

## **Planning Committee – 21 March 2012**

Present:- Councillor Bishop (Chairman)  
Councillor Coles (Vice-Chairman)  
Councillors Mrs Allgrove, Bowrah, Mrs Hill, Miss James, Nottrodt,  
Mrs Slattery, Mrs Smith, Watson, Ms Webber, A Wedderkopp and  
D 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

(The meeting commenced at 5.00 pm)

### **33. Apologies/Substitution**

Apologies: Councillors Denington, Govier, Morrell, Mrs Reed, Tooze and  
Wren

Substitutions: Councillor Nottrodt for Councillor Morrell, Councillor Ms Webber  
for Councillor Mrs Reed and Councillor Mrs Slattery for Councillor  
Tooze

### **34. Minutes**

The minutes of the meeting of the Planning Committee held on 29 February 2012  
were taken as read and were signed.

### **35. 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 Nottrodt also declared that  
he had discussed agenda items 5 and 6. However, he had not pre-determined his  
decision.

### **36. Storage of building materials on field south west of Westland House, Nailsbourne**

Reported that it had come to the Council's attention that an area of land south-west  
of Westland House, Nailsbourne was being used for the storage of building  
materials without the necessary planning consent.

The owner of the land had been contacted and had submitted an application for a  
Certificate of Lawful Development. However, this had been refused and a  
subsequent appeal was dismissed in December 2011.

**Resolved that:-**

1. Enforcement action be taken to stop the unauthorised storage of building materials on an area of land south-west of Westland House, Nailsbourne;
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.

**37. Storage of rubble, bricks and builders materials on land at Tainfield Park, Kingston Road, Kingston St Mary**

Reported that it had come to the Council's attention that an area of land in an agricultural field was being used to store rubble, bricks and builders materials at Tainfield Park, Kingston Road, Kingston St Mary without the necessary planning consent.

The owner of the land had been contacted about the unauthorised use and a Planning Contravention Notice had also been served. Further requests to remove the stored materials had been made but, to date, no action had been taken by the owner of the land.

**Resolved that:-**

1. Enforcement action be taken to remove the unauthorised storage of rubble, bricks and builders materials from land at Tainfield Park, Kingston Road, Kingston St Mary;
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.

**38. Unauthorised illuminated fascia sign at Phone Junction, 9 Bridge Street, Taunton**

Reported that it had been brought to the Council's attention that an illuminated fascia sign had been erected at Phone Junction, 9 Bridge Street, Taunton without the necessary advertisement consent being granted.

The owner of the site had been contacted but, to date, an application for consent to regularise the situation had not been received.

**Resolved** that, subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings to remove the unauthorised illuminated fascia sign at Phone Junction, 9 Bridge Street, Taunton.

**39. Cowl lights erected to fascia of Peppercorns Delicatessen, 48 St James Street, Taunton**

Reported that it had been brought to the Council's attention that two cowl lights had been erected to the fascia of Peppercorns Delicatessen, 48 St James Street, Taunton without the necessary advertisement consent being granted.

The occupier of the site had been contacted and had confirmed that the lights had been erected before taking over the tenancy of the property. However, the lights had not been switched on.

The occupier had been requested to submit an application for consent to regularise the situation but, to date, this had not been received.

**Resolved** that, subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings to remove the unauthorised cowl lights at Peppercorns Delicatessen, 48 St James Street, Taunton.

**40. Window cleaning business advertised at 6 Waterleaze, Cheddon Fitzpaine, Taunton**

Reported that as the sign had been removed, this item had been withdrawn.

**41. Illuminated sign at Cedar Falls Health Farm, Watts Lane, Bishops Lydeard**

Reported that it had come to the Council's attention that an illuminated sign at Cedar Falls Health Farm, Watts Lane, Bishops Lydeard had been erected without the necessary advertisement consent being granted.

The owner of the site had been contacted but, to date, an application for consent to regularise the situation had not been received.

Whilst illuminated signage within a rural location might not normally be considered acceptable, the sign was discreetly positioned and was only visible from one direction of approach.

