

Planning Committee – 12 November 2015

Present: - Councillor Bowrah (Chairman)
Councillor Coles (Vice-Chairman)
Councillors M Adkins, Brown, Mrs Floyd, C Hill, Martin-Scott, Morrell,
Nicholls, Townsend, Watson, Wedderkopp and Wren

Officers: - Matthew Bale (Area Planning Manager), Gareth Clifford (Principal
Planning Officer), Roy Pinney (Legal Services Manager) and Tracey
Meadows (Democratic Services Officer)

Also present: Matthew Hill (Scientific Officer), Councillors D Durdan and Miss
Durdan in connection with application No. 14/15/0020 and
Mrs A Elder, Chairman of the Standards Advisory Committee

(The meeting commenced at 5.00 pm)

106. Apologies

Councillors Gage and Mrs Reed

107. Public Question Time

Councillor Coles reported that the wording regarding the deferral of the Comeytrove/Trull planning application 42/14/0069, Minute No.104 on the 4 November 2015 was not a full and proper reflection of the reasons given and accepted by the Planning Committee. He stated that Members had been concerned that the applicant had not complied with Taunton Deane Borough Council's Policy SS7 and that without reference to a broader picture of the effect of such a large development it would require further Master Planning around the issues raised. There was likely to be traffic impact particularly on the A38 Wellington Road and the Honiton Road at Compass Hill with the attendant air quality and pollution. The lack of provision of suitable school places without necessitating journeys through town at peak traffic flow times and a lack of sufficient flooding mitigating were also matters of concern. This all needed a broader holistic approach to understanding and mitigating the cumulative effects of a major development of this kind. It was the wish of the Planning Committee that meaningful consultations should take place with all the interested parties - including the developers, Somerset County Council's Highways and Education Departments, the Environment Agency, Taunton Deane Borough Council and Trull/Comeytrove Parish Councils along with the Comeytrove Residents Action Group (CRAG), to seek solutions to these issues.

In response, the Legal Services Manager stated that Policy SS7 provided a great deal of reassurance to most of the points mentioned by Councillor Coles. The points relating to traffic and education needed to be directed to Somerset County Council.

108. Declarations of Interest

Councillors M Adkins, Coles and Wedderkopp declared personal interests as Members of Somerset County Council. Councillor Townsend declared personal interests as Vice-Chairman of Kingston St Mary Parish Council and Chairman of the Kingston St Mary Village Hall Association. Councillor Nicholls declared personal interests as a Member of Comeytrowe Parish Council and a Member of the Fire Brigade Union. Councillor Martin-Scott declared personal interests as a trustee to the Home Service Furniture Trust, trustee to Bishop Fox's Educational Foundation and a trustee to Trull Memorial Hall. Councillor Wren declared a personal interest as he was Clerk to Milverton Parish Council. All Members declared that they had received correspondence from the objectors for item No. 14/15/0020. Councillor Bowrah declared that he had spoken to an objector in connection with application No. 14/15/0020. He declared that he had not 'fettered his discretion'

109. Applications for Planning Permission

The Committee received the report of the Area Planning Manager on applications for planning permission and it was **resolved** that they be dealt with as follows:-

- (1) That **outline planning permission be granted** for the under-mentioned developments:-

49/15/0037

Outline planning application with some matters reserved for the repositioning of the vehicular and pedestrian access with alterations to driveway for the erection of 2 No. dwellings on land at Tor House, 48 Ford Road, Wiveliscombe

Conditions

- (a) Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced; Application for approval of the reserved matters shall be made to the Local Planning Authority not later than the expiration of three years from the date of this permission. The development hereby permitted shall be begun, not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved;
- (b) The development hereby permitted shall be carried out in accordance with the following approved plans:-
 - (A1) DrNo 2406.08 Site Layout and Access as Proposed;
 - (A1) DrNo 2406.09 Access Plan and Elevations Existing and Proposed;

- (A1) DrNo 2406.10 Turning Head Area Existing and Proposed;
- (A4) DrNo 2406.11 Location Plan for Outline Planning Application;

- (c) No dwelling hereby permitted shall be occupied until the means of vehicular access to the site has been constructed in its entirety in accordance with the plans hereby approved;
- (d) Before any dwelling hereby permitted is first occupied, the visibility splays shown on approved plan DrNo 2406.08 and 2406.09 shall be fully constructed before any dwelling hereby permitted is first occupied. Thereafter the visibility splays shall remain unobstructed above a height of 900mm adjoining the carriageway level to the satisfaction of the Local Planning Authority;
- (e) Details of the relative heights of the existing and proposed ground levels and the height of the ground floor of the proposed dwellings shall be submitted as part of the reserved matters application, as required by Condition (a) and the development shall be carried out wholly in accordance with the approved plans;
- (f) Prior to implementation, a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to, and approved in writing by, the Local Planning Authority. The agreed boundary treatments shall be completed before the dwellings are first occupied and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

(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 entered into pre-application discussions to enable the grant of planning permission.)

