

Planning Committee – 15 April 2009

Present:- Councillor Mrs Allgrove (Vice-Chairman) (In the Chair)
Councillors Bishop, Bowrah, Mrs Copley, Critchard, Denington,
Ms Durdan, Mrs Floyd, C Hill, House, Miss James, McMahon,
Mrs Smith, Watson and A Wedderkopp

Officers:- Mr T Burton (Development Manager), Mr J Hamer (Area Manager –
West), Mr B Kitching (Area Planning Manager - East), Mrs J Moore
(Principal Development Officer – East), Mrs J Jackson (Legal Services
Manager), Miss M Casey (Planning and Litigation Solicitor) and Mrs G
Croucher (Democratic Services Officer)

Also present: Councillor Mrs Lewin-Harris in relation to application No 06/08/0057;
Councillor Govier in relation to application No 43/08/0143 and
Councillor Coles.

(The meeting commenced at 5.00 pm)

42. Apologies/Substitutions

Apologies: The Chairman (Councillor Mrs Hill) and Councillors Ms Webber,
D Wedderkopp, Miss Wood and Woolley.

Substitutions: Councillor K Durdan for Councillor Ms Webber and Councillor
A Wedderkopp for Councillor Miss Wood.

43. Minutes

The minutes of the meeting held on 25 March were taken as read and were
signed.

44. Declarations of Interest

Mrs J Jackson declared an interest in application No 06/08/0057 and left the
meeting during the consideration of this item; Councillors Bowrah, Mrs Copley
and Critchard declared personal interests in application No 43/08/0007 as
Members of Wellington Town Council. Councillors Mrs Copley and Critchard
felt that, although they had previously spoken on the item, they had not
“fettered their discretion”. However, Councillor Bowrah felt he had “fettered
his discretion” and after speaking as a local resident, he withdrew from the
meeting. Councillors Mrs Smith and A Wedderkopp also declared an interest
in application No 43/08/0007 as Members of the Executive. Although they
had previously discussed the item they felt they had not “fettered their
discretion”.

45. Applications for Planning Permission

The Committee received the report of the 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 development, subject to the conditions stated below:-

38/09/0047

Erection of ground floor rear and side extension at 20 Beadon 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.

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).

(2) That **planning permission be refused** for the under-mentioned developments, subject to the reasons stated below:-

42/09/0007

Erection of a two storey extension to rear of Kibbear Barton, Trull

Reason

The proposed single storey extension, by virtue of its size, scale, design and positioning, appears as an incongruous addition, detracting from its simple linear form, to the detriment of the traditional character of the existing dwelling. As such the proposal is contrary to Policies S1 (General Requirements), S2 (Design) and H17 (Extensions to Dwellings) of the Taunton Deane Local Plan.

51/09/0003

Erection of new dwelling on site of demolished barn at Stoke Orchard Farm, Burrowbridge (retention of development already undertaken)

Reasons

- (a) The site was in open countryside where it was the policy of the Local Planning Authority to resist new housing development unless it was demonstrated that the proposal serves a genuine agricultural or other appropriate need. In the opinion of the Local Planning Authority the proposal was tantamount to a new dwelling and no agricultural or other appropriate need was claimed. The proposal was therefore considered to conflict with guidance in PPS7, Somerset and Exmoor National Park Joint

Structure Plan Review Policy STR1 and STR6 and Taunton Deane Local Plan Policies S1, and S7;

- (b) The proposed development site was remote from any urban area and therefore distant from adequate services and facilities such as education, employment, health, retail and leisure. In addition public transport services were infrequent. As a consequence occupiers of the new development were likely to be dependant on private vehicles for most of their daily needs. Such fostering of growth in the need to travel would be contrary to Government advice given in PPG13 and RPG10, and to the provisions of Somerset and Exmoor National Park Joint Structure Plan Review Policies STR1 and STR6;
- (c) The site was within the area designated by the Environment Agency as being within Flood Zone 3 as defined in PPS25, wherein a sequential test required to be undertaken by the applicant to determine whether sites which are not liable to flooding were available. As this had not been carried out this aspect had not been satisfactorily completed and the proposal was contrary to PPS25.

