

South Somerset District Council

Minutes of a meeting of the **Area South Committee** held at the **Council Chamber Council Offices Brympton Way on Wednesday 4 February 2015.**

(2.00pm – 4.05pm)

Present:

Members: Councillor Peter Gubbins (Chairman)

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|--------------|-----------------|
| Tim Carroll | Tony Lock |
| Marcus Fysh | Ian Martin |
| Nigel Gage | Wes Read |
| Dave Greene | David Recardo |
| Andy Kendall | John Richardson |
| Pauline Lock | Gina Seaton |

Officers:

| | |
|------------------|-----------------------------------|
| Jo Boucher | Democratic Services Officer |
| Kim Close | Area Development Manager (South) |
| Simon Fox | Area Lead (South) |
| Andrew Collins | Planning Officer |
| Jennie Roberts | Planning Officer |
| Natalie Ross | Neighbourhood Development Officer |
| Jacqui Churchill | Planning Assistant |

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

86. Apologies for absence (Agenda Item 2)

Apologies for absence were received from Councillors Cathy Bakewell, John Vincent Chainey, Tony Fife, Jon Gleeson, Graham Oakes and Peter Seib.

87. Minutes of previous meeting (Agenda Item 1)

The minutes of the Area South meeting held on 2nd December 2015 copies of which had been circulated, were agreed as a correct record and signed by the Chairman.

88. Declarations of Interest (Agenda Item 3)

Councillor Pauline Lock declared a personal and prejudicial interest in Agenda Item 8 and 9 – Planning Application 14/05095/FUL & 14/05096/LBC Stone Farm, Stone lane, Yeovil as she knows the applicant. She would leave the meeting during consideration of that item.

Councillor Peter Gubbins declared a Disclosable Pecuniary Interest (DPI) in Agenda Item 11 – Planning Application 14/05660/S73 1 Holywell Hollow, Holywell, East Coker as he is the applicant. He would leave the meeting during consideration of that item.

89. Public question time (Agenda Item 4)

There were no questions from members of the public.

90. Chairman's announcements (Agenda Item 5)

The Chairman updated members on the following:

The Crematorium project has now been completed with the overall management of the facility transferring to SSDC from 1st February 2015.

Enhancement work on the town centre continues with the following work being scheduled before the end of March:

- Replacing resin (tree pits) under the trees in the town.
- The Bubble gum removal machine will be used to removed gum throughout the town.
- We are completing the final details of the Yeovil Town Centre Ranger Scheme.
- Loose and broken Paving throughout the town will be replaced.
- Three more hanging basket trees have been purchased to be installed once the Premier Inn is complete.
- Four new planters have been purchased to form a gateway to the Market
- Markets re launch – We continue to receive positive feedback from traders who really appreciated the parking offer we ran on Tuesdays and Fridays during December. We are currently working on a PR and entertainment programme for the coming year.
- Middle Street and Sherborne Road enhancement scheme – SCC have agreed to contribute resource to the project. Waiting for feedback from SCC on traffic count figures. Currently working on design brief for the project.
- The Yeovil One Team is working very well and has had a number of successes resolving long term problems.
- We are working with SCC on a project to provide a visiting coach parking bay in South Street.
- Work is progressing well with the proposed schools at Lufton and Wyndham Park. The County Council are currently consulting on the plans and if members would like to comment then the consultation is open until 16th February – contact Natalie for details.
- Yeovil Without Parish Council have agreed to take on responsibility for the first play area and MUGA at Wyndham Park subject to positive legal and financial advice from independent advisors.

The Chairman informed members that there will not be an Area South Committee in May and that an April meeting will only be held if there are Planning Applications to be determined.

91. Reports from representatives on outside organisations (Agenda Item 6)

Councillor Tony Lock recently attended St Thomas Cross residents association. Residents had been given comfort that the outstanding highway infrastructure would be in place by the beginning of March. However, Councillor Lock looked to the Committee for support that if this was not complied with enforcement action should be sought.

