

Planning Committee – 21 September 2016

Present: - Councillor Bowrah (Chairman)
Councillor Mrs M Hill (Vice-Chairman)
Councillor M Adkins, Booth, Brown, Gage, C Hill, Morrell, Nicholls,
Mrs Reed, Townsend, Watson, Wren and Wedderkopp

Officers: - Tim Burton (Assistant Director - Planning and Environment),
Bryn Kitching (Area Planning Manager), Matthew Bale (Area Planning
Manager), Martin Evans (Solicitor) and Tracey Meadows (Democratic
Services Officer)

Also present: Councillor D Durdan in connection with application No. E/0253/31/15.
Councillor Coles and Mrs A Elder, Chairman of the Standards Advisory
Committee.

(The meeting commenced at 5.00 pm)

85. Minutes

The minutes of the meeting of the Planning Committee held on the 31 August 2016 were taken read and were signed.

Councillor Morrell thought that the minute relating to the Firepool application, No 38/15/0475, did not accurately reflect the decision of the Committee as there was little reference to the poor design of the proposed development which had been one of the concerns of Members. The minute only referred to the poor quality of the layout.

He therefore wondered whether the minutes should be altered to reflect this concern as it could affect the Council's position if the developer took the application to appeal.

In response, the Area Planning Manager confirmed that the wording recorded in the minutes was exactly what the Committee had agreed at its meeting. The Solicitor confirmed that it would be difficult to change the reason for refusal that had been voted upon and had been publicised in the draft minutes.

Whilst accepting these views, the Chairman suggested that the Committee might like to agree that with regard to the Firepool application the proposed design of the development – as well as the layout – was also a significant concern to Members.

This was agreed.

Councillor Morrell requested that this further clarification of the Committee's views should be sent to both the developer and any interested parties.

86. Declarations of Interest

Councillors M Adkins and Wedderkopp declared personal interests as Members of Somerset County Council. Councillor Mrs M Hill declared personal interests as a Trustee to Hestercombe House and Gardens, a Trustee to the Somerset Building Preservation Trust and as a Director of Apple FM. Councillor Townsend declared personal interests as Vice-Chairman of Kingston St Mary Parish Council and as Chairman of the Kingston St Mary Village Hall Association. Councillor Nicholls declared a personal interest as he was a Comeytrove Parish Councillor and a Member of the Fire Brigade Union. Councillor Wren declared a personal interest as he was Clerk to Milverton Parish Council.

87. 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 **planning permission be granted** for the under-mentioned development:-

38/16/0307

Erection of single and two storey rear extension and detached store at 10 Fremantle Road, Taunton (Amended design)

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 BK11202 Rev A Site and Location Plans;
 - (A3) DrNo BK11202 Rev A Proposed Floor Plans;
 - (A3) DrNo BK11202 Proposed Elevations;
 - (A3) DrNo BK1 Rev A Floor Plan and Elevations for Store;

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

88. E/0253/32/15 - Alleged unauthorised installation of external extract ducting at Ruishton Inn, Cheats Road, Ruishton

It was reported that a complaint had been received from the neighbouring property regarding noise and vibration from an unauthorised development at the Ruishton Inn, Cheats Road, Ruishton.

Extraction ducting had been installed on the building and modified in 2015 to comply with gas regulations. This work was unauthorised in planning terms.

The owner of the site therefore submitted an application for an alternative ducting scheme in late 2015. However, this had been refused.

A further scheme which positioned the outlet away from the boundary wall to reduce odour and noise disturbance to the adjoining property was subsequently approved in June 2016. This had included advice that the works should be carried out within two months of the date of the planning permission. However, this date had now passed.

The Committee agreed that there was a need for clear direction to be given to the owner of the site that the unauthorised development had be rectified in accordance with the new planning permission.

Resolved that:-

- (1) An enforcement notice be served to remove the unauthorised extraction ducting from the building;
- (2) Any enforcement notice served to have a compliance period of two months from the date on which the notice took effect; and
- (3) Subject to being satisfied with the evidence, the Solicitor to the Council be authorised to take prosecution action should the notice not be complied with.

89. Exclusion of the Press and Public

Resolved that the press and public be excluded from the meeting for the following item because the likelihood that exempt information would otherwise be disclosed relating to Paragraphs 1, 5, 6 and 7 of Schedule 12(A) 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.

90. E/0141/44/16 – Alleged non-compliance with a planning approval relating to a site at Wellington

Following the receipt of a complaint, the Council had investigated a matter in the Wellington Area concerning unauthorised building works and residential occupation of a building.

The report stated that the residential use and new building works were detrimental to the character and appearance of the area and increased the need to travel to access services. It was therefore considered expedient to prevent the continued residential use of the site.

In the view of the Area Planning Manager the development was unacceptable in principle and it was recommended that enforcement action should be taken.

Resolved that:-

- (1) An enforcement notice be served on the owner of the premises in the Wellington Area to:-
 - (a) Stop the use of the building for residential purposes; and
 - (b) Remove the unauthorised building from the site;
- (2) Any enforcement notice served to have a compliance period of six months from the date on which the notice took effect; and
- (3) Subject to being satisfied with the evidence, the Solicitor to the Council be authorised to take prosecution action should the notice not be complied with.

91. Appeals

Reported that four appeal decisions had been received details of which were submitted.

Resolved that the report be noted.

(The meeting ended at 7.15pm)