

**Minutes of the Planning Committee Meeting of North Curry Parish Council  
held in the Village Hall on Wednesday 25<sup>th</sup> April 2018 at 7.30 p.m.**

**Present:** Mr Turner (Chairman), Mrs C D Stodgell, Mrs C Vaughan, Mr G Cable, Mrs J Leader, Mr B Jeanes, Mrs M Burt and Ms Smith.

**Members of the Public:** Cllr. P Stone, Mr D Walker, Mr & Mrs Carter, Mr M Godfrey, Mr M Jolliffe and Mr. Szazamski-Coles.

1. **APOLOGIES** – None.

2. **TO APPROVE THE MINUTES OF THE PLANNING MEETING HELD ON 28<sup>th</sup> MARCH 2018** – Mrs Vaughan proposed the minutes were a true record of the meeting, Mr Jeanes seconded the proposal, which was passed.

3. **DECLARATIONS OF INTEREST** – None.

4. **MATTERS ARISING** – None.

5. **APPLICATIONS FOR COMMENT BY NORTH CURRY PARISH COUNCIL**

**24/18/0012 – Erection of bungalow on land retained from Town Farm development at land to the rear of 16 Town Farm, North Curry** – The Chairman explained the application and the history of that area of land, noting the 49 comments online, (15 from out of the Parish). It was noted that the TDBC Tree Officer was minded to put a TPO on the orchard. Mr & Mrs Carter presented a report setting out why the permission should not be granted. There was lengthy discussion including the development going against a S106 agreement, loss of wildlife habitat, concern re. the driveway crossing a footpath, loss of privacy for “Wrens Nest”, visibility of drive onto Knapp Lane, loss of conservation and diversity value, erosion of open space and loss of an old orchard.

Following the discussion, Mrs Stodgell proposed the Parish Council object to the granting of permission and the following comments and quotes were discussed and agreed:

1. According to the Chief Solicitors Report to the Planning Committee of 21.05.2003 in relation to the Town Farm Development application “... They have now reached an agreement between them whereby the Parish Council would relinquish the open space to the rear of the site in exchange for the transfer to the Parish Council of the barn at the front of the site. .... **The “open space” would then be taken into the curtilages of the properties to be built on the site, with a small area being retained as a “paddock”.**

To ensure the retention of the open area between the houses to be built and the open countryside, the land would be transferred **subject to a covenant that no structures of any sort would be erected on the land** and the Local Planning Authority would retain control over any fencing to be erected. **Additionally**, in respect of the paddock **the developer would enter into a covenant to maintain the paddock in good agricultural order.”**

Subsequently the Section 106 Agreement between West of England Developments and the Council commits to the following: Para. 2.2 “The Parish Council and the Council hereby agree that **the Developer may use the Public Open Space Land** (as defined in the Principal Agreement) **as garden or paddock for the purpose of the Development Proposal provided that the Developer shall not construct or permit to be constructed upon the Public Open Space Land** as so defined any building or other structure whatsoever (other than hedges or fences dividing individual garden areas such fencing to be approved in writing to the council)”

Para. 6. “The developer hereby agrees (in consideration of the agreement by the Parish Council and the Council in clause 2) that

**6.1 any area of land retained as paddock will be maintained in good agricultural order”.**

The Parish Council would neither want to see, nor set a precedent of, erosion of open space/areas committed to under Section 106 agreements. This piece of land should be under a covenant preventing construction on it in accordance with the S106 agreement.

2. The Parish council would like to support the Tree Officer and see this historic orchard remain.
3. Development of this site would be contrary to both: **Section 18 of the National Planning Policy Framework**: “118. When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:
  - if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;” .....
  - “planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss;”

and Taunton Deane Adopted Site Allocations Policies ENV1: Protection of trees, woodland, orchards and hedgerows and Policy ENV2: Tree planting within new developments (both to be quoted).

Mrs Leader seconded the proposal which was passed. **8.20** Cllr. Stone, Mr Joliffe, Mr & Mrs Carter and Mr Godfrey left the meeting.

**24/18/0013 – Erection of two single storey extensions to replace the garage and conservatory at Horizons, Cathanger Lane, Fivehead** – The Chairman explained the application and after brief discussion proposed the Parish Council support the application. Ms Smith seconded the proposal, which was passed. **8.35** Mr. Szazamski-Coles left the meeting.

#### **6. PERMISSIONS / REFUSALS RECEIVED -**

**24/18/0003 – Erection of 850mm close boarded fence above a 700mm boundary wall to the front of Little Thatch, Lillesdon, North Curry (retention of works already undertaken) – Granted** – Noted.

#### **7. PLANNING CORRESPONDENCE –**

**Corr. P1087 S. Melhuish re. conversion of garages** – Noted, Clerk to see if original permission can be found.

**Corr. P1088 a&b A. Dunford registration of query re. Priory Farm and Town Farm House** – Noted.

#### **8. MATTERS FOR DISCUSSION – None.**

**There being no further business the meeting closed at 8.40 p.m.**