

## **Planning Committee – 23 May 2012**

Present:- Councillors Mrs Allgrove, Bishop, Bowrah, Coles, Denington, Mrs Hill, Miss James, Morrell, Nottrodt, Mrs Reed, Mrs Smith, Tooze, Ms Webber, A Wedderkopp, D Wedderkopp and Wren

Officers:- Mr B Kitching (Development Management Lead), Mr G Clifford (East Area Co-ordinator), Mrs J Jackson (Legal Services Manager), Miss M Casey (Planning and Litigation Solicitor) and Mrs T Meadows (Corporate Support Officer)

Also present: Mrs A Elder, Chairman of the Standards Committee; Councillor Stone in connection with application No 51/12/0004

(The meeting commenced at 5.00 pm)

### **60. Appointment of Chairman**

**Resolved** that Councillor Nottrodt be appointed Chairman of the Planning Committee for the remainder of the Municipal Year.

### **61. Appointment of Vice-Chairman**

**Resolved** that Councillor Coles be appointed Vice-Chairman of the Planning Committee for the remainder of the Municipal Year.

### **62. Apologies/Substitutions**

Apologies: Councillors Govier, C Hill, Mrs Messenger and Watson

Substitutions: Councillor Mrs Reed for Councillor C Hill and Councillor Ms Webber for Councillor Watson

### **63. Minutes**

The minutes of the meeting of the Planning Committee held on 18 April 2012 were taken as read and were signed.

### **64. Declarations of Interest**

Councillor D Wedderkopp declared a personal interest as a Member 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 Tooze declared a personal interest as an employee of UK Hydrographic Office. Councillor Mrs Reed declared a personal interest as her daughter works as an administrator in Development Control.

### **65. Applications for Planning Permission**

The Committee received the report of the Growth and 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:-

**51/12/0004**

**Conversion of redundant farm building to form dwelling at Sunny Farm, Stanmoor Road, Burrowbridge**

**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) 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;
- (d) The development hereby permitted shall not be commenced until details of a strategy to protect and enhance the development for barn owls and bats has been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall be based on the advice of Richard Green Ecology Ltd. protected species report dated October 2010 and up to date surveys and shall include:- (i) Details of protective measures to include method statements to avoid impacts on barn owls during all stages of development; (ii) Details of the timing of works to avoid periods of work when wildlife could be harmed by disturbance; and (iii) Measures for the enhancement of places of rest for barn owls and bats. Once approved, the works shall be implemented in accordance with the approved details and timing of the works, unless otherwise agreed in writing by the Local Planning Authority. The development shall not be occupied until the scheme for the maintenance and provision of the new barn owl and bat roosts and related accesses have been fully implemented. Thereafter the resting places and agreed accesses shall be permanently maintained;
- (e) Finished floor levels of the proposed development must be set no lower than 6.5m above Ordnance Datum (AOD);
- (f) The development hereby permitted shall not be commenced until such time as a scheme to incorporate flood-proofing measures into the proposed development has been submitted to, and approved in writing by, the Local Planning Authority.

(Notes to applicant:- (1) Applicant was advised that the condition relating to wildlife requires the submission of information to protect species. The Local Planning Authority will expect to see a detailed method statement clearly stating how wildlife will be protected through the development process and be provided with a mitigation proposal that will maintain favourable status for these species that are affected by this development proposal; (2) Applicant was advised to note that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the applicant should ensure that any activity undertaken on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation; (3) Applicant was advised that surface water

run-off should be controlled as near its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge and improving water quality and amenity. The variety of SUDS techniques available means that virtually any development should be able to include a scheme based around these principles; (4) Applicant was advised that there must be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provision must be made to ensure that all existing drainage systems continue to operate effectively and that riparian owners upstream and downstream of the site are not adversely affected; (5) Applicant was advised that the site is within the Internal Drainage Board's area. The Somerset Drainage Board Consortium should be consulted as the site may be prone to problems of high water table and possible flooding, or exacerbate the Board's flooding problems elsewhere due to additional runoff; (6) Applicant was advised that under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Agency is required for any proposed works or structures in, under, over or within 8m of the top of the bank of the River Parrett designated a 'main river'. The need for Flood Defence Consent is over and above the need for planning permission).

