

SWT Planning Committee - 19 November 2020 held via Zoom Video Conference

Present: Councillor Simon Coles (Chair)

Councillors Marcia Hill, Ian Aldridge, Mark Blaker, Ed Firmin, Roger Habgood, Mark Lithgow, Chris Morgan, Craig Palmer, Andrew Sully, Ray Tully, Brenda Weston and Loretta Whetlor

Officers: Rebecca Miller (Principal Planning Specialist), Martin Evans (Shape Legal Partnership), Abigail James (Planning Specialist), Alex Lawrey (Planning Specialist), Michael Hicks (Planning Specialist), Denise Todd (Planning Specialist), Anna-Mari Gaulliot (Planning) and Tracey Meadows (Democracy and Governance)

Also Present: Councillors Buller and Stone

(The meeting commenced at 1.15 pm)

95. **Apologies**

Apologies were received from Councillor Dixie Darch

96. **Minutes of the previous meeting of the Planning Committee**

(Minutes of the meeting of the Planning Committee held on 8 October 2020 circulated with the agenda)

Resolved that the minutes of the Planning Committee held on the 8 October 2020 be confirmed as a correct record.

Proposed by Councillor Hill, seconded by Councillor Coles

The **Motion** was carried.

97. **Declarations of Interest or Lobbying**

Members present at the meeting declared the following personal interests in their capacity as a Councillor or Clerk of a County, Town or Parish Council or any other Local Authority:-

Name	Application No.	Description of Interest	Reason	Action Taken
Cllr M Blaker	01/20/0007 20/20/0011 36/19/0032 36/19/0033 36/19/0034 36/19/0035	Ward Member Correspondence received.	Personal	Spoke and Voted
Cllr S Coles	20/20/0011	Correspondence	Personal	Spoke and Voted

	36/19/0032 36/19/0033 36/19/0034 36/19/0035	received.		
Cllr R Habgood	20/20/0011 36/19/0032 36/19/0033 36/19/0034 36/19/0035	Correspondence received.	Personal	Spoke and Voted
Cllr Mrs Hill	20/20/0011 36/19/0032 36/19/0033 36/19/0034 36/19/0035	Correspondence received.	Personal	Spoke and Voted
Cllr M Lithgow	20/20/0011 36/19/0032 36/19/0033 36/19/0034 36/19/0035	Correspondence received.	Personal	Spoke and Voted
Cllr C Morgan	20/20/0011 36/19/0032 36/19/0033 36/19/0034 36/19/0035	Correspondence received.	Personal	Spoke and Voted
Cllr C Palmer	20/20/0011 36/19/0032 36/19/0033 36/19/0034 36/19/0035	Correspondence received.	Personal	Spoke and Voted
Cllr A Sully	20/20/0011 36/19/0032 36/19/0033 36/19/0034 36/19/0035	Correspondence received.	Personal	Spoke and Voted
Cllr R Tully	20/20/0011 36/19/0032 36/19/0033 36/19/0034 36/19/0035	Correspondence received.	Personal	Spoke and Voted
Cllr B Weston	20/20/0011 36/19/0032 36/19/0033 36/19/0034 36/19/0035	Correspondence received.	Personal	Spoke and Voted
Cllr L Whetlor	20/20/0011 36/19/0032 36/19/0033 36/19/0034 36/19/0035	Correspondence received.	Personal	Spoke and Voted

98. **Public Participation**

Application No.	Name	Position	Stance
01/20/0007	Ashbrittle PC Guy Wilson	Stags	Opposed Support
10/20/0002	Cllr K Pearson Cllr R Henley	Churchstanton PC Ward Member	Opposed Opposed
14/20/0016	Mr Griffin	Local resident	Opposed
14/20/0017	Mr Griffin	Local resident	Opposed
20/20/0011	Mr R Williams Mr and Mrs Cashmore	Local resident Local resident	Opposed Opposed
36/19/0032 36/19/0033 36/19/0034 36/19/0035	Mr and Mrs Walker – Local resident (opposed) Mr Goddard – Local resident (opposed) Ms Hinsley – Local resident (opposed) Ms Crabbe – Local resident (opposed) Ms Hembrow – Local resident (opposed) Mr Hayton – Synergy Farm Health (support) Mr Joll – Local resident (support) Ms Holder – Local resident (support) GTH on behalf of applicant (support) Stoke St Gregory PC		

99. **01/20/0007**

Formation of access track at Normans Farm, Pockeridge Bottom Road, Ashbrittle

Comments made by members of the public included;

