

Planning Committee – 18 April 2012

Present:- Councillor Bishop (Chairman)
Councillor Coles (Vice-Chairman)
Councillors Mrs Allgrove, Bowrah, Denington, A Govier, C Hill, Mrs Hill,
Horsley, Miss James, Nottrodt, Mrs Reed, Mrs Smith, Tooze, Watson and
A Wedderkopp

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

Also present: Mrs A Elder, Chairman of the Standards Committee; and Councillor Mrs
Warmington in connection with application No 45/11/0016.

(The meeting commenced at 5.00 pm)

48. Apologies/Substitutions

Apologies: Councillors Mrs Messenger, D Wedderkopp and Wren

Substitutions: Councillor Horsley for Councillor D Wedderkopp and Councillor
Nottrodt for Councillor Wren

49. Minutes

The minutes of the meeting of the Planning Committee held on 21 March 2012
were taken as read and were signed.

50. Declarations of Interest

Councillor Govier 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. Councillor Watson declared a personal interest in application No
45/11/0016 as he knew the applicant. Councillor Govier declared a personal
interest in application No 43/12/0020 as the item had been discussed at Wellington
Town Council. However, he had not pre-determined his decision. Councillor
Govier also declared a prejudicial interest in agenda item 15 and left the meeting
during the consideration of this item.

51. 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 development:-

43/12/0020

Conversion of bungalow with erection of first floor extension into 2 no two storey dwellings at 30 Blackmoor Road, Wellington

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) Prior to their installation, details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be 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;
- (d) (i) Prior to its implementation 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) The first floor window in the north-west elevation shall be obscure glazed and non-opening, unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed. The type of obscure glazing shall be submitted to, and approved in writing by, the Local Planning Authority prior to its installation and shall thereafter be so retained;
- (f) The driveways hereby permitted shall be surfaced in permeable materials, not loose stone or gravel, or provision shall be made for the disposal of surface water within the site in accordance with details that shall first have been agreed in writing by the Local Planning Authority. The agreed details shall be implemented prior to the occupation of the dwelling to which it relates and shall thereafter be retained as such;
- (g) The area allocated for parking on the submitted plan drawing No 2328 4B 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;
- (h) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the use of the garage hereby permitted shall be limited to the parking of vehicles only.

(Note 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 would require a Section 184 Permit).

Reason for granting planning permission:-

The proposal was not considered to have a detrimental impact upon visual or residential amenity, the character of the area or highway safety and was therefore considered acceptable and, accordingly, did not conflict with Taunton Deane Local Plan Policies S1 (General Requirements) and S2 (Design), Policy 49 (Transport Requirements of New Development) of the Somerset and Exmoor National Park Joint Structure Plan Review, or Policy DM1 (General Requirements) of the emerging Taunton Deane Core Strategy.

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

11/12/0005

Replacement of entrance gates, erection of railings and reconstruction of stone wall at the Old Manor House, Combe Florey (retention of works already undertaken)

Reason

The metal railings and gates, by reason of their design, were considered to be at odds with the character of the listed building and were therefore detrimental to its setting and detrimental to the character and appearance of the Conservation Area, contrary to Policy S1 of the Taunton Deane Local Plan, DM1 of the Taunton Deane Core Strategy, the duties outlined at Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and advice contained in Section 12 of the National Planning Policy Statement.

11/12/0006/LB

Replacement of entrance gates, erection of railings and reconstruction of stone wall at the Old Manor House, Combe Florey (retention of works already undertaken)

Reason

The metal railings and gates, by reason of their design, were considered to be at odds with the character of the listed building and were therefore detrimental to its setting, contrary to the duty outlined at Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and advice contained in Section 12 of the National Planning Policy Statement.

45/11/0016

Erection of agricultural workers dwelling and detached garage at Crossways Farm, adjacent to London Farm, West Bagborough

Reason

The site lies in a countryside location 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. Whilst the business being operated from the site comprises a mix of enterprises, the overall business appears to be of a nature where the vast majority of work can be carried out during part of the normal working day (however long that day may be). As such, it has not been proven that there was an essential need for a worker to live permanently on the site and the proposal therefore represents an unjustified dwelling in the countryside, contrary to Policies S1 (General Requirements) and S7 (Outside Settlements) of the Taunton Deane Local Plan, Policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review and Paragraph 55 of the National Planning Policy Framework 2012.

52. Construction of three jetties alongside the canal at Waterleaze, Maidenbrook Farm, West Monkton

Reported that it had come to the Council's attention that three jetties with fencing and gates had been erected along the top of the canal bank on the canal side at Waterleaze, Maidenbrook Farm, West Monkton without the necessary planning consent.

The owners of the site had submitted an application for planning permission to regularise the position but this had been refused in February 2012.

Resolved that:-

- 1) Enforcement action be taken to remove the three jetties erected alongside the canal at Waterleaze, Maidenbrook Farm, West Monkton;
- 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. However, the serving of the enforcement notice should be deferred until September 2012.

53. Metal spiked gates and fence erected in field adjacent to Broad Lane, North Curry

Reported that it had come to the Council's attention that metal spiked gates and fencing over 1m in height had been erected in a field adjacent to Broad Lane, North Curry 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 reduce the height of the gates and fencing to 1m in height measured from the adjacent ground level in the field adjacent to Broad Lane, North Curry;

- 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 weeks.

54. Storage of caravan in field at Dull Cross, Trebles Holford, West Bagborough

Reported that it had come to the Council's attention that a caravan was being stored in a field at Dull Cross, Trebles Holford, West Bagborough 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 caravan on land at Dull Cross, Trebles Holford, Westborough;
- 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.

55. Land used for storage of builders materials, Minster Edge, Pitminster

Reported that it had come to the Council's attention that building materials and equipment were being stored at Minster Edge, Pitminster 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 builders materials stored at Minster Edge, Pitminster;
- 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.

56. Area created for car parking to rear of Havelock Cottage, 49 Kingston Road, Taunton

Reported that it had come to the Council's attention that an area of land to the rear of Havelock Cottage, 49 Kingston Road, Taunton was being used for the parking of vehicles 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 cease the use of the land to the rear of Havelock Cottage, 49 Kingston Road, Taunton for the parking of vehicles;
- 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 weeks.

57. Unauthorised sign to rear of Smiles Cosmetic Centre, 62 Black Horse Lane, Taunton

Reported that it had come to the Council's attention that a sign was currently being displayed on the rear boundary wall of 62 Black Horse Lane, Taunton without the necessary advertisement consent being granted.

Although the sign was in a prominent position, the street scene of the rear of retail premises was already cluttered.

In the circumstances, the Growth and Development Manager considered that the sign did not harm the visual amenity of the area.

Resolved that no further action be taken.

58. Fences erected at The Orchard, Linden Hill, Wellington

Reported that it had come to the Council's attention that fencing had been erected over 1m in height had been erected at The Orchard, Linden Hill, Wellington 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 been refused on 27 January 2012 and an appeal had been lodged.

Resolved that:-

- 1) Enforcement action be taken to reduce the height of the fencing to 1m at The Orchard, Linden Hill, Wellington;
- 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.

59. Appeals

Reported that two new appeals had been lodged and two appeal decisions had been received, details of which were submitted.

(The meeting ended at 7.10 pm)