Councillor Tony Lock also made a statement on behalf of local resident's regarding the delay in the commencement of works at the Sherborne Road/ Lyde Road junction. He relayed the disappointment regarding the lack of communication from the developer and Somerset County Council given the understanding that details have long been agreed but as yet no work has started on site. He said the works were long overdue and asked that the Section 106 Monitoring Officer work with him to resolve the matter and update the committee on a monthly basis until the work had started on this scheme.

In response the Section 106 Monitoring Officer who was in attendance at the meeting appreciated the comments made. He noted both matters raised and agreed to verbally update members on the Sherborne Road/Lyde Road matter at next month's committee meeting.

92. Schedule of Planning Applications to be Determined by Committee (Agenda Item 7)

Members noted the Schedule of Planning Applications.

93. Planning Application 14/05095/FUL - Stone Farm, Stone Lane, Yeovil (Agenda Item 8)

(Having earlier declared a Personal & Prejudicial Interest Councillor Pauline Lock left the room during consideration of this item).

(Applications 14/05095/FUL & 14/05096/LBC were presented together).

The Planning Officer presented the application as detailed in the agenda and with the aid of a power point presentation showed the site and proposed plans.

He referred to the key considerations of the application:

- Conversion of listed buildings to retain them for the future
- Loss of farm buildings for the tenant
- Ecology/protected species
- Highways/ parking
- Amenity

He also explained the concerns regarding the occupier/tenant of the farm of which he has a protected life tenancy under the Agricultural Holdings Act with the right of succession to further generations.

The Locum Planning Solicitor clarified to members that the tenancy agreement between the landlord and the tenant is a civil matter between the two parties. It is not a material planning consideration that should be given any weight. She advised that members

should consider the principle of the use of the land and proposal and not the private rights of the tenant/occupier.

In conclusion the Planning Officer also referred to the comments made by other consultees including the District Council's Landscape and Conservation Officer who considered the application to be acceptable. He felt that after careful consideration the proposal would not have an adverse impact upon the current use of the buildings and therefore his recommendation was to approve the application for reasons as set out in the agenda report.

In response to questions from members, the Locum Planning Solicitor and Planning Officer confirmed to members that:

- the occupation of the tenant was not a material consideration and although the use of the barns and outbuildings could be considered material the tenancy rights were not.
- the granting of planning permission would not change the tenancy agreement by any means
- the granting of planning permission does not need the agreement of the tenant
- clarified the location of the access track to the proposed site. Highways considered the existing and proposed traffic movements to and from the site and the visibility improvement to be acceptable
- proposals could not have been carried out under permitted development as the farm is Grade II listed and the outbuildings are curtilage listed

Mr John Raymont, tenant of Stone Farm then addressed the committee. He said he had been farming at Stone Farm for over 50 years and that although he had slowed down over the last few due to his older years it was still very much a viable farming business. He explained how he now employed contractors to undertake field operations and that in recent years his crops had been stored off site but that was no longer the case and was again using the grain bins for storing the grain. He explained that it was simply not the case that the buildings were redundant but well used for a busy livery business and the storage of grain and machinery for the working farm. He said he had tried to reach a compromise with the landlord but with no result and concluded that should this application be approved it would leave the farm business virtually unviable as he would have no buildings from which to run his business.

Edward Dyke also spoke in objection to the application. He explained the barns had been in use for over 20 years and was disappointed that the application did not include the demolition and replacement of agricultural buildings for the business to be able to continue. He referred to the NPPF (National Planning Policy Framework) Para 28 which looked to encourage agricultural growth in rural areas. He also believed the approval of this application would wipe out this working farm, the buildings were currently in good condition and that both local Parish Councils wished to refuse the application.

Claire Alers-Hankey the agent for the applicant addressed the committee. She felt the proposal would enhance the Listed Buildings and long term investment of the buildings. She had been in ongoing discussions with the District Council's Conservation Team, Landscape and Planning officers who all considered the application to be acceptable. She reiterated that the tenancy agreement was not a material planning consideration and the applicant had kept the tenant up to date over the last few months with the current situation. She believed that the buildings were not now being used to full potential and that the equestrian business did not have the appropriate planning permission.

