorised to determine the application in consultation with the Chairman or Vice-Chairman and, if planning permission was granted, conditions covering the following would be expected to be imposed:-

- (a) Time limit;
- (b) Schedule of plans;
- (c) Ecological mitigation measures;
- (d) Landscaping and long term maintenance;
- (e) Contamination;
- (f) Detailed design of the highway works prior to its construction (where considered necessary and reasonable);

- (g) Lighting;
- (h) Sustainable drainage scheme and long term maintenance and management;
- (i) Details of timescale for provision of temporary access, site compound and topsoil storage.

Reason for planning permission, if granted:-

The proposed development would provide a suitable means of access to Longforth Farm, which was identified as a sustainable urban extension within the emerging Core Strategy for development. The proposal was accompanied by suitable landscape mitigation measures to help soften the impact of the development. Any impact on wildlife would be adequately mitigated and the favourable conservation status of European Protected Species would be maintained. The proposal therefore accorded with the provisions of Policies S1, S2, S7 and EN12, Policies STR1, 9, 42, 44 and 49 of the Somerset and Exmoor National Park Joint Structure Plan and Policy SS3 and SP3 of the emerging Core Strategy and advice contained within Planning Policy Statements 1, 3 and 9, and, Planning Policy Guidance13.

25. Unauthorised residential occupation of land to the rear of Langs Farm, Bradford on Tone

Reported that it had come to the Council's attention that a chalet was being used on land to the rear of Langs Farm, Bradford on Tone without the necessary planning consent.

The owner of the site had been contacted but, to date, an application for planning permission to regularise the situation had not been received.

Resolved that:-

1. Enforcement action be taken to remove the unauthorised chalet on land to the rear of Langs Farm, Bradford on Tone;
2. The Solicitor to the Council be authorised to take prosecution proceedings in the event that the enforcement notice was not complied with; and
3. The time period for compliance with the enforcement notice be six months.

26. Unauthorised construction of a Roundhouse in a field opposite Thomas's House, Oake

Reported that it had come to the Council's attention that a roundhouse had been constructed in a field opposite Thomas's House, Oake without the necessary planning consent.

The owner of the site had confirmed that he intended to reconstruct an Iron Age farmstead as an educational resource for the local community but, without the necessary planning consent, he was currently unable to obtain insurance to enable members of the public to visit the site.

The Growth and Development Manager considered that the structures that had been erected on the site did not have an unacceptable impact on the visual amenities of the area. Given the current lack of use, there was no significant impact on neighbouring property or the local highway network. It was therefore not considered to be expedient to take enforcement action at the present time.

Resolved that no further action be taken.

27. Change of use of agricultural land to site a temporary mobile home and retention of buildings in connection with the operation of a falconry business on land to the north of Higher Knapp Farm, Hillfarrance

Reported that it had come to the Council's attention that a mobile home and buildings in connection with the operation of a falconry business were being used on land to the north of Higher Knapp Farm, Hillfarrance without the necessary planning consent.

The owner of the site had been contacted and an application for planning permission had been submitted. However, the application had now been withdrawn.

Resolved that:-

1. Enforcement action be taken to remove the unauthorised mobile home, together with the removal of buildings and structures in connection with the operation of a falconry business on land to the north of Higher Knapp Farm, Hillfarrance;
2. The Solicitor to the Council be authorised to take prosecution proceedings in the event that the enforcement notice was not complied with; and
3. The time period for compliance with the enforcement notice be nine months.

28. Unauthorised illuminated sign at roof level at Okoko, Dellers Wharf, Taunton

Reported that it had been brought to the Council's attention that an illuminated sign at roof level had been erected at Okoko, Dellers Wharf, Taunton without the necessary advertisement consent being granted.

The owner of the site had been contacted but, to date, an application for consent to regularise the situation had not been received.

Whilst signage at this height (12m above ground level) may not normally be considered acceptable, the sign was sited in a position that historically displayed a sign for "Dellers". Further reported that there had been previous illuminated signs on the building and, although some had not been authorised, they had not raised any objection to harmed amenity of the area.

In the circumstances, the Growth and Development Manager considered that the sign did not harm visual amenity or public safety and therefore did not warrant any further action being taken.

Resolved that no further action be taken.

29. Access not built in accordance with approved plans at Lower Kibbear Farm, Kibbear, Trull

Reported that it had come to the Council's attention that the entrance access at Lower Kibbear Farm, Trull had not been built in accordance with approved plans.

The Growth and Development Manager considered that it was not expedient to take enforcement action to secure compliance with the approved plans. However, during the discussion of this item, Members considered that the unauthorised access did cause harm to the character and appearance of the area.

Resolved that:-

1. Enforcement action be taken to secure compliance with the approved plans at Lower Kibbear Farm, Kibbear, Trull;
2. The Solicitor to the Council be authorised to take prosecution proceedings in the event that the enforcement notice was not complied with; and
3. The time period for compliance with the enforcement notice be nine months.

30. Altered access and fencing erected adjacent to highway at Parkgate House, New Road, West Bagborough

Reported that it had come to the Council's attention that the access to Parkgate House, New Road, West Bagborough had been widened and fencing over 1m in height adjacent to the highway had been erected without the necessary planning consent.

Resolved that:-

1. Enforcement action be taken to reduce the height of the fencing adjacent to the highway to 1m and to reduce the width of the access to its original size at Parkgate House, New Road, West Bagborough;
2. The Solicitor to the Council be authorised to take prosecution proceedings in the event that the enforcement notice was not complied with; and
3. The time period for compliance with the enforcement notice be two months.

31. Change of use of land to form car parking area opposite 21/23 Burge Crescent, Cotford St Luke

Reported that it had come to the Council's attention that a hard standing had been created outside the curtilage of 23 Burge Crescent, Cotford St Luke without the necessary planning consent.

The owners of the site had submitted an application to regularise the situation but this had been withdrawn on 12 September 2011. However, to date, the hard standing was still in place for the parking of motor vehicles.

Resolved that:-

1. Enforcement action be taken to remove the unauthorised hard standing opposite 21/23 Burge Crescent, Cotford St Luke;
2. The Solicitor to the Council be authorised to take prosecution proceedings in the event that the enforcement notice was not complied with; and
3. The time period for compliance with the enforcement notice be two months.

32. Appeals

Reported that one appeal had been lodged and three appeal decisions had been received, details of which were submitted.

(The meeting ended at 9 p.m.)