- As far as the Parish Council were aware, there was no agricultural imperative for the application , as since the death of the owner, the land had been let for sheet grazing;
- There was concern of run off from the proposed new access track, which lead straight down onto the road, which already problems with drainage and debris;
- Construction of the proposed track would improve farm efficiency and safety by removing the need for large agricultural vehicles to negotiate a narrow 'pinch point' within the existing yard;
- Improves visibility;
- No increased vehicle movement;
- The development would have a negligible impact on the character of the surrounding landscape;
- The development would only affect a small area of land;
- The grassland was not defined as species rich or semi-natural;

- The land is regularly cultivated both mechanically and chemically;
- The land holds considerably less ecological value as a habitat, than mature hedgerows or woodland;

Comments made by members included;

- Concerns with the hedgerow would be maintained;
- Concerns with the entrance onto the Highway;

Councillor Sully proposed and Councillor Hill seconded a motion for Conditional Approval to be **APPROVED** with a condition for 'The existing hedgerow to the East of the allowed access track shall be permanently retained and maintained to the satisfaction of the LPA as agreed in writing prior to commencement of development and maintained at all times thereafter'.

The motion was carried.

100. **10/20/0002**

Variation of Condition No. 05 of application 10/16/0028 to vary the wording to include 15 breeding bitches, 3 stud dogs and puppies at Fairfield Stables, Moor Lane, Churchinford

Comments made by members of the public included;

- Concerns that there were more homes within the hearing distance of the dogs barking than the two mentioned in the planning application;
- Concerns with the Public Right of Way that go past the site and was well used by villagers;
- Concerns with the number of dogs on site;
- Concerns that this was a creeping development;
- Concerns with the location of the dogs on site;

Comments made by members included;

- Concerns that this was a creeping development;
- Concerns with the mobile home onsite;
- Concerns with noise of the dogs in the AONB;
- Concerns with the number of dogs on the site;
- Good purpose built kennels on site;

Councillor Sully proposed and Councillor Hill seconded a motion for Conditional Approval to be **APPROVED**

The motion **FAILED**

Councillor Habgood proposed and Councillor Weston seconded a motion for the application to be **REFUSED**.

Reasons - The committee was not satisfied that the addition of 3 stud dogs in addition to the 15 breeding bitches and puppies allowed by the previous inspector will not result in unacceptable noise which will adversely affect the tranquillity of the ANOB and impact on residential amenity.

The motion was carried.

At this point in the meeting a 5 minute break was taken and Cllr Morgan left the meeting.

101. **14/20/0016**

Variation of Condition No. 03 (allow the commercial sale of birds of prey) of application 14/19/0022 on land opposite Broomhay, White Street, Ham

Comment made by member of the public included;

- Concerns with noise nuisance on site;
- Lack of detail within the applications on various matters such as highways, vehicular movements, hours of operation, predicted bird numbers, alterations to buildings etc;
- Concerns that the site was visible from the road;
- The principle of the site was being used for private not for commercial gain;

Comments made by members included;

- Concerns with Birds of Prey being sold;
- Concerns that this was a retrospective application;
- The site was well screen and had no impact on the surrounding neighbours;

Councillor Tully proposed and Councillor Hill seconded a motion for Conditional Approved to be **APPROVED** with an amendment to Condition 1.

Notwithstanding the time limits given to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission (being granted under section 73A of the Act in respect of development already carried out) shall have effect from April 2020. Reason: To comply with Section 73A of the Town and Country Planning Act 1990.

The motion was carried.

102. **14/20/0017**

Variation of Condition No. 05 and No. 06 (to allow for the sale of birds of prey and to remove the restriction of the number of birds allowed to be kept) of application 14/16/0022 on land opposite Broomhay, White Street, Ham

Applications **14/20/0016** and **14/20/0017** were taken together and voted on separately.

Councillor Hill proposed and Councillor Coles seconded a motion for the Conditional Approval to be **APPROVED** Subject to the amended wording of condition 01 to read;

Notwithstanding the time limits given to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission (being granted under section 73A of the Act in respect of development already carried out) shall have effect from August 2016.

The motion was carried.

103. **20/20/0011**

Change of use of land from agricultural to domestic including erection of wall and additional patio slabs at Ilbeare, Cattlewash, Fitzroy Road, Norton Fitzwarren (retention of works already undertaken)

Comments made by members of the public included;

- Concerns with the effect of the intimidating nine large dogs on the Public Right of Way;
- Concerns that the dogs escaped into the local community;
- The proposal was cosmetic and inadequate;
- The existing proposal would not provide a secure dog-proof enclosure;
- Concerns that the building area had increased by 6-7 times despite the land being Grade 2 agricultural land;
- The dogs need to be secured on the right hand side of the field behind a solid 2m fence or wall that they cannot see through;

Comments made by members included;

- Safety concerns with the size of the fence;
- Concerns with the size of the dogs;
- Concerns with the change of use from agricultural to domestic;

At this point in the meeting a 30 minute extension was approved.

