

Planning Committee – 3 September 2014

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

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

Also present: Councillors Stone and Edwards in connection with application No
E/0154/24/12 and Mrs A Elder, a Co-opted Member of the Standards
Committee.

(The meeting commenced at 5.00 pm)

86. Apologies/Substitutions

Apologies : Councillors Bowrah and Mrs Hill

Substitutions : Councillor Gill Slattery for Councillor Mrs Hill and Councillor
Ms Webber for Councillor Bowrah

87. Minutes

The minutes of the Planning Committee meeting held on the 13 August 2014
were taken as read and were signed.

88. Declarations of Interest

Councillors Coles, A Wedderkopp and D Wedderkopp declared personal
interests as Members of Somerset County Council. Councillor Tooze
declared a personal interest as an employee of UK Hydrographic Office.
Councillor Nottrodt declared a personal interest as a Director of Southwest
One and Councillor Wren declared a personal interest as the Clerk to
Milverton Parish Council. Councillor Bishop declared that he had attended a
Parish meeting at Oake where application No 27/14/0015/AGN had been
discussed. He felt that he had not “fettered his discretion”.

89. Applications for Planning Permission

The Committee received the report of the Development Management Lead 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:-

38/14/0273

Erection of timber summerhouse to rear of 31 Eastwick Road, 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:-

- (A4) First Floor Plan as proposed;
- (A4) Site Plan;
- (A4) Proposed Elevations;
- (A4) Location Plan;

(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 and has granted planning permission.)

(2) That **prior approval be granted** in respect of the following application:-

27/14/0015/AGN

Prior notification for the erection of an agricultural building for the storage of grain at Ford Farm, The Grain Stores, Oake Green, Oake

Conditions

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

- (A4) Site Plan;
- (A4) Location Plan 1:2500;
- (A4) DrNo FF2 Floor and Roof Plan;
- (A4) DrNo FF1 Elevations;
- (A4) Cross Sections A-A & B-B;
- (A4) Landscaping;
- (A4) Proposed Levels;

(b) The roof material shall be anthracite grey in colour unless otherwise agreed in writing with the Local Planning Authority;

(c) (i) The landscaping/planting scheme shown on the submitted plan shall be completely carried out within the first available planting season from the

date of the building being brought into use; (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 as may be 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 had negotiated amendments to the application to enable the grant of planning permission; (ii) Applicant was advised that care should be taken when lowering soil levels on site to ensure that the roots of the existing hedges are not severed; (iii) Applicant was requested to ensure that adequate surface water drainage provision is made within the site, particularly for the disposal of surface water so as to prevent its discharge onto the highway and neighbouring properties; (iv) Applicant was requested to give full regard to the Habitats Directive. It should be noted that the protection afforded to species of wildlife under UK and EU legislation is irrespective of the planning system and the applicant should ensure that any activity undertaken on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation. In particular, it appears to the Council that Great Crested Newts may be present on site;

Work can therefore commence subject to the applicant obtaining any other approvals that may be required.

The development must be carried out in accordance with the details submitted with the application and within five years of the receipt of the applicant's notification; that is by 15 June 2019. Also, applicant is required by law to inform the Development Management Lead when the works are substantially completed. The applicant will be contacted in a year's time if the Development Management Lead has not heard from the applicant.)

90. Erection of first floor extension over attached garage and attic conversion at 3 Broadlands Way, Taunton (38/14/0257)

Reported this application.

Resolved that subject to no neighbour objection being received by 12 September 2014, the application be determined by the Development Management Lead in consultation with the Chairman/Vice Chairman and, if planning permission was granted, the following conditions be imposed:-

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 J89/01 Survey Drawing;
- (A3) DrNo J89/02 Proposed Floor Plans;
- (A) DrNo J89/03A Proposed Elevation;

(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 window/dormer windows shall be installed in the north elevation of the development hereby permitted without the further grant of planning permission.

(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 and had granted planning permission.)

91. E/0154/24/12 – Untidy site at 12 Town Close, North Curry

Reference Minute Nos 15 and 65/2014, reported that no further clearance works had been carried out to the site at 12 Town Close, North Curry since the last update made to Members on 4 June 2014. The reasons for this were set out in the confidential appendix submitted with the report.

It was considered by the Development Management Lead that proceeding with the previously authorised prosecution action at present would not achieve any further clearance of the site or any kind of satisfactory resolution to the problem.

A number of courses of action had been considered that could result in the clearance of the site and remedy the harm to the residential amenity of neighbour. These included:-

1. Deferring prosecution action for a set period of time – This would allow for the owner to continue to clear the site, however, if further clearance did not occur, the Council could proceed with prosecution action and/or direct action.
2. Prosecution – Where the Council proceeded with prosecution action when it felt appropriate to do so for non-compliance with the Section 215 Notice.
3. Direct action – Where the Council looked to take direct action in seeking authorisation to enter the land, clear the site and store the removed items for a set period of time. A charge would normally be placed on the land so that the Council's costs in taking such action could be recovered at a later date.

To enable the confidential appendix to the report to be discussed, it was **resolved** that the press and public be excluded from the meeting to because of the likelihood that exempt information would otherwise be disclosed relating to

Clause 1 of Schedule 12A to the Local Government Act, 1972 and the public interest in withholding the information outweighed the public interest in disclosing the information to the public.

Resolved that prosecution action be deferred for a period of five months for the reasons outlined in the report and the confidential appendix.

(The meeting ended at 7.15 p.m.)