**Reason for granting planning permission:-**

Notwithstanding Policy DM2 of the Core Strategy, Members considered the property looked like a house and was a suitable use adjacent to other residential properties.

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

Members considered that the property looked like a house and was in a suitable location adjacent to other residential properties.

**38/12/0095**

**Erection of single storey extension to rear and first floor extension to side at 49 Shoreditch Road, Taunton**

**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 proposed extensions have been designed to be in keeping with the existing style of the property and were not considered to be excessively dominating to its appearance or that of the street scene. The extensions, by virtue of their positioning, were not considered to result in an unacceptable loss of light or overbearing impact to the adjacent dwellings and were not therefore considered to result in material harm to the residential amenities of the occupiers of those properties. As such, the proposal was in accordance with Policies S1 (General Requirements), S2 (Design) and H17 (Extensions to Dwellings) of the Taunton Deane Local Plan and Policy DM1 (General Requirements) of the Emerging Taunton Deane Core Strategy 2011 – 2028.

**30/12/0010**

**Change of use of land from paddock to parking area, relocation of stable buildings and alterations to gate at Red Lane Cottages, Poundisford (retention of works already undertaken)**

**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) 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) The area allocated for parking on the submitted plan shall be used for the parking of ambulances, private vehicles or event trailers used by the occupier of 1 Red Lane Cottages only and for no other purpose.

**Reason for granting planning permission:-**

The proposal was not considered 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) and Policy DM1 of the proposed Core Strategy.

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

**52/12/0006**

**Outline application for the erection of dwelling and garage and formation of vehicular access to the rear of 24 Comeytrowe Lane, Taunton**

## **Reasons**

- (1) The proposed development represents an undesirable form of backland development which, due to its siting and means of access from an un-metalled service road and no frontage to the public realm, was at odds with the prevailing development pattern and character of the area. It was therefore contrary to Policies S1 and S2 of the Taunton Deane Local Plan, Policy DM1 of the emerging Taunton Deane Core Strategy and paragraph 58 of the National Planning Policy Framework;
- (2) The development was proposed to be accessed by a private track from the public highway that does not have sufficient width to accommodate two-way vehicular movements. There was, therefore, likely to be a conflict of vehicle movements on the track to the inconvenience of all users of that private way, contrary to Policy S1 of the Taunton Deane Local Plan and Policy DM1 of the emerging Taunton Deane Core Strategy.

## **Reason for refusing planning permission contrary to the recommendation of the Growth and Development Manager:-**

Members considered the proposed development to be detrimental to the character and amenities of the area, together with unsuitable access.

**45/12/0005**

## **Demolition of staff accommodation and erection of holiday chalet at Crowcombe, The Combes, West Bagborough**

### **Reason**

The National Planning Policy Framework seeks to locate developments in areas that facilitate the use of sustainable modes of transport, while development plan policies specifically direct permanently built holiday accommodation to within existing settlements, which were accessible by public transport, cycling and on foot, unless the proposal would support the vitality and viability of the rural economy in a way that cannot be sited within the defined settlement limits. The proposed holiday accommodation would not utilise an existing building but would require the erection of a new purpose-built building in a remote, rural location, distanced from adequate services and facilities, which would result in future occupiers being largely reliant upon the use of the private car. The proposal would not support the rural economy in a way that could not be achieved if located within the defined limits of a settlement, nor would it support economic diversification of existing farming or service enterprises. As such, the proposal was contrary to the provisions of Policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review, Policies DM1 (General Requirements) and DM2 (Development in the Countryside) of the emerging Taunton Deane Borough Council Core Strategy 2011-2028, Policies S1 (General Requirements), S7 (Outside Settlements) and EC23 (Tourist Accommodation) of the Taunton Deane Local Plan and Sections 3 (Supporting a Prosperous Rural Economy) and 4 (Promoting Sustainable Transport) of the National Planning Policy Framework.