- Concerns regarding the site for business proposes;

- That the stock fences surrounding and within the property be made and maintained as dog proof;
- That the walls shown on the applicant's 'Proposed Revised Plan' be increased;

At this point in the meeting a 10 minute break and a 30 minute extension was approved.

Councillor Hill proposed and Councillor Firmin seconded a motion for Conditional Approval to be APPROVED.

The motion **FAILED**

Councillor Habgood proposed and Councillor Weston seconded a motion for the application to be **REFUSED**

Reasons

- 1.The proposal would unacceptably harm the character and appearance of the landscape, contrary to Policy DM1 (d) of Taunton Deane Borough Council Adopted Core Strategy 2011-2028;
- 2.The proposal is considered contrary to Policy CP8 of the Taunton Deane Borough Council Adopted Core Strategy 2011-2028 by virtue of its failure to conserve, protect or enhance the natural landscape;

The motion was carried.

At this point in the meeting a 30 minute extension was approved.

104. **36/19/0032**

Please note applications – 36/19/0032, 36/19/0033, 36/19/0034, 36/19/0035 were presented together and voted on separately.

Erection of an agricultural building for the housing of livestock at Lower Huntham Farm, Huntham Lane, Stoke St Gregory (resubmission of 36/19/0010) (retention of part works already undertaken)

Comments by members of the public included;

- Concerns that the building would change if permission were granted;
- Concerns with the environmental impact on neighbouring properties;
- Concerns with the size and prominence of the building;
- The scale of the building was not proportional to the area and effects the local residents of North Curry and Stoke St Gregory;
- Concerns with additional vehicle movements;
- Concerns with recent documentation from Natural England regarding Dutch-E and Phosphates issues;

- Concerns with the industrial type farming that is impacting on the neighbourhood;
- Concerns that restrictions on numbers of cattle would be difficult;
- Concerns with mud and slurry on the road;
- Concerns with impact upon the SSSI;
- The current housing is not suitable due to poor ventilation and is difficult to cleanse and disinfect leading to bovine respiratory disease;
- It would be an advantage to move the heifers to Knapp Farm as this would allow the heifers to be released directly onto grazing land in West Sedgemoor rather than being transported from Knapp Farm;
- The development would improve the health and welfare and profitability of the overall farm;
- No increased stock numbers;
- There will be no need for new slurry and farmyard manure storage facilities at either unit;
- The farm is kept clean, tidy and maintained to a high standard;
- Stoke St Gregory and surrounding village were fortunate that the land had continued to be used by the Gothard family, otherwise the farmland and hedgerows would have become neglected, resulting in the land becoming choked with bramble, weeds and uncut hedges rather than the beautiful landscape we all delight in. or been sold for redevelopment;
- Slough Court is an example for the future of the dairy industry;

Councillor Hassel left the meeting for this debate.

Comments made by members included;

- Concerns with phosphate issues;

At this point in the meeting a 30 minutes extension was approved.

- Concerns with the breach of conditions;
- Concerns with the dominance of the building over the surrounding area;
- Concerns with impact upon the SSSI and HRA matters;
- Landscape impacts;
- Increased traffic issues;
- Concerns with the herd size;

Councillor Hill proposed and Councillor Firmin seconded a motion for the Conditional Approval to be **APPROVED**

The motion was carried.

105. **36/19/0033**

Erection of an agricultural building for the housing of livestock at Lower Huntham Farm, Huntham Lane, Stoke St Gregory (resubmission of 36/19/0009) (retention of part works already undertaken)

Councillor Hill proposed and Councillor Firmin seconded a motion for Conditional Approval be **APPROVED**

The motion was carried.

106. **36/19/0034**

Erection of an agricultural storage building at Lower Huntham Farm, Huntham Lane, Stoke St Gregory (amended scheme to 36/18/0017) (retention of part works already undertaken)

Councillor Hill proposed and Councillor Firmin seconded a motion for Conditional Approval to be **APPROVED**

The motion was carried.

107. **36/19/0035**

Erection of an agricultural storage building at Lower Huntham Farm, Huntham Lane, Stoke St Gregory (resubmission of 36/18/0016) (retention of part works already undertaken)

Councillor Hill proposed and Councillor Firmin seconded a motion for Conditional Approval to be **APPROVED**

The motion was carried.

108. **Latest appeals and decisions received**

Appeals and decision noted.

(The Meeting ended at 7.25 pm)