

## South Somerset District Council

**Draft minutes** of a meeting of the **Area East Committee** held at the **Meeting Room, Churchfield Offices, Wincanton on Wednesday 10 December 2014.**

(9.00 am - 1.40 pm)

### **Present:**

**Members:** Councillor Nick Weeks (Chairman)

Mike Lewis	Anna Groskop
John Calvert	Henry Hobhouse
Tony Capozzoli	Tim Inglefield
Nick Colbert	Colin Winder (left at 9.05 returned 10.30)

### **Officers:**

Anne Herridge	Democratic Services Officer
Adrian Noon	Area Lead (North/East)
Helen Rutter	Area Development Manager (East)
Dominic Heath-Coleman	Planning Officer
Nick Hill	Locum Planning Solicitor
Tim Cook	Neighbourhood Development Officer (East)
Katy Menday	Countryside Manager
Alex Skidmore	Planning Officer
Chris Goodwin	Planning Intern

*NB: Where an executive or key decision is made, a reason will be noted immediately beneath the Committee's resolution.*

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### **118. Minutes of Previous Meeting (Agenda Item 1)**

The minutes of the AEC meeting held on the 12<sup>th</sup> November 2014, copies of which had been circulated, were agreed and signed by the chairman.

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### **119. Apologies for absence (Agenda Item 2)**

Apologies for absence were received from Cllrs Mike Beech, Lucy Wallace and William Wallace.

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### **120. Declarations of Interest (Agenda Item 3)**

Cllr Mike Lewis advised that although he was a County Councillor, when financial matters were discussed at Area East Committee meetings, he would give priority to the needs of SSDC rather than SCC.

Cllr Anna Groskop, as a County Councillor reiterated the same comment as above.

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### **121. Public Participation at Committees (Agenda Item 4)**

a) No members of the public wished to make any comments.

b) Cllr Colin Winder expressed his frustration at a decision that had been made by SSDC (without consultation with the elected ward members of Wincanton) regarding the Memorial Hall car park in Wincanton. The decision appeared to advantage the Dolphin Hotel rather than to the general public of Wincanton. Cllr Winder considered that the decision had been an insult to democracy, as a protest he would leave the meeting but would return at 10.30am in order to consider the planning applications that were on the agenda.

Cllr Nick Colbert sympathised with Cllr Winder's statement, he felt that there had been a lot of issues recently that lacked ward member consultation.

The ADM (Area Development Manager) would check to ensure the correct procedure had been followed. She would seek to ensure that a briefing about the situation would soon be given to both the ward members and town councillors.

With reference to the closure of local branches of the Nat West Bank, AEC members had all received a copy of the confidential response and expressed their disappointment at its contents.

Cllr Inglefield thanked the ADM for the revised presentation summarising the financial report, which he found more helpful.

Cllr Capozzoli thanked the ADM for her help with an issue regarding yellow lines in Ilchester.

The ADM agreed to follow up with the Revenues and Benefits Manager Cllr Groskop's query regarding an issue with Business Rates on a building at Jubilee Park.

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**122. Reports from Members Representing the District Council on Outside Organisations (Agenda Item 5)**

There were no reports from members representing the District Council on outside organisations.

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**123. Feedback on Reports referred to the Regulation Committee (Agenda Item 6)**

There had not been a meeting of the Regulation Committee recently.

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**124. Date of Next Meeting (Agenda Item 7)**

Members noted the next scheduled meeting of the Area East Committee will be held at the Council Offices, Churchfield, Wincanton on **Wednesday 14<sup>th</sup> January 2015 at 9.00am.**

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**125. Chairman Announcements (Agenda Item 8)**

The Chairman brought members attention to the following:

The Annual Parish Meeting. was to be held on **Tuesday 27<sup>th</sup> January 2015 from 6.30am.**

The Area East Xmas lunch would take place at the Mildmay Arms, Queen Camel, Friday 19<sup>th</sup> December 12.30 for 1.00 pm.

He wished members and officers a restful and merry Christmas.

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**126. Community & Leisure Capital Grant Request (Executive Decision) (Agenda Item 9)**

The Neighbourhood Development Officer presented the report and explained that the parish council and the management committee were keen to develop the use of Templecombe Village Hall for a number of local organisations and was the main reason for the proposed programme of work as detailed in full in the agenda report.

Members unanimously voted to approve the recommendation.

