

Planning Committee – 27 November 2013

Present: - Councillor Nottrodt (Chairman)
Councillor Coles (Vice-Chairman)
Councillors Mrs Allgrove, Bishop, Bowrah, Gaines, Mrs Hill,
Tooze, Watson, Ms Webber, A Wedderkopp, D Wedderkopp and Wren

Officers: - Matthew Bale (West Area Co-ordinator), Gareth Clifford
(East Area Co-ordinator), Bryn Kitching (Development Management
Lead), Tim Burton (Planning and Development Manager), Roy Pinney
(Legal Services Manager), Maria Casey (Planning and Litigation
Solicitor), and Tracey Meadows (Corporate Support Officer)

Also present: Councillor Cavill for application No's 38/13/0267 and 38/13/0265.
Mrs A Elder, a Co-opted Member of the Standards Committee.

(The meeting commenced at 5.00 pm)

138. Apologies/Substitution

Apologies: Councillors C Hill, Miss James and Morrell

Substitution: Councillor Ms Webber for Councillor C Hill

139. Minutes

The minutes of the meeting of the Planning Committee held on the 6
November 2013, were taken and read and were signed.

140. Declarations of Interest

Councillor Nottrodt declared a personal interest as a Director of Southwest
One. Councillor Mrs Hill declared a personal interest as an employee of
Somerset County Council. Councillors Coles, A Wedderkopp and
D Wedderkopp declared personal interests as Members of Somerset County
Council. Councillor Gaines declared that the enforcement item No
E/0127/49/13 was in his ward. He felt that he had not "fettered his discretion."
Councillor Tooze declared a personal interest as an employee of UK
Hydrographic Office. Councillor Watson declared that he had attended a
meeting where application No 11/13/0007 had been discussed. He felt that
he had not "fettered his discretion". Councillor Wren declared a personal
interest as an employee of Natural England. All Councillors declared that they
had received correspondence from the applicant for application Nos
38/13/0267 and 38/13/0265. They all felt that they had not "fettered their
discretions".

141. 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 developments:-

38/13/0267

Variation of condition No 24 of application 38/98/0441 to allow for occupation of the vacant units by Go Outdoors, a camping and leisure goods retailer at Units 2 and 3, St Johns Retail Park, Priory Way, Taunton

Conditions

- (a) The area allocated for parking on the submitted plan shall be properly consolidated, surfaced, drained and marked out before the use commences or the building(s) are occupied and shall not be used other than for parking of vehicles in connection with the development hereby permitted;
- (b) The area shown on the submitted plan for the loading, unloading, turning and parking of vehicles shall not be used for any other purpose other than for the loading/unloading, turning and parking of vehicles;
- (c) The proposed road within the site shall be kept free from obstruction at all times;
- (d) No refuse or waste materials shall be disposed of by burning on any part the site;
- (e) No raw materials, finished or unfinished products or parts, crates, packing materials or waste shall be stacked or stored on the site except within the building(s) or within the storage area(s) as may at any time be approved in writing by the Local Planning Authority;
- (f) The open areas within the site shall be used solely for the purpose shown on the approved layout that is for the parking of vehicles, access, manoeuvring, loading/unloading and amenity purposes only. No part of the site shall be used other than as shown on the approved layout without the prior written permission of the Local Planning Authority;
- (g) The areas allocated as service yards on the approved plan shall not be used other than for the loading/unloading and manoeuvring of vehicles in connection with the use of the premises as retail warehousing and no servicing of the premises shall take place from the adjacent highway;
- (h) All services shall be placed underground;

- (i) The minimum unit size shall be restricted to 10,000 sq ft/929 sq m gross floorspace and there shall be no internal sub-division of this floorspace leading to either the creation of separate or franchised retail units;
- (j) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, the site and buildings shall only be used for the sale of the following goods:-
 - (i) All types of furnishings and furniture including flat pack self-assembly and ready-assembled soft furnishings such as curtains, co-ordinates, fabrics, (excluding blankets, duvets and non-co-ordinates, fabrics), Venetian and roller blinds and associated fittings, carpets and floor coverings;
 - (ii) All DIY goods including tools, hardware, shelving, sanitary ware and plumbing goods, associated electrical goods, decorating products, light fittings, heating and building supplies including hiring facilities;
 - (iii) Garden products including plants, garden buildings, furniture, machinery and general garden supplies;
 - (iv) Electrical, gas electronic and battery operated household office and domestic products and appliances, electronic games, photographic equipment including camcorders and cameras and ancillary goods together with ancillary service departments;
 - (v) Vehicle goods, parts, equipment and accessories including towing, rallying goods and parts equipment, accessories and tools of all kinds, camping and caravanning goods, cycles, cycle goods, parts, equipment, accessories and cycling related fitness goods, outdoor pursuit equipment, watersport equipment, snowsport equipment, fishing equipment, mountaineering equipment, climbing equipment, running and equestrian goods;
 - (vi) Associated ancillary confection and non-alcoholic beverage sales;
 - (vii) Videos and video hire;
 - (viii) Office supplies including equipment, furniture, electrical and battery operated equipment, office stationery, computers and associated equipment, parts supply and fittings;
 - (ix) Pets, pet products, pet foods and associated supplies;

Where the primary use of the building is for the sale of goods identified in clause (v) above, no more than 20% of the internal net floor area of the store shall be used for the sale of clothing and footwear which shall be directly associated with the range of goods permitted.

(Note to applicant: - Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council had worked in a positive and pro-active way with the applicant and had negotiated amendments to the application to enable the grant of planning permission.)