In the circumstances, the Growth and Development Manager considered that the sign did not harm visual amenity or public safety and therefore did not warrant any further action being taken.

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

**42. Childminding business at 28 Mead Way, Monkton Heathfield, Taunton**

Reported that it had come to the Council's attention that a childminding business was being carried out at 28 Mead Way, Monkton Heathfield, Taunton without the necessary planning consent.

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

Although the business did have an impact on neighbouring properties, the Growth and Development Manager did not consider it expedient to take enforcement action as the level of harm caused was of an acceptable level.

However, during the discussion of the item Members considered that the impact of the property being used to childmind more than six children, together with an employee, did warrant significant harm being caused to neighbouring properties and agreed that enforcement action should be taken.

**Resolved** that:-

1. Enforcement action be authorised to reduce the number of children being looked after at 28 Mead Way, Monkton Heathfield, 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 nine months.

**43. Use of swimming pool facilities at Holly Farm, Meare Green, Stoke St Gregory**

Reported that it had come to the Council's attention that the swimming pool facilities at Holly Farm, Meare Green, Stoke St Gregory were being used by the general public without the necessary planning consent being granted.

Planning permission had been granted in 2004 with a condition restricting the use of the swimming pool facilities and a further application to regularise the situation had been submitted in 2006. However, this application had been refused.

However, it was not considered that the public use of the facilities would be detrimental to the character of the area or harm the amenities of the neighbouring properties.

In the circumstances, the Growth and Development Manager considered that use of the swimming pool facilities did not warrant any further action being taken.

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

**44. The keeping of greyhounds, together with exercise area and shelters, the siting of two catering trailers and mobile home on land adjacent to Two Trees, Meare Green, West Hatch**

Reported that a complaint had been received in April 2011 about the change of use of land and an agricultural building for non agricultural purposes, including storage and the keeping of Greyhounds at Two Trees, Meare Green, West Hatch.

A further complaint was received in October 2011 in respect of the laying of a track, alterations to the barn to form kennels and the formation of individual pens and kennels on land to the rear, together with the storage of catering trailers. At the same time, it was stated that a mobile home on the site was also being used for residential purposes.

The owner of the property was contacted and an application for planning permission had been submitted but this was considered not to be valid. Due to the

time lapse and the relevant papers not being submitted, this application had now been returned.

As the mobile home was used mostly for storage purposes in connection with an agricultural use, it was considered that it could continue to be sited on the land under permitted development rights.

The other reported uses on the site could however be considered to be changes of use which required planning permission.

In the view of the Growth and Development Manager, the following matters did not make it expedient to take enforcement action:-

- the screening of the site;
- the alterations to the barn which had not resulted in a significant increased impact upon its appearance;
- the intended use of most of the pens that had been created inside the barn for agricultural purposes;
- the nearest residential property being over 90 m away; and
- the mobile catering units being considered not to cause any additional detrimental impact on the countryside than the mobile home which was classed as permitted development.

No further action was therefore recommended.

Members were not content with this recommendation and felt that before any decision was taken, Environmental Health should be asked to investigate how many dogs were actually on the site and the potential for a noise nuisance to occur and that further contact should be made with the West Hatch Parish Council over the uses of the land.

**Resolved** that the item be deferred until the further enquiries requested had been undertaken.

**45. Unauthorised balcony and decking area at Sunnydene, Dene Road, Bishops Lydeard**

Reported that it had come to the Council's attention that a balcony and decking area had been erected at Sunnydene, Dene Road, Bishops Lydeard without the necessary planning consent being granted.

The height of the decking area was approximately 600m above ground level and, as the site was a mobile home, did not have permitted development rights and would require planning permission.

However, a landscaping condition imposed on the site would mitigate the impact of the development on the local area and the Growth and Development Manager did not consider it expedient to take enforcement action as the siting and scale of the decking and balcony would not harm the visual amenities of the area.

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

**46. Unauthorised stables at Ford Gate Cottage, Ford Road, Wiveliscombe**

Reported that as an application for planning permission had been received, this item was withdrawn.

**47. Appeals**

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

(The meeting ended at 6.55 pm)