**RESOLVED:**

That Members agreed a contribution of £2,738 (50% of the total project costs) from the Community & Leisure Capital Budget to Abbas and Templecombe Parish Council towards improvements to the entrance and lobby area of the Village Hall.

Reason: For members to consider a request for a capital grant from Abbas & Templecombe Parish Council who have applied for a grant towards some essential work to improve the entrance and lobby area of the Village Hall.

(Voting: Unanimous in favour)

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**127. LEADER Programmes for Rural Economic Development - Heart of Wessex progress report (Agenda Item 10)**

The ADM (Area Development Manager) briefed the committee on the progress of establishing district wide coverage of the new LEADER programme for rural economic development as detailed in full in the agenda report. All areas had met the necessary quality threshold for programme approval. Once the overall programme had been signed between Government and EU then a formal announcement would be made by Defra

The ADM informed members that a provisional launch event was being planned for the evening of 20<sup>th</sup> January 2015. This was subject to Defra confirmation of the overall programme.

The chairman suggested that details about the programme could be included in the annual parish meeting due to be held on 27<sup>th</sup> January 2015.

Cllr Lewis felt that it was a shame that Cllr Winder had left the meeting as it was he who had championed economic development in area east and was a result of several years' work that also included Mendip.

Members were content to note the success of the bid for programme funding.

**RESOLVED:**

That Members noted the success of the bid for programme funding for the Heart of Wessex and considered future promotion next year.

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**128. Local Information Centre update (Agenda Item 11)**

The Neighbourhood Development Officer updated members on the progress and operations of the Area East Local Information Centres in Bruton, Wincanton & Castle Cary.

In response to a query the officer confirmed that he would in future add the number of referrals to the District Council to his report. Case studies would be a way of providing additional support to the LICs in the future.

Committee members noted the report and requested that their appreciation be passed on to all volunteers for the work they carried out.

**RESOLVED:**

That members of AEC noted and commented on the progress made towards establishing strong, locally run Local Information Centres

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**129. Annual update on the Countryside Service (Agenda Item 12)**

The Countryside Manager presented her comprehensive report as detailed in the agenda; with the aid of a power point presentation she showed photographs of the work of the ranger team and various events that had taken place across the district.

In response to several questions she replied that:

- Logs were sold for income which went into the relevant countryside budget;
- Only a small amount of the annual Countryside Service budget was spent in Area East as the only land in Area East, owned and managed by SSDC was Moldrams Ground, she would be happy to advise on other open spaces if required;
- She would investigate the ownership and management of an area of land at Dropping Lane.
- The Countryside Service had started working more closely with the Streetscene Service regarding land management, that work would be reviewed during 2015;
- She would contact the Sparkford Hill Trust to see if any assistance is required with regards management planning for Ridge Copse.
- She suggested that any Rights of Way issues should be directed to the appropriate SCC officer but that the SSDC Land Records and Research Officer may also be able to advise as they have a wealth of knowledge;
- She would work with the S106 Monitoring Officer regarding any natural open spaces gifted via S.106 obligations, and she would follow up any S106 obligations that may not have been observed;

- Advice from Central Government regarding ash die back had changed a great deal, it was acknowledged that a fair amount of trees in area east have been affected by the disease.

The Countryside Manager was congratulated on her presentation and the good set of slides.

Members were content to note the report.

**NOTED**

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**130. The Retail Support Initiative (Agenda Item 13)**

The Neighbourhood Development Officer presented the report as detailed in full in the agenda.

Members were content to note the report.

**NOTED**

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**131. Area East Committee Forward Plan (Agenda Item 14)**

An update on the work of the Conservation team would be presented to AEC in February 2015 and an update on Buildings at Risk would be on the agenda for the meeting to be held in March 2015.

Cllr Capozzoli restated his preference for AEC meeting to tour village halls, the ADM suggested that after the election, next May, members could perhaps reconsider the use of Churchfield for every AEC meeting if they wished.

The Members briefing after the next AEC meeting would include the new threshold for S106 contributions.

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**132. Items for information (Agenda Item 15)**

Members were asked to take note of the appeal decisions and the fact that the Inspector had agreed with AEC member's decision.

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**133. Schedule of Planning Applications to be Determined by Committee (Agenda Item 16)**

**NOTED**

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**134. 14/04234/OUT - Land at Dancing Lane, Wincanton. Outline application for up to 25 dwellings. (Agenda Item 17)**

*Cllr Colin Winder returned to the meeting.*

The Planning Officer presented the application as detailed in the agenda. He provided members with several updates including:

- 4 letters that had been received from neighbouring properties since the agenda had been produced raising similar issues to those already raised;
- Reference was made to the trees at the front of the site that were the subject of a tree preservation order, the tree officer had raised no objection to the application. If approved, a condition could be included to safeguard the trees.