38/13/0265

Installation of Mezzanine floor extending to 1,115sqm and external alterations associated with the amalgamation of Units 2 and 3 St John's Retail Park, Priory Way, Taunton

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 following approved plans:-
- (A3) SiteLocation Plan;
 - (A1) DrNo 01 Existing Site Plan;
 - (A1) DrNo 02 Existing Store Plan;
 - (A1) DrNo 03 Existing Elevations;
 - (A1) DrNo 04 Proposed Site Plan;
 - (A1) Dr No 05 Rev P4 Proposed Store Plan;
 - (A1) DrNo 06 Rev P3 Proposed Mezzanine Plan;
 - (A1) DrNo 07 Proposed Elevations;
- (c) The retail area of the Mezzanine floor shown on drawing No. 1386-06 Rev P3, hereby permitted shall only be used for the display of goods by the shop known as "Go Outdoors" and except for the area which would be allowed under the provisions of the Town and Country Planning (General Permitted Development) Order 1995 ("the 1995 Order") (or any Order revoking and re-enacting the 1995 Order with or without modification) the mezzanine shall be removed as soon as "Go Outdoors" ceases to operate from the premises.

(Note to applicant: - Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council had worked in a positive and pro-active way with the applicant and had negotiated amendments to the application to enable the grant of planning permission.)

29/13/0008

Variation of condition Nos 2 and 3 of application No 29/11/0013 to amend the list of approved plans and to change some of the external materials to be used, access details and landscaping, at Feltham Park Farm, Feltham, Corfe

Condition

(a) The development hereby permitted shall be carried out in accordance with the following approved plans:-

- (A3) DrNo 211/L1C Location Plan;
- (A3) DrNo 211/L3C Site Access Plan and Details;
- (A3) DrNo 211/L2D Additional Landscaping Plan;
- (A3) DrNo L1G Additional Landscaping Plan;
- (A3) DrNo G1A (Rev Feb 13) Floor Plan and Typical Section;
- (A3) DrNo G2B (Rev Feb 13) Elevations Sheet 1;
- (A3) DrNo G3B (Rev Feb13) Elevations Sheet 2;

(b) (i) The landscaping/planting scheme shown on the submitted plan shall be completely carried out within the first available planning season from the date of commencement of the development; (ii) For a period of five years after the completion of the 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 other appropriate trees or shrubs as may be approved in writing by the Local Planning Authority;

(c) The Method Statement submitted by Acorn Rural Property Consultants on 22 December 2011 and accompanying plans Drawing No 211/LP1 and 2 showing the retention and/or provision of replacement of habitats and features suitable for use by dormice shall be completely carried out within the first available planting season from the date of this approval. The development shall be carried out in accordance with the approved scheme or any amendment to the scheme as approved in writing by the Local Planning Authority.

(Notes to applicant:- (i) Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council had worked in a positive and pro-active way with the applicant and entered into pre-application discussions to enable the grant of planning permission; (ii) With regard to condition (c), applicant was advised that the proposed mitigation involves the detailed planting of the new and existing hedgerows along the roadside frontage where the access is derived from. Any new landscaping details, as submitted, are to be included within condition (b).)

11/13/0007

Erection of two storey side and rear extension of 2 Capes Cottages, Combe Florey

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 following approved plans:-

- (A3) DrNo X31/2C Proposed Plans;
 - (A3) DrNo X31/1 Existing Plans;
 - (A4) DrNo X31/3 Site and Location Plan;
- (c) Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 ('the 1995 Order') (or any Order revoking and re-enacting the 1995 Order) (with or without modification), no windows/dormer windows shall be installed in the west elevation of the development hereby permitted without the further grant of planning permission;
- (d) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) the two bathroom windows to be installed in the west elevation of the extension shall be obscure glazed and non-opening (unless the parts of the window which can be opened are more than 1.7 m above the floor of the room in which the window is installed). The type of obscure glazing shall be submitted to, and agreed in writing by, the Local Planning Authority prior to its installation and shall thereafter be so retained;
- (e) The garage doors to be installed in the extension hereby permitted shall be side hung timber doors constructed and finished in accordance with details that shall have been submitted to, and agreed in writing by, the Local Planning Authority prior to their installation and shall thereafter be maintained as such.

(Note to applicant: - Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council had worked in a positive and pro-active way with the applicant and had negotiated amendments to the application to enable the grant of planning permission.)

142. E/0127/49/13 – Siting of Mobile Home after expiry of temporary planning permission at West View Farm, Culverhay Lane, Wiveliscombe

A complaint had recently been received about the continued siting of a mobile home on land at West View Farm, Culverhay Lane, Wiveliscombe following the expiration of a temporary planning permission. .

Contact had been made with the owner of the land who advised that she intended to submit another planning application to extend the permission. Although she had been in contact with the agents who had submitted the original application, to date no further application had been received.

The mobile home was currently still in position on the land and was being used for residential purposes.

Resolved that:-

- (1) Enforcement action be authorised to stop the use of the land at West View Farm, Culverhay Lane, Wiveliscombe for the stationing of a mobile home being used for residential purposes and to seek its removal from the land;
- (2) Any enforcement notice served should have a three month compliance period and;
- (3) Subject to being satisfied with the evidence, the Solicitor to the Council institute legal proceedings should the enforcement notice not be complied with.

143. Appeals

Reported that one new appeal had been lodged and three decisions received since the last meeting of the Committee, details of which were submitted.

(The meeting ended at 6.55 pm.)