

## Planning Committee – 24 February 2010

Present:- Councillor Mrs Allgrove (Vice-Chairman) (In the Chair)  
Councillors Bishop, Brooks, Mrs Copley, Critchard, Denington,  
Ms Durdan, Mrs Floyd, C Hill, House, Miss James, Stuart-Thorn and  
Watson

Officers:- Mr J Hamer (Development Control Area Manager, West), Mr B Kitching  
(Area Planning Manager), Mr G Clifford (Area Planning Manager)  
Mrs J Jackson (Legal Services Manager), Ms M Casey (Planning and  
Litigation Solicitor) and Mrs G Croucher (Democratic Services Officer)

Also present: Councillor Gaines in connection with application No 35/10/0001 and  
the Agricultural Notification for land at Appley, Stawley; Councillor  
Stone in connection with application Nos 36/09/0021 and  
36/09/0022LB; and Councillor Coles

(The meeting commenced at 5.00 pm)

### 19. Apologies/Substitution

Apologies: The Chairman (Councillor Mrs Hill) and Councillors Bowrah,  
McMahon and D Wedderkopp  
Substitution: Councillor Stuart-Thorn for Councillor Bowrah

### 20. Minutes

The minutes of the meeting of the Planning Committee held on 10 February  
2010 were taken as read and were signed.

### 21. Declarations of Interest

Councillor Brooks declared a personal interest as a Member of Somerset  
County Council. Councillor Miss James declared a personal interest as an  
employee of Viridor. Councillor Coles declared a personal interest as a  
Director of Southwest One. Councillor House declared a prejudicial interest in  
connection with application Nos 36/09/0021 and 36/09/0022LB as he knew  
the applicant. He left the room during the discussion of these items.  
Councillor Brooks declared that he had previously spoken in connection with  
the public realm improvements at Castle Green.

### 22. 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:-

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

**35/10/0001**

## **Erection of barn at Stawley Wood Farm, Stawley (retention of development already undertaken)**

### **Conditions**

- (a) (i) Within three months of the date of this permission, 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;
- (b) The building shown on the submitted plan shall be used for the purposes described on the application form only and for no other purposes without the prior written consent of the Local Planning Authority.

(Note to applicant:- Applicant was advised that planning permission had been granted on the basis that the building will be used solely for agricultural purposes. The building hereby permitted was unlikely to gain planning permission for any other use should an application seeking a change of use be received by the Local Planning Authority at any point in the future, particularly one involving a domestic residential scheme).

### **Reason for granting planning permission:-**

The proposed agricultural building was considered not 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), S2 (Design), S7 (Outside Settlements) and EN12 (Landscape Character Areas).

**36/09/0021**

## **Erection of extension at Home Orchard Farm, Stoke Road, Stoke St Gregory**

### **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, excluding site works, shall begin until samples of the materials to be used in the construction of the external surfaces of the roof of the dwelling hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority and a panel of the proposed stonework measuring at least 1m x 1m has been built on the site and the materials, bonding pattern, recessed jointing and 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, unless otherwise agreed in writing by the Local Planning Authority;

- (d) Prior to commissioning specific details of the following shall be submitted to, and approved in writing by, the Local Planning Authority:- windows, doors and finished treatment for joinery and horizontal boarding with such approved details being strictly adhered to in the implementation of the approved works unless any variation thereto is first agreed in writing by the Local Planning Authority.

**Reason for granting planning permission:-**

The Committee considered that the proposed extension, by virtue of its size, design and location, appeared as a suitable addition, which had a positive impact on the character of the existing dwelling. As such the proposal was in accordance with the relevant sections of Planning Policy Guidance 15, Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policies S1 (General Requirements), S2 (Design) and H17 (Extensions to Dwellings) of the Taunton Deane Local Plan.

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

The Committee was of the view that the proposed extension was a suitable addition and had a positive impact on the character of the existing dwelling.

**36/09/0022LB**

**Erection of extension at Home Orchard Farm, Stoke Road, Stoke St Gregory**

**Conditions**

- (a) The works for which consent is hereby granted shall be begun not later than the expiration of three years from the date of this consent;
- (b) The development hereby permitted shall be carried out in accordance with the approved plans;
- (c) No development, excluding site works, shall begin until samples of the materials to be used in the construction of the external surfaces of the roof of the dwelling hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority and a panel of the proposed stonework measuring at least 1m x 1m has been built on the site and the materials, bonding pattern, recessed jointing and 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, unless otherwise agreed in writing by the Local Planning Authority;
- (d) Prior to commissioning, specific details of the following shall be submitted to, and approved in writing by, the Local Planning Authority:- windows, doors and finished treatment for joinery and horizontal boarding with such approved details being strictly adhered to in the implementation of the

approved works unless any variation thereto is first agreed in writing by the Local Planning Authority.