With the aid of a power point presentation an aerial view of the site and the indicative site plan was shown which included the 'no 'build zone'.

The officer explained that a similar application had been for 35 dwellings and this one was for 25, he confirmed that his recommendation was the same as before to approve the application.

In response to an Email that he had received, the chairman informed members that the statement printed in the Western Gazette had been lifted from the officer's report and had not been verbally given by an officer of SSDC.

Mr M Russell the Chairman of Wincanton TC (Town Council) addressed the committee in objection to the application; he reiterated the views of the TC as detailed in the agenda report.

Mr C Downton, Mr D Castle, Mrs S Brennan, Mr Steady, Mr T MacCaw, Mr T Carroll, Mr Pratt, Mr R D'Arcy, Matron C Andrew and Mr R Tindal all spoke in objection to the application. They asked members to consider the local concern for this application and recommend refusal.

A Crean QC, spoke on behalf of the applicant in support of the application and urged members to support the officer's recommendation.

Ward Member Cllr Colin Winder spoke in objection as he felt that a balance of employment and housing was needed, SSDC now had a 5 year housing land supply, there would be too many people for jobs in the area; the bus service was non-existent, all services would be under pressure. He also referred to the prematurity of this application before the adoption of the local plan.

Ward Member Cllr Nick Colbert also spoke in objection to the application and agreed with the points raised by Cllr Winder. Cllr Colbert did not think that the wellbeing of local residents would be improved by this application. He was concerned about the access and lack of a footpath in Dancing Lane; he proposed that the application should be refused using the 4 reasons previously used.

The chairman asked if the agent was available to address the committee, but he had already left the meeting.

During discussion varying views were expressed, including:

- Local views should be taken into account;
- A lack of local employment;
- Would cause an increased risk of flooding;
- The application was premature;
- The experts view should be challenged;
- Travel Plan was irrelevant and unsustainable;
- Each application should be judged on its own merits;

- The Ward Members should be supported;
- A Highway Officer should visit the site;
- The previous reasons for refusal should be used;
- Concerned about the cumulative impact of previous approvals and other proposals in Wincanton; the basis of the local plan could be destroyed.

Discussion ensued regarding the reasons for refusing the application. Although the Area Lead East advised that there was no evidence that the development would increase the risk of flooding, Members wished to include that as a reason although it was acknowledged that the riparian owner and the appropriate authority would have to give approval in order to drain surface water to an existing surface water culvert.

It was subsequently proposed and seconded to refuse the application contrary to the officer's recommendation for the following reasons:

- The proposal is for up to 25 dwellings on a site that is not within reasonable walking distance remote of primary schools, employment opportunities and the services and facilities available in the town centre. Given the distances, topography and nature of the route and the lack of regular bus services future residents would have no realistic alternative to the private motor car to access services and facilities necessary for daily life. The submitted travel plan does not satisfactorily demonstrate that the future residents would have any option but to rely on the private motor car for virtually all their daily needs. Such lack of choice of transport modes constitutes unsustainable development contrary to the presumption in favour of sustainable development running through the NPPF which is not outweighed by any reasonable benefit arising from the development
- It has not been demonstrated that the loss of best and most versatile agricultural land (grades 1 & 3a) has been justified in this instance where there is other lower grade land available.
- Dancing Lane by reason of its width, lack of pavements and use by school children is incapable of safely accommodating the additional traffic generated by this development without severe detriment to pedestrian safety.
- It has not been demonstrated that the proposal to develop up to 25 houses on this site could be satisfactorily achieved whilst maintaining the setting of the grade 2 listed Verrington Lodge.
- The approval of this proposal for 25 dwellings, in advance of the adoption of the emerging local plan would, cumulatively with previous approvals and other proposals in Wincanton, be premature and prejudicial to the further planned growth of Wincanton.
- It has not been satisfactorily demonstrated that the proposed drainage strategy adequately acknowledges the existing drainage issues in the locality. As such it cannot safely be concluded that the proposal would not increase the risk of flooding elsewhere

On being put to the vote the motion was unanimously carried in favour.

