

Area West Committee – 16th February 2011

13. Planning Applications

Strategic Director: Rina Singh (Place and Performance)
Assistant Director: Martin Woods (Economy)
Service Manager: David Norris, Development Manager
Lead Officer: David Norris, Development Manager
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The schedule of applications is attached following page 38.

The inclusion of two stars (**) as part of the Assistant Director's (Economy) recommendation indicates that the application will need to be referred to the Regulation Committee if the Area Committee is unwilling to accept that recommendation.

The Lead Planning Officer at the Committee, in consultation with the Chairman and Solicitor, will also be able to recommend that an application should be referred to Regulation Committee even if it has not been two starred on the agenda.

Human Rights Act 1998 Issues

The determination of the applications which are the subject of reports in the schedule are considered to involve the following human rights issues:-

Article 8: Right to respect for private and family life

- (i) Everyone has the right to respect for his private and family life, his/her home and his/her correspondence.*
- (ii) There shall be no interference by a public authority with the exercise of this right except such as in accordance with the law and is necessary in a democratic society in the interest of national security, public safety or the economic well being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedom of others.*

The First Protocol

Article 1: Protection of Property

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interests and subject to the conditions provided for by law and by the general principles of international law. The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

Each report considers in detail the competing rights and interests involved in the application. Having had regard to those matters in the light of the convention rights referred to above, it is considered that the recommendation is in accordance with the law, proportionate and both necessary to protect the rights and freedoms of others and in the public interest.

Background Papers: *Individual planning application files.*

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Members to Note:

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Page	Ward	Application	Proposal	Address	Applicant
1	Eggwood	10/03910/S73	Application to vary condition No. 37 of decision notice 07/02775/FUL to delete requirement to erect replacement factory accommodation prior to the occupation of any of the 52 No. dwellings	Merriott Plastics Ltd Tail Mill Lane Merriott	Mr Ian Low
32	Blackdown	10/03766/COU	The change of use of land for the hire and storage of motor homes	Emerald Farm Poltimore Lane Combe St Nicholas	Ms Sarah Foord
39	Ilminster Town	10/03965/FUL	Alterations, the erection of a single storey and two storey extensions and conversion of existing building into a single dwellinghouse	Building East of 22 Winterhay Lane Ilminster	Mr Steven Crabb
44	Parrett	10/05077/S73	Application to remove conditions 18 and 19 of decision 03/02274/FUL (regarding holiday restriction/ownership)	The White Horse North Street Haselbury Plucknett	P J and J S Howard