**Reason for granting planning permission:-**

The Committee considered that the proposed extension, by virtue of its size, design and location, appeared as a suitable addition, which had a positive impact on the character of the existing dwelling. As such the proposal was in accordance with the relevant sections of Planning Policy Guidance 15, Policy 9 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policies S1 (General Requirements), S2 (Design) and H17 (Extensions to Dwellings) of the Taunton Deane Local Plan.

**Reason for granting listed building consent contrary to the recommendation of the Growth and Development Manager:-**

The Committee was of the view that the proposed extension was a suitable addition and had a positive impact on the character of the existing dwelling.

**23. Erection of ground floor extension at 113 Scott Close, Taunton (34/10/0003)**

Reported this application.

**Resolved** that subject to no representations being received by 25 February 2010, the Growth and Development Manager be authorised to determine the application, in consultation with the Chairman, 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.

(Note to applicant;- Applicant was advised that care should be taken upon the commencement and during the course of building operations to ensure that no part of the development, including the foundations and roof overhang, will encroach on, under or over the adjoining property).

**Reason for planning permission, if granted:-**

The proposed development would harm neither visual nor 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).

**24. Public realm improvements at Castle Green, Taunton (38/09/0388)**

Reference Minute No 6/2010, reported that an application for public realm improvements at Castle Green, Taunton had been considered by the Committee on 20 January 2010. Planning permission had been granted

subject to the receipt of amended plans replacing the proposed bollards with planters at the Corporation Street entrance to the site.

However, a number of concerns had been raised by the Design Team if planters were to be used. These concerns included the need to comply with the Design Code and to maintain the free flow of pedestrians through this area, the need for access by emergency vehicles and access to utility services in the road in this location.

Members considered that, in light of the design considerations, the bollards should not be replaced with planters.

**Resolved** that planning permission No 38/09/0388 for the originally proposed design of the scheme be granted.

**25. Erection of agricultural storage building and track at land at Appley, Stawley**

Reported that an Agricultural Notification had been received for the erection of an agricultural storage building and track at land at Appley, Stawley that required the Prior Approval of the Local Planning Authority.

A public consultation period had taken place between 25 January and 15 February 2010. However, due to an error the granting of Prior Approval was issued on 9 February, before the end of the consultation period. A further five letters of objections were received during the period.

The Growth and Development Manager did not consider that any new valid issues had been raised by objectors to alter the decision to grant Prior Approval.

**Resolved** that the Committee endorse the decision to grant Prior Approval for the erection of an agricultural storage building and track at land at Appley, Stawley.

**26. Dairy House Farm, Henlade**

Reported that Hazardous Substances Consents had previously been granted at Dairy House Farm, Henlade to allow for the storage of liquefied petroleum gas.

However, the site had not been used for the storage of hazardous substances for a number of years and consent for a change of use of the site had been granted.

It was considered there was a need to revoke the Hazardous Substances Consents to enable future development of the site.

**Resolved** that:-

1. Hazardous Substances Consents 31/92/011HS and 37/93/012HS be revoked; and
2. That the Legal and Democratic Services Manager be authorised to prepare a Revocation Order under S14(2)(b) of the Planning (Hazardous Substances) Act 1990 for the Secretary of State to confirm.

**27. Application to fell 8 Ash trees to the south of West Combe and to thin out by 80% the area to the east of the Mill, within Hestercombe Conservation Area at Hestercombe Gardens, Cheddon Fitzpaine**

Reported that an application had been received to fell 8 Ash trees in the area of land to the south of West Combe adjacent to the main entrance drive and at the eastern end of the newly planted Oak avenue and to thin out the woodland area to the east of the newly restored Mill and Barn by 80%. The areas would be replanted with native trees and shrubs.

**Resolved** that:-

1. The felling and replanting of trees at Hestercombe Gardens be allowed; and
2. A Tree Preservation Orders should not be served in respect of any of the trees the subject of the application.

**28. Change of use of agricultural land to domestic curtilage at Levan Barn, Harnham Court, Norton Fitzwarren**

Reported that it had come to the Council's attention that agricultural land at Levan Barn, Harnham Court, Norton Fitzwarren had been brought within the domestic curtilage of the property without the necessary planning consent being granted.

The owner of the site had been contacted and an application for the change of use of the land had been made but this had been refused in October 2009.

**Resolved** that:-

1. Enforcement action be taken to stop the use of the agricultural land at Levan Barn, Harnham Court, Norton Fitzwarren as domestic curtilage and to remove all items of a domestic nature from this land; 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.

**29. Appeals**

Reported that one appeal decision had recently been received, details of which were submitted. The appeal had been dismissed.

**Resolved** that the report be noted.

(The meeting ended at 7.30 pm.)