**RESOLVED:** That Planning Application 14/04234/OUT be refused contrary to the officers recommendation for the following reasons:

1. The proposal is for up to 25 dwellings on a site that is not within reasonable walking distance remote of primary schools, employment opportunities and the services and facilities available in the town centre. Given the distances, topography and nature of the route and the lack of regular bus services future

residents would have no realistic alternative to the private motor car to access services and facilities necessary for daily life. The submitted travel plan does not satisfactorily demonstrate that the future residents would have any option but to rely on the private motor car for virtually all their daily needs. Such lack of choice of transport modes constitutes unsustainable development contrary to the presumption in favour of sustainable development running through the NPPF which is not outweighed by any reasonable benefit arising from the development. Accordingly the proposal is contrary to the policies contained within the NPPF and saved policies ST3, ST5 and TP2 of the South Somerset Local Plan (2006).

2. It has not been demonstrated that the loss of best and most versatile agricultural land (grades 1 & 3a) has been justified in this instance where there is other lower grade land available.
3. Dancing Lane by reason of its width, lack of pavements and use by school children is incapable of safely accommodating the additional traffic generated by this development without severe detriment to pedestrian safety.
4. It has not been demonstrated that the proposal to develop up to 25 houses on this site could be satisfactorily achieved whilst maintaining the setting of the grade 2 listed Verrington Lodge.
5. The approval of this proposal for 25 dwellings, in advance of the adoption of the emerging local plan would, cumulatively with previous approvals and other proposals in Wincanton, be premature and prejudicial to the further planned growth of Wincanton.
6. It has not been satisfactorily demonstrated that the proposed drainage strategy adequately acknowledges the existing drainage issues in the locality. As such it cannot safely be concluded that the proposal would not increase the risk of flooding elsewhere and the proposal is therefore contrary to saved policy EU4 and ST5 of the South Somerset Local Plan

(Voting: Unanimous)

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**135. 14/03587 - Land adjoining Manor Farm Installation of standalone solar PV modules and associated infrastructure (Agenda Item 18)**

*Cllr Henry Hobhouse left the meeting at 12.00*

The officer presented the report as detailed in the agenda with the aid of a power point presentation of the site and proposed plans. She confirmed that her recommendation was to approve the application as detailed in the agenda report with a slight amendment to the wording of condition 10 to read:

*The development hereby permitted shall not be commenced unless full details of the CCTV equipment and the finished colour of the security fencing has been submitted to and agreed in writing by the local planning authority. Once agreed such details shall be fully implemented as part of the development and not subsequently altered without the written agreement of the local planning authority.*

Mr J Knight of Pitcombe PC addressed the committee in objection to the proposal, he pointed out that the PC had not been consulted at the pre-application stage, he felt the



application should be deferred until other parishes affected by the proposal had been consulted.

Mr Earl spoke in objection to the application on behalf of the Monarchs Way and Ramblers Association, he was concerned about the ancillary equipment that would be used during and after construction, and he suggested that if the application was approved a condition should be included to ensure that the footpath at Manor Farm should be kept open and safe at all times especially during construction.

Mr N Leaney the agent explained that the footpath would not be closed or disrupted during construction. In response to a previous comment he confirmed that a public consultation had taken place in Castle Cary during June 2014 when 100 people had attended. He also reminded the committee that Castle Cary TC had recommended approval of the application.

In response to the question regarding consultation, the Planning Officer and Area Lead East explained that all relevant parish and town councils had been consulted by SSDC and had been sent plans of the proposals. Developers organise their own pre-application consultations and there was no right or wrong way of doing that.

Ward Member Cllr Nick Weeks did not think that the proposal would have much of an impact

In response to the opportunity to correct a misstatement a member of the public disagreed with the opinion that there would be no impact on the view whilst walking along the footpath.

Following discussion and after allaying concerns about any possible enforcement if necessary of a Construction Management Plan and Construction Traffic Management Plan as detailed in Conditions 13 and 14, a proposal was made and seconded to approve the application as per the officer's recommendation with amendments to

- Condition 03 to include reference to the removal of all cabling;
- An amendment to the wording of Condition 10 (as previously advised);
- Condition 13 to include a requirement for a pre-commencement survey of the condition of the highway and a mitigation plan to put right any defects caused by construction traffic;

Additional informative to remind the applicant that in connection with condition 13 of this permission the Park is considered to be an unsuitable means of access to the application site.

On being put to the vote the motion was carried by 4 votes in favour; 1 against and 1 abstention.

