

**Minutes of the Planning Committee Meeting of North Curry Parish Council
held in the Village Hall on Wednesday 26th June at 7.30 p.m.**

Present: Mrs C Stodgell (acting as Chairman), Ms C Smith, Mr Cable, Mr Fugett, Ms Turney

Members of the Public: S. Harrison, T. Purvis, D. Smith, A. Farrell, A. Oldfield, Mr & Mrs Carter, Mr & Mrs Godfrey, C Carter, A Hewson, A Lehner, M. Jolliffe

- 1 **ELECTION OF VICE CHAIRMAN** – The Chairman reported that Mrs Vaughan had expressed her willingness to continue as Vice Chairman, and proposed she remain, this was seconded by Ms Smith, and was carried.
- 2 **DECLARATION OF ACCEPTANCE OF OFFICE**- to be signed on Mrs Vaughan’s return.
- 3 **APOLOGIES** - Mr Turner (Chairman), Mr B Jeanes, Mrs J Leader, Mrs Vaughan
- 4 **TO APPROVE THE MINUTES OF THE PLANNING MEETING HELD ON 29TH MAY 2019**
Ms Smith proposed the minutes were a true record of the meeting; the Chairman seconded the proposal, which was carried.
- 5 **DECLARATIONS OF INTEREST** – None
- 6 **MATTERS ARISING** - None
- 7 **APPLICATIONS FOR COMMENT BY NORTH CURRY PARISH COUNCIL**

24/19/0017 Change of use from class B1 to B2 for purposes of a microbrewery at Unit 3 Wrantage Mills, Wrantage. The Chairman having visited the property with Ms Smith explained the application and plans. After discussion and further explanation on the plans from the applicant, the Chairman proposed the Parish Council Support the application; this was seconded by Mrs Burt, and was carried.

24/19/0020 Replacement of single storey extension to the front and erection of entrance porch at Moorland View, Helland, North Curry. The Chairman explained the application and plans following a visit to the property with Mr Cable. After discussion, she proposed the Parish council support he application, this was seconded by Mr Cable, and was carried.

24/19/0021 Erection of bungalow on land to rear of 16 Town Farm, North Curry (resubmission of application 24/18/0012) – The Chairman explained the application and the history of that area of land. She also highlighted objections from absent council members. The Chairman mentioned that the orchard had been felled following the previously submitted application. Mr Lehner also addressed the council on the history of the site, along with other members of the public who also talked about their understanding of the area of land. There was lengthy discussion regarding the land and orchard, although the older fruit trees in the orchard are longer in existence even though a Tree Protection Order (TPO) had been put in place. Mr Lehner said he was in discussions with the TPO officer at the time, adding that the trees were only on a 6-month protection order. Other comments included loss of privacy for ‘Wrens Nest’, visibility and access to the site, loss of conservation and diversity value and erosion of open space. The Council did not accept the fruit trees planted at Loscombe Meadow, White Street to be a replacement over the ones removed from the rear of 16 Town Farm.

Following the discussion, Mr Cable proposed the Parish Council object to the granting of permission, the Chairman added this is to be partially on the same basis as the previous objection, excluding the comments previously put forward regarding the orchard fruit trees, which were cut down. The following comments and quotes were discussed and agreed to resend:

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. 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;'

Mr Cable proposed that the PC also object on the basis of poor access to the site and that the trees that were cut down be replaced on the paddock site, in an effort to re-establish the orchard. The Chairman also reiterated that this should remain an open space with no structure on it; this was seconded by Ms Smith, and was carried.

24/19/0023/AGN Prior notification for the erection of an extension to an agricultural building for storage of machinery and fodder at Thong Farm, West Sedgemoor Road, North Curry – The Chairman explained the application and plans, which she visited with Mr Cable. After discussion, she proposed the application be supported; this was seconded by Mrs Burt, and was carried.

8 PERMISSIONS / REFUSALS RECEIVED

24/19/0005 – Erection of 12 cat pens for boarding with parking for two vehicles at Orchard End, Rock Hill, North Curry – Conditional approval – Noted

24/19/0011 – Erection of extension to garage with changed to configuration, formation of shared access and parking spaces with erection of 1.85m high close boarded fence at The Warren, Stoke Road, North Curry – Conditional approval – Noted.

24/19/0013 – Replacement of agricultural building with secure bard for equipment storage on land at 15 Windmill Hill, North Curry – Conditional approval – Noted

24/19/0015 – Conversion from garage/workshop/studio to granny annex at Whitewell Cottage, 6 Moor Lane, North Curry – Conditional approval – Noted

E/0078/24/19 – Alleged unauthorised creation of agricultural access on land opposite Oaklea, Broad Lane, North Curry – Under investigation – Noted

9 PLANNING CORRESPONDENCE

Corr. 1 – S. Salter, Enforcement Officer, SWT Council – regarding the alleged unauthorised creation of agricultural access, Broad Lane. The matter has been investigated and it appears there has been a breach of planning control, which is being pursued in accordance with the Planning Enforcement Policy. A letter will be issued to the person responsible requesting they submit a planning application.

Corr. 2 – Mr & Mrs Dykes – Letter of thanks to the Parish Council, in particular, Cllr. Stone for the support of their planning application which has now been approved by SWT Council.

10 MATTERS FOR DISCUSSION - Mr Fugett commented on the information from Mr Lehner that the TPO officer had not informed the Parish Council that they were in liaison with Mr Lehner regarding the fruit trees, and requested we contact them and find out why we were not part of the discussion and whether the trees still have a protection order on them. Clerk to contact SWT Council.

There being no further matters to discuss, the meeting was closed at 8.40pm