

PLANNING COMMITTEE 21ST AUGUST, 2002

Report Of The Chief Planning Officer

MISCELLANEOUS ITEM

25/2001/036 CONSTRUCTION OF EARTH DAM TO IMPOUND FLOOD WATER FROM HALSE WATER AND FORMATION OF TEMPORARY POND/WETLAND UNDER FLOOD CONDITIONS ON LAND WEST OF MONTYS LANE NORTON FITZWARREN

The above planning application was considered by the Planning Committee on 19th June, 2002 when it was resolved that subject to various matters, the Chief Planning Officer be authorised to determine the application in consultation with the Chairman and if planning permission be granted be subject to conditions. One of the matters the determination of the application was subject to was the receipt of no representations raising new issues on a revised drawing by 10th July, 2002. The revised drawing amended the red line on the site to incorporate the proposed construction and access road to the proposed dam together with the widening of Montys Lane.

A letter has been received from agents acting on behalf of the two landowners affected by the proposal. The letter objects to the amendment to the application showing a construction road to the south of the dam site across their land.

Details of the proposed road were presented to the Committee when the application was discussed. I consider that the proposed construction and access road is an essential and integral part of the proposed development and taken together with the proposals for the dam itself, I do not consider that the works for the road and widening of the lane will have such a detrimental effect on the environment of the area to justify any change to the previously agreed resolution of the Committee.

The application has also been forwarded to the First Secretary of State under the Departure Procedures. A copy of the letter has been forwarded to the Government Office. We have now received a letter from the Government Office stating that after careful consideration of all the matters put to him about this application and having regard to his policy on call in, the Secretary of State concluded that there is not sufficient reason to warrant calling in the application for his own determination. He has therefore decided that he should leave the decision on whether or not to grant planning permission in this case to the Local Planning Authority.

RECOMMENDATION

That the content of the letter be noted.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

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