**RESOLVED:** That Planning Application 14/03587/FUL be approved as per the officers recommendation for the following reason:

Notwithstanding local concerns and the concerns of the Monarchs Way and Ramblers Associations it is considered that the benefits in terms of the provision of a renewable source of energy, which will make a valuable contribution towards cutting greenhouse gas emissions, outweigh the limited impact of the proposed PV panels on the local landscape character. As such the proposal accords with the Government's objective to encourage the provision of renewable energy sources and the aims and objectives of the

National Planning Policy Framework, the National Planning Practice Guidance and Policies ST3, ST5, ST6, EC1, EC3, EC7, EC8, EH1, EH5, EH11, EH12, EP3, EU7 and CR9 of the South Somerset Local Plan 2006.

**Amended conditions:**

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans drawings numbered BH1310185S-010-01, BH110185S-002-1, BH1310185S-001-05, BH110185S-003-02, BH110185S-004-1, BH110185S-005-03, BH110185S-006-01 and BH110185S-008-01 received 07/08/2014.

Reason: For the avoidance of doubt and in the interests of proper planning.

03. The development hereby permitted shall be removed and the land restored to its former condition before 31/12/2044 or within six months of the cessation of the use of the solar farm for the generation of electricity whichever is the sooner in accordance with a restoration plan to be submitted to and approved in writing by the local planning authority. The restoration plan will need to include all the works necessary to revert the site to open agricultural land including the removal of all structures, cabling, materials and any associated goods and chattels from the site.

Reason: In the interests of landscape character and visual amenity in accordance with Policies ST3, ST5, ST6 and EC3 of the South Somerset Local Plan.

04. The supporting posts to the solar array shall be anchored into the ground as detailed on approved drawing BH110185S-004-1 received 07/08/2014.

Reason: In the interests of sustainable construction and to accord with Part 10 of the NPPF.

05. The landscaping scheme shown on drawing titled Landscape Management Plan received 12/09/2014 shall be completely carried out within the first available planting season from the date of commencement of the development. For the duration of this permission the trees and shrubs shall be protected and maintained, and any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: In the interests of visual amenity and landscape character in accordance with policies ST5, ST6 and EC3 of the South Somerset Local Plan.

06. No works hereby permitted shall be commenced unless a landscape management plan has been submitted to and agreed in writing by the local planning authority. Such a plan shall detail measures for the protection of any new and retained planting, the height at which the perimeter hedge planting shall be maintained and an on-going programme of maintenance. Such agreed details shall be fully

implemented for the duration of the use hereby permitted, unless any variation is agreed by the local planning authority.

Reason: In the interests of visual amenity and landscape character in accordance with policies ST5, ST6 and EC3 of the South Somerset Local Plan.

07. Prior to commencement of each significant stage of ground works, an updated survey for badger setts will be undertaken by a competent person, and if any are present within 30 metres of the area of activity, the works shall not commence until a method statement for the protection of badgers has been produced and any necessary Natural England licences have been obtained. The method statement shall be implemented in full.

Reason: For the conservation and protection of legally protected species in accordance with Policy EC8 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981, and The Protection of Badgers Act 1992.

08. No works hereby permitted shall be commenced unless details of measures for the enhancement of biodiversity have been submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be implemented in accordance with the approved details unless otherwise approved in writing by the local planning authority.

Reason: For the enhancement of biodiversity in accordance with NPPF.

09. No means of external illumination/lighting shall be installed without the prior written consent of the Local Planning Authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies EC3, ST6 and EP3 of the South Somerset Local Plan.

10. The development hereby permitted shall not be commenced unless full details of the CCTV equipment and the finished colour of the security fencing has been submitted to and agreed in writing by the local planning authority. Once agreed such details shall be fully implemented as part of the development and not subsequently altered without the written agreement of the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies EC3, ST6 and EP3 of the South Somerset Local Plan.

11. No form of audible alarm shall be installed on the site without the prior written consent of the local planning authority.

Reason: In the interest of residential amenity and the rural amenities of the area to accord with Policy ST6 of the South Somerset Local Plan.

12. No development hereby permitted shall be commenced unless details of the means of connection to the electricity grid from the site have been submitted to and approved in writing by the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies EC3, ST5 and ST6 of the South Somerset Local Plan.