- (2) That **Planning permission be granted** for the undermentioned developments:-

16/15/0003

Conversion from store/workshop to stable incorporating raising of the eaves and roof ridge plus addition of canopy to the west elevation, construction of a manege to the south at Kinleigh, Frog Lane, Durston

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 plan:-

- (A3) DrNo 0615/278/010 Proposed Stable Plan;
- (A3) DrNo 0615/278/0011 Proposed Stable Elevations;
- (A3) DrNo 0615_278_020 Proposed Manege Plan;
- (A3) DrNo 0615_278_021 Proposed Manege Elevations;
- (A2) DrNo 0615_278_022 Proposed Block Plan;
- (A4) DrNo 0615_278_023 Proposed Location Plan;
- (A3) DrNo 0615_278_030 Proposed Manege Construction;

(c) The use of the manege and stables hereby permitted shall be limited to private use only and shall not be used for any business or commercial use.

(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 imposed planning conditions to enable the grant of planning conditions.)

49/15/0038/LB

Formation of repositioned vehicular access from Ford Road, new driveway within site including associated new walls and alterations to existing walls at Tor House, 48 Ford Road, Wiveliscombe

Condition

- (a) The work 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 following approved plans:-
- (A1) 2406.08 LB Site Layout and Access As Proposed;
 - (A1) 2406.09 Access Plan And Elevations Existing And Proposed;
 - (A1) 2406.10 Turning Head Area Existing And Proposed;
 - (A3) 2406.12 Location Plan For Listed Building Application;
- (c) Only those materials specified in the application and identified on the approved plans shall be used in carrying out the development hereby permitted unless otherwise agreed in writing with the Local Planning Authority;
- (d) No development, excluding site works, shall begin until a panel of the proposed stonework for the walls to be erected in accordance with the approved plans and measuring at least 1 m x 1 m has been built on the site. Both the materials and the colour and type of mortar for pointing used within the panel shall be agreed in writing by the Local Planning Authority prior to application and 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.

(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 entered into pre-application discussions to enable the grant of planning permission.)

38/15/0375

Conversion of roof space at 56 Mountfields Road, Taunton

Condition

- (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 plan:-
 - (A1) DrNo J134/03 Survey and Proposal Drawing;
- (c) The window(s) in the side (west) elevation shall be glazed with obscure glass to be agreed in writing by the Local Planning Authority and shall thereafter be so retained. There shall be no alteration or additional windows in this elevation 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 has granted planning permission.)

38/15/0394

Erection of two storey extension to the side and rear of dwelling and formation of vehicle hardstanding/vehicle crossing at 11 Belmont Road, Taunton

Condition

- (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:-
 - (A2) DrNo J118/02B Proposed Plans and Elevations;
 - (A3) DrNo J118/01 Existing Ground and First Floor Plan, Existing S,E and N Elevation Location Plan;
- (c) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) Order 2015 (or any order revoking and re-enacting the 2015 Order) (with or without modification), no window/dormer windows shall be installed in the west or east 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 with the applicant and had negotiated amendments to the application to enable the grant of planning permission.)

(3) That **planning permission be refused** for the under-mentioned development:-

14/15/0020

Change of use from storage and distribution (Use Class B1/B8) to general industrial (Use Class B2) for wood processing and storage at Walford Cross Units, Walford Cross, Taunton

Reasons

Insufficient information has been submitted to demonstrate that the proposal would not lead to an unacceptable adverse impact to the amenities of neighbouring residents by reason of the likelihood of noise and dust nuisance and air pollution; or that the potential impacts can be satisfactorily monitored, contrary to Policy DM1 (e) of the Taunton Deane Core Strategy.

110. Proposed changes to the Constitution – Amendments to recommendations at Planning Committee

Following recent meetings of the Planning Committee, officers had been considering possible changes to the procedures under which Members of the Committee consider applications for planning permission, as set out in Part 4 of the Council's Constitution (Rules of Procedure).

At present, Part 4 paragraph 6 limited the range of potential amendments to substantive motions which might be proposed at Planning Committee. In particular, paragraph 6 stated that amendments as proposed "*shall not have the effect of introducing a significantly different proposal or of negating the motion*".

Although the current arrangements within the Council's Constitution operated well at Full Council and at most of the Council's Committees it was arguable that they did not align satisfactorily with the decision making process under which the Planning Committee determined applications for planning permission.

Specifically, paragraph 6 prevented Members from proposing that an application be refused where the officer recommendation was that planning permission should be granted.

On at least four recent occasions, Members – having voted down the recommendation to grant permission – were placed in a position where they then had to identify reasons which would support the refusal to which they had effectively already committed themselves.

This had the effect of depriving the Committee of the opportunity to discuss in detail potential reasons for refusal of the application – and if necessary obtain officers' advice on the issues – prior to the point at which Members had still to reach an overall view on the application.

It was therefore considered that such difficulties could be avoided in future by a straightforward amendment to paragraph 6 of the Rules of Procedure, insofar as it applied to the Planning Committee.

The effect of the proposed change would be to allow Members to propose a determination of any application in a manner contrary to the officer recommendation, subject to (a) any proposal being seconded and (b) the Member/s making the proposal indicating possible planning reasons for the proposal at the time that their proposal is made.

If the support of the Planning Committee was obtained, the matter would be reported to the Constitutional Sub-Committee and thereafter to Full Council on 15 December 2015.

Resolved that the proposed amendment to the Constitution set out in the report be approved.

111. Appeals

Reported that two new appeals and two appeal decisions had been received details of which were submitted.

Resolved that the report be noted.

(The meeting ended at 7.40 p.m.)