

## **Planning Committee – 2 November 2016**

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

Officers: - Matthew Bale (Area Planning Manager), Gareth Clifford (Principal  
Planning Officer), Martin Evans (Solicitor) and Tracey Meadows  
(Democratic Services Officer)

Also present: Councillors Cavill, D Durdan, Miss K Durdan and Prior-Sankey in  
connection with application No. 14/16/0031. Councillors Berry and  
Coles. Mrs A Elder, Chairman of the Standards Advisory Committee.

(The meeting commenced at 5 pm)

### **97. Apologies/Substitution**

Apologies: Councillors Gage and Mrs Reed

Substitution: Councillor Sully for Councillor Mrs Reed

### **98. Minutes**

The minutes of the meetings of the Planning Committee held on the 21  
September and 12 October 2016 were taken and were signed.

### **99. Declarations of Interest**

Councillors M Adkins and Wedderkopp declared personal interests as  
Members of Somerset County Council. Councillor Mrs 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 Martin-Scott declared personal interests as a trustee to Bishop  
Fox's Education Foundation and a trustee to Trull memorial Hall. 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 a personal interest as a member of  
the Fire Brigade Union. Councillor Wren declared a personal interest as he  
was Clerk to Milverton Parish Council.

### **100. 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:-

**09/16/0006**

**Change of use and conversion from water treatment works to single storey dwelling with extensions to north and west elevations at The Old Waterworks, Chipstable**

**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) DrNo 3429/03 Location Plan;
  - (A3) DrNo 3416/02/b Proposed Floor Plan;
  - (A3) DrNo 3416/04/b Proposed Layout;
  - (A3) DrNo 3429/05/b Elevations and Proposed Cycle store Plan and Elevations;
  - (A3) DrNo 3429/06/b Level Plan;
- (c) Prior to the construction of the extension samples of the materials to be used in the construction of the external surfaces of the development shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter maintained as such;
- (d) The dwelling shall not be occupied unless the parking areas and access to the site has been provided in accordance with the approved plans. The access shall thereafter be retained in the approved form;
- (e) The dwelling shall not be occupied unless the boundary treatments within the site have been provided in accordance with the approved plans. The boundary treatments shall thereafter be retained in the approved form. Details of the planting on the landscape bank shall be submitted and agreed with the Local Planning Authority prior to occupation.

**Reason for granting permission contrary to the recommendation of the Area Planning Manager:-**

The overall size and scale of the extension required in order to facilitate the conversion of the property into residential use demonstrates that the building is of a size suitable for conversion without significant extension in accordance with Policy DM2.7 (a) of the Taunton Deane Core Strategy.

Alternate uses for the building have been considered in accordance with the sequential test requirements of Policy DM2.7 (b) of the Taunton Deane Core

Strategy. It is considered that the proposal would result in the re-use of a redundant disused building and would lead to an enhancement to the immediate setting as required by paragraph 55 of the National Planning Policy Framework. Such is considered to constitute an exceptional circumstance allowing conversion of the building to residential use in accordance with Policy DM2.7 (b) of the Taunton Deane Core Strategy.

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

**14/16/0031**

**Outline application with some matters reserved for the erection of 35 No dwellings on land to the south west of Creech Medical Centre, Hyde Lane, Creech St Michael**

### **Reasons**

- (a) The proposed development lies outside the settlement limits of Creech St Michael and would add to the existing housing already granted impacting on the scale and character of the village while adversely impacting on landscape view from the canal. The development is considered to be contrary to Policies SP1, CP8 and DM2 of the Taunton Deane Core Strategy 2011-2028 and Policy SB1 of the draft Site Allocations and Development Management Plan.
- (b) The proposal does not provide a suitable means for securing the appropriate affordable housing and maintenance of on-site leisure facilities, including any Sustainable Urban Drainage scheme for the site and Travel Plan and therefore would be contrary to Policies CP4, CP5 and CP6 of the Taunton Deane Core Strategy, and retained Policy C4 of the Taunton Deane Local Plan.

(Note to applicant:- Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council worked in a positive and pro-active way with applicants and looked for solutions to enable the grant of planning permission. However in this case the applicant was unable to satisfy the key policy test and as such the application has been refused.)

**10/16/0008**

**Change of use of land and buildings from equine to commercial dog breeding business to include retention of mobile home for use as a temporary workers dwelling at Fairfield Stables, Moor Lane, Churchinford (retention of works already undertaken)**

### **Reasons**

- (a) The proposed dog breeding business, by virtue of its siting within close proximity of residential properties, would cause harm to the residential amenity of neighbouring occupiers by way of noise. In particular, it is considered that the identified 'adverse' noise impact would give rise to significant disturbance and nuisance to the occupiers of Fairhouse Farm. The proposal is therefore contrary to Policy DM1 of the Taunton Deane Core Strategy and Paragraph 123 of the National Planning Policy Framework.
- (b) The proposed dog breeding business would give rise to increased levels of noise disturbance within an area of the Blackdown Hills Area of Outstanding Natural Beauty (ANOB). In particular, it is considered that the proposal fails to enhance or preserve the tranquillity of the area, which would cause harm to the special recreational and amenity value of this designated asset. The proposal is therefore contrary to Policies CP8 and DM1 of the Taunton Deane Core Strategy, Policy PD5/A of the Blackdown Hills AONB Management Plan and Paragraph 123 of the National Planning Policy Framework.
- (c) No evidence has been submitted to accompany the application to satisfy the requirements for a temporary workers dwelling to be situated on site. Fundamentally, as the proposed dog breeding business is considered to be unacceptable on noise grounds, the functional need for residential occupation of the site has not been satisfied. The proposal is therefore contrary to Policy DM2 of the Taunton Deane Core Strategy and emerging Policy H1b of the Taunton Deane Site Allocations and Development Management Policies.

(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 looked for solutions to enable the grant of planning permission. However in this case the applicant was unable to satisfy the key policy test and as such the application had been refused.)

Also **resolved** that:-

- (1) Enforcement action be authorised to cease the use of the dog breeding business on the site at Fairfield Stables, Moor Lane, Churchinford and the removal of the dogs and the wire mesh runs of the kennels from the site;
- (2) Any enforcement notice served to have a six month compliance period 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.

## 101. Appeals

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

**Resolved** that the report be noted.

(The meeting ended at 6.40 pm)