During members' discussion, several points were raised including the following:

- concern over the loss of acres of Grade I agricultural land.
- if outbuildings were lost this would prejudice the tenant farmer to trade.
- appreciate the planning reasons for approval but the livelihood of the tenant farmer and his business was also of importance.
- assurances should be made that if planning permission and listed building consent be granted the applicant in full consultation with SSDC will review the requirements for agricultural buildings on the site.
- appreciated the tenant farmers concerns regarding the viability of his farming business, however the tenancy agreement was a civil matter and not a planning consideration

In response to members, the Planning Officer confirmed that should additional agricultural buildings be required these would be subject to planning permission.

There being no further debate, it was then proposed and seconded the officer's recommendation to approve the application as set out in the agenda report with the addition of the following informative:

'The applicant / agent is reminded that the Local Planning Authority are happy to engage in pre-application discussions regarding any new or re-sited agricultural buildings.'

On being put to the vote this was carried by 9 votes in favour, 1 against and 2 abstentions.

RESOLVED:

To Grant permission subject to the following conditions:

01. The conversion of the barns accords with Local Plan Policy as amended to reflect the NPPF, the proposals do not have an adverse effect upon amenity or highway safety and the proposals subject to mitigation measures have an unacceptable impact upon protected species. As such the proposals comply with Policies ST5, ST6, EH7, EC8, EP5 and TP7 and the aims and objectives 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: amended drawing 213.74/001A received 15 December 2014 and amended drawings 213.74/002A, 213.74/009A, 213.74/010A, 213.74/011A, 213.74/012A, 213.74/013B, 213.74/014A, 213.74/015A and 213.74/016A received 21 January 2015.

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

03. The barn conversions hereby approved shall not be occupied unless the buildings / structures to be demolished as detailed on drawings 213.74/001A and 213.74/002A have been demolished in their entirety and the land restored in accordance with a scheme submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity in accordance with Policies ST5 and ST6 of the South Somerset Local Plan (adopted 2006).

04. No works hereby approved shall be carried out on the new build until particulars of following have been submitted to and approved in writing by the Local Planning Authority;
- a. details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
 - b. details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
 - c. details of the rainwater goods and eaves and fascia details and treatment.

On approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area in accordance with saved policies EH3, ST5 and ST6 of the South Somerset Local Plan (adopted 2006).

05. No work shall be undertaken unless the following details have been submitted to and approved in writing by the Local Planning Authority. Such details once approved shall be adhered to unless the Local Planning Authority gives written agreement for any variation:
- a) Details of all boundary treatments including walls, fences and gates
 - b) Details of the surface materials of the courtyard
 - c) Details of all hardstanding, including the access tracks and boundaries including the natural stone boundary walls within the site and external treatments.

Reason: To safeguard the character and appearance of the area in accordance with saved policies ST5, ST6 and EH3 of the South Somerset Local Plan (adopted 2006).

06. The application site has a large line area, the extent of the residential garden area, hereby approved shall be limited to the green shaded area as shown on drawing 213.74/002A received 21 January 2015.

Reason: In the interests of residential amenity in accordance with Policies ST5 and ST6 of the South Somerset Local Plan (adopted 2006).

07. (i) No works shall be undertaken unless, a landscaping scheme based upon drawing 213.74/002A, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority.
- (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.

(iii) For a period of five years after the completion of the planting scheme, the trees and shrubs shall be protected and maintained and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Policy ST5 of the South Somerset Local Plan (adopted 2006).

08. No works shall be undertaken unless a scheme to deal with contamination of land, controlled waters and/or ground gas has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures, unless the Local Planning Authority dispenses with any such requirement specifically in writing:

1. A Phase I site investigation report carried out by a competent person to include a desk study, site walkover, the production of a site conceptual model and a human health and environmental risk assessment, undertaken in accordance with BS 10175 : 2011 Investigation of Potentially Contaminated Sites - Code of Practice.

2. A Phase II