13. The development hereby permitted shall not commence unless a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall include a pre-commencement survey of the highway and a mitigation plan to put right any defects caused by construction traffic, details of all construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicle per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason in the interest of highway safety and the rural amenities of the area to accord with Policies ST5 and ST6 of the South Somerset Local Plan.

14. Prior to the commencement of the development hereby permitted, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented by the approved Contractor. The plan and any contract shall stipulate the size of vehicles to be used for deliveries and the routes to be used.

Reason: In the interest of highway safety to accord with Policy ST5 of the South Somerset Local Plan.

**Informatives:**

01. Please take note of the advice and recommendations set out within the Environment Agency's letter dated 05/09/2014.
02. The applicant is reminded that in reference to condition 13 of this permission The Park is considered to be an unsuitable means of access to the application site and as such no construction traffic associated with this development use this route to access or leave the site.

(Voting: 4 in favour: 1 against 1 abstention)

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**136. 14/03936/FUL Rowells Place, Castle Cary - The erection of a hobby room, etc (Retrospective application) (Agenda Item 19)**

On behalf of his colleague the Planning Officer presented the application as detailed in the agenda report, with the aid of a power point presentation showed photographs of the site. He confirmed the officer's recommendation was to approve the application.

Ward Member Cllr Nick Weeks understood that the applicant had erected the hobby room and car port opposite to a Grade II listed building without consulting the neighbours therefore they had been unable to express their views.

During the short discussion varying views were expressed, some members felt the application was acceptable whilst others expressed their concern at the use of white render they would have preferred to see a more appropriate colour used.

A proposal was made and seconded to approve the application as per the officers' recommendation with 2 additional conditions:

- To require the repainting in a colour to be agreed within 3 months
- To restrict the use to the occupiers of no. 2.

On being put to the vote the motion was carried by 4 votes in favour and 2 against.

**RESOLVED:** That Planning Application 14/03936/FUL be approved as per the officers recommendation for the following reason:

01. The proposal, by reason of its size, scale and materials, respects the character of the area and causes no demonstrable harm to residential amenity in accordance with the aims and objectives of policies ST5 and ST6 of the South Somerset Local Plan (Adopted April 2006).

**SUBJECT TO THE FOLLOWING:**

01. 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 the 01 February 2014.

Reason: To accord with the provisions of section 73A of the Town and Country Planning Act 1990.

02. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) the development hereby permitted shall not be used other than for purposes ancillary to the residential use of the main dwelling and the domestic and private needs of the occupants of the main dwellinghouse, 2 Rowells Place.

Reason: In the interests of residential amenity to accord with Policies ST5 and ST6 of the South Somerset Local Plan 2006.

03. Within 3 months of the date of this permission the proposal shall be painted in a colour agreed in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the setting of the Listed Building in accordance with Policy

(Voting: 4 in favour: 2 against)

**137. 14/04342/FUL - The Old Coach House Bruton. Partial change of use from dwelling to not-for-profit art gallery, (Agenda Item 20)**

*Cllr Capozzoli left the meeting at 1.00 pm*

The Planning Officer presented the application as detailed in the agenda report, with the aid of a power point presentation showed the site and relevant photographs

The officer explained that local concern was directed at the parking issues but as the proposal was within a town centre location it would be very difficult to sustain an argument for refusal. The proposal was unlikely to be any more demanding on parking

provision than other town centre uses, and to argue that the parking provision within Bruton as a whole was inadequate would be to effectively place a moratorium on economic development within the town centre of Bruton. He confirmed that his recommendation was to approve the application.

Mr R Heavey, Mr J Clarke, Mrs D Whitelaw and Mr B Mills all spoke in objection to the application. Concern was mainly raised about parking issues and the proposed opening hours.

Mr M Brownlow, although a member of Castle Cary TC, gave his personal view as a supporter of the application.

Joint applicant Corinne Joseph explained that she was surprised when she had learnt that this application had to be considered by AEC as another similar application in the vicinity submitted after this application had since been given delegated approval.

Ward Member Cllr Anna Groskop was in a dilemma about this application as she had been at the forefront of encouraging businesses to Bruton for several years. Parking had always been an issue in Bruton town centre but it would be difficult to refuse this application as any decision needed to be reasonable.

A member of the public stated that pictures shown of the internal drawings were incorrect.

During discussion it was accepted that there were parking problems in Bruton town centre and the situation should be reviewed, however a lot of small towns had the same problems. It was felt that the proposed opening hours should be amended, it was noted that this would be a not for profit art gallery.

