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PORLOCK



Parish Room
Old School Centre
West End
PORLOCK
Somerset, TA24 8NP

Parish Council

Minutes of the Planning Meeting held in Parish Room on Monday 31st August 2023 at 5.35pm

Members Present: Cllr. D Thornton (Chair), Cllr. L Bloys, Cllr D McCanlis and Cllr S McCanlis
Also present: Cllr L Thornton (Minute taker)

1. To RECEIVE Apologies for Absence. (LGA 1972 s85 (1))

Apologies were received from Cllr S Colson

**2. Declarations of Interest and Disclosable Pecuniary Interest Dispensations.
(LGA 1972 sch12, para 41(1))**

There were none.

**3. Public Participation.
(LGA1972 sch12, paras 10(2) (b))**

There were no public present.

4. The committee resolved to APPROVE the minutes of the Planning meeting 24th July 2023, proposed by Cllr D Thornton, seconded by Cllr D McCanlis.

5. 6/27/23/010 VINE TREE COTTAGE, SPARKHAYES LANE, PORLOCK, MINEHEAD, TA24 8NE

Lawful development certificate for existing rear extension

Cllr. D Thornton, as Chair, explained that this application was for a CLEUD application being a legal document to establish the existing use of a building. The building in question is a rear extension built as permitted development according to the applicant.

It was confirmed that to date there were no neighbour responses on the ENPA Planning portal and PPC had not received any enquiries.

Cllr. L Bloys questioned why the certificate was needed and why the applicant had not applied for planning permission to build the extension.

Cllr L Thornton read out the advice she had researched regarding a lawful development certificate : A lawful development certificate isn't a legal requirement, but they are incredibly worthwhile to obtain. The certificate essentially proves to both your local authority and future buyers that your project was legal at the point of construction.

Cllr L Thornton also confirmed the information she had researched regarding permitted development rights since the changes in legislation in 2020, explaining that homes in conservation areas are not excluded from permitted development rights, however they do hold much greater restrictions.

Cllr D Thornton explained he had contacted ENPA for advice regarding their restrictions and whether the development was permitted as ticked on the application form, but had not received a reply.

The Committee felt that, as they had not received advice from ENPA and were unclear whether the rear extension was definitely permitted development, they would have to respond with no reason to object and would assume that ENPA would check whether it was permitted development before issuing a certificate.

Cllr L Bloys proposed to recommend no objection to the application, requesting ENPA confirm the development was permitted, explaining that the Committee did not feel able to make a clear decision as they did not receive the requested information from ENPA, seconded by Cllr D Thornton and unanimously agreed.

The meeting closed at 5.57pm