Also **resolved** that enforcement action be taken requiring the demolition of the unauthorised dwelling and the clearance of the site within 6 months of the date of the meeting.

- (3) That the following application be **deferred** for the reasons stated:-

34/09/0007

Variation of condition No 5 of application No 34/07/0057 at Taunton Vale Sports Club, Gipsy Lane, Staplegrove (floodlighting scheme to be submitted and approved by Local Planning Authority and thereafter monitored)

Reason

To seek further specialist advice in respect of the proposed lighting.

- 46. Change of use for mobile home for game bird rearing and pheasant rearing at Mill Field, Bishops Lydeard (06/08/0057)**

Reported this application.

Resolved that subject to the receipt of an amended management plan and no further representations raising new issues on the amended plans being received by 21 April 2009, the Development Manager in consultation with the Chairman be authorised to determine the application.

- 47. Re-development of land to provide 16 x 2 bedroom sheltered apartments, 20 x 2 bedroom general needs apartments and one meeting room, 34-62 Holyoake Street, Wellington (43/08/0143)**

Reported this application.

Resolved that subject to the applicant entering into a Section 106 Agreement to secure a contribution of £1,023 per general needs dwelling (20 units) towards the provision of outdoor recreation facilities, the 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) 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) Prior to the commencement of the development hereby permitted, a scheme for the disposal of surface water shall be submitted to, and agreed in writing by, the Local Planning Authority. The scheme shall include measures that will prevent the discharge of water onto the highway. The agreed details shall be implemented prior to the occupation of any of the dwellings hereby permitted and shall thereafter be retained as such;
- (d) Each access shall incorporate pedestrian visibility splays on both sides to the rear of the existing footways based upon co-ordinates of 2m x 2m;
- (e) The cycle storage facilities shown on the submitted plan shall be constructed and fully provided prior to occupation of any of the dwellings hereby permitted, and thereafter retained for those purposes, unless otherwise agreed in writing by the Local Planning Authority;
- (f) The areas allocated for parking and turning shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted;
- (g) The accesses hereby permitted shall not be brought into use until drop kerbs have been installed at the carriageway edge and a vehicle cross over constructed across the footway fronting the site for the width of the access.

(Note to applicant:- Applicant was requested to provide as many enhancement features to attract wildlife to the site as possible).

48. Formation of hard standing and siting of portable storage containers at County Hardwoods, Creech Mills Industrial Estate, Creech St Michael

Reported that a complaint had been received that steel containers had been placed on the land without the necessary planning permission being obtained.

The owner of the site had been contacted and had informed the Council that the containers had been used on a temporary basis and would be removed shortly. However, the containers were currently still in position.

Resolved that:-

- 1) Enforcement action be taken to remove the unauthorised steel containers on land at County Hardwoods, Creech Mills Industrial Estate, Creech St Michael; 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.

49. Dog grooming business at Unit C, Creech Mills Industrial Estate, Creech St Michael

Reported that it had come to the Council's attention that a dog grooming business was operating from Unit C, Creech Mills Industrial Estate, Creech St Michael.

The operator of the business had been contacted about the unauthorised change of use of the site but, to date, no application to regularise the situation had been submitted and the use had continued.

During the discussion of this item Members took the view that a dog grooming business was acceptable at this site.

Resolved that no further action be taken.

50. Dog day care business at Unit B, Creech Mills Industrial Estate, Creech St Michael

Reported that it had come to the Council's attention that a dog day care business was operating from Unit B, Creech Mills Industrial Estate, Creech St Michael.

The operator of the business had been contacted about the unauthorised change of use of the site but, to date, no application to regularise the situation had been submitted and the use had continued.

During the discussion of this item Members took the view that a dog day care business was acceptable at this site.

Resolved that no further action be taken.

51. Appeals

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

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

Resolved that the report be noted.

(The meeting ended at 9.06 pm)