A proposal was made and seconded to approve the application per the officer's recommendation with an amendment to condition 03 to read:

*The art gallery and retail elements of the use hereby permitted shall not operate outside the hours of 10am to 5pm Monday to Saturday and 10am to 4pm on Sundays, except on up to 12 days per calendar year, when the opening hours can be extended to 9pm.*

On being put to the vote, the motion was carried by 4 votes in favour and 1 abstention.

**RESOLVED:** That Planning Application 14/04342/FUL be approved as per the officers recommendation for the following reason:

The proposed use is considered to be acceptable in this location and, by reason of its size, scale and materials, respects the character of the conservation area, and causes no demonstrable harm to residential amenity or the character and setting of the listed building in accordance with the aims and objectives of Policies EH1, EH3, EH5, ST6 and ST5 of the South Somerset Local Plan (Adopted April 2006) and the aims and provisions of the NPPF.

**SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans: plans and elevations received 24 September 2014 as amended by e-mail from the applicant received 28th and 29th October 2014.

Reason: For the avoidance of doubt and in the interests of proper planning.

03. The art gallery and retail elements of the use hereby permitted shall not be operated outside the hours of 10am to 5pm Monday to Saturday and 10am to 4pm on Sundays, except on up to 12 days per calendar year, when the opening hours can be extended to 9pm.

Reason: In the interests of residential amenity and in accordance with policy ST6 of the South Somerset Local Plan.

04. The outdoor area to the rear and north of the property shall only be used for purposes ancillary to the residential use of the property and for no other purposes whatsoever, including for purposes ancillary to the use of the property as an art gallery.

Reason: In the interests of residential amenity and in accordance with policy ST6 of the South Somerset Local Plan.

05. The art gallery and retail uses hereby permitted shall be limited to the rooms labelled 'Gallery - Front Room', 'Gallery Room 1', 'Gallery Room 2', 'Gallery Room 3', and the circulation space and ground floor WC as indicated on the submitted plans received 24 September 2014.

Reason: To determine the scope of the permission and in the interests of residential amenity in accordance with policy ST6 of the South Somerset Local Plan.

06. The retail element of the use hereby permitted shall only be operated insofar as it is ancillary to the art gallery element of the use hereby permitted, and shall at no time be operated as a standalone retail use.

Reason: To determine the scope of the permission and in the interests of residential amenity in accordance with policy ST6 of the South Somerset Local Plan.

07. No works shall be carried out to repoint the building unless the following details have been submitted and a sample panel provided on site for inspection and written approval of the Local Planning Authority:

- a) Full details, including elevational drawings, to indicate the areas to be repointed.
- b) Details of the method of removal of existing pointing. In this regard mechanical tools shall not be used,
- c) Details of the mortar mix, and

d) A sample panel of new pointing that shall be carried out in the agreed mortar.

Reason: In the interests of visual amenity and in accordance with policies EH1, EH3, EH5, ST5, and ST6 of the South Somerset Local Plan.

08. No work shall be carried out to fit the hanging sign to the front of the building unless details of the hanging sign bracket have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and in accordance with policies EH1, EH3, EH5, ST5, and ST6 of the South Somerset Local Plan.

(Voting: 4 in favour:1 abstention)

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**138. 1404613FUL Churchfield Wincanton. Erection of a single storey extension. (Agenda Item 21)**

The planning officer presented the application as detailed in the agenda he explained that the application was before AEC members because SSDC was the applicant.

After a short discussion a proposal was made and seconded that the application be approved as per the officer's recommendation.

On being put to the vote, the motion was carried unanimously.

**RESOLVED:** That Planning Application 14/04613/FUL be approved as per the officers recommendation for the following reason:

The proposal, by reason of its size, scale and materials, respects the character of the area, and causes no demonstrable harm to residential amenity in accordance with the aims and objectives of Policies EH1, ST6 and ST5 of the South Somerset Local Plan (Adopted April 2006) and the aims and provisions of the NPPF.

**SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans: 1289-200 received 02 October 2014 and 1289-50 received 29 October 2014

Reason: For the avoidance of doubt and in the interests of proper planning.

03. The materials to be used in the development hereby permitted shall match the materials used on the existing building and no other materials unless the Local Planning Authority gives written consent to any variation.



Reason: In the interests of visual amenity and to comply with Policy ST6 of the South Somerset Local Plan (Adopted April 2006).

(Voting: Unanimous in favour)

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Chairman