**43/11/0127**

## **Erection of 5 no dwellings and 2 no flats on land off Gay Close, Wellington**

## **Reason**

The proposed development was considered to be an excessive overdevelopment of the site which has necessitated a contrived residential layout that has resulted in a poor relationship between existing and proposed dwellings. As a consequence, the development would result in an unacceptable degree of overlooking of existing residential properties and new residential properties would unacceptably overlook each other. Elsewhere, the design has been contrived to reduce overlooking, resulting in poor external fenestration and elevation detailing. The proposal was, therefore, poorly designed contrary to Policies S1 and S2 of the Taunton Deane Local Plan, Policy DM1 of the emerging Taunton Deane Core Strategy and Section 7 of the National Planning Policy Framework. As such, the harm that this causes to residential amenity and the character and appearance of the area means that any benefits arising from the scheme cannot outweigh the loss of the informal recreation space to the detriment of the local community, contrary to Policy C3 of the Taunton Deane Local Plan.

### **Reason for refusing planning permission contrary to the recommendation of the Growth and Development Manager:-**

Members considered the development to be detrimental to the character and amenity of the area which included the loss of a strategic green space.

#### **66. Four Poplars and The Lodge, Hyde Lane, Taunton**

Reported that it had come to the Council's attention that agricultural land adjacent to Four Poplars and The Lodge, Hyde Lane, Taunton was being used for the storage of builders materials, equipment and other associated materials without the necessary planning consent.

The owners 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 storage of builders materials and equipment from land adjacent to Four Poplars and The Lodge, Hyde Lane, Taunton;
- 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 three months.

#### **67. Two Trees, Meare Green, West Hatch**

Reported that it had come to the Council's attention that an area of land was being used for the keeping of greyhounds, together with an exercise area and shelters

and the storage of catering trailers and mobile home at Two Trees, Meare Green, West Hatch without the necessary planning consent.

The owner of the site had been contacted and an application to regularise the situation had been submitted but this was not valid and had not been registered.

**Resolved that:-**

- 1) Enforcement action be taken for the cessation of the area of land for the keeping of dogs at Two Trees, Meare Green, West Hatch;
- 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) No further action be taken regarding the alterations to the barn, various shelters on the site and the storage of catering trailers and mobile home.

**68. Unauthorised works at Mambo, Mill Lane, Taunton**

Reported that it had come to the Council's attention that a number of unauthorised works to the Listed Building at Mambo, Mill Lane, Taunton had taken place without the necessary planning consent.

The owner of the site had been contacted and an application to regularise the situation had been submitted but this was not valid and had not been registered.

**Resolved that:-**

- 1) Listed Building enforcement action be taken for the reinstatement of the railings at Mambo, Mill Lane, Taunton;
- 2) Enforcement action be taken for the removal of unauthorised timber buildings and floodlights at Mambo, Mill Lane, Taunton;
- 3) The Solicitor to the Council be authorised to take prosecution proceedings in the event that the listed building enforcement notice and enforcement notice was not complied with; and
- 4) The time period for compliance with the listed building enforcement notice and enforcement notice be two months.

**69. Building not in accordance with approved plans at Taunton Vale Sports Club, Gipsy Lane, Taunton**

Reported that it had come to the Council's attention that a building at Taunton Vale Sports Club, Gipsy Lane, Taunton had not been built in accordance with the approved plans and the land had not been backfilled.

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

However, the Growth and Development Manager considered that, although unauthorised, the amendment to the exterior cladding was not considered to materially affect the external appearance of the building and the window to the south-west elevation did not result in any visual harm upon neighbouring amenity. It was also considered that the unauthorised regarding of the earth mound did not harm visual or residential amenity.

**Resolved** that no further action be taken.

## **70. Appeals**

Reported that five new appeals had been lodged, details of which were submitted.

(The meeting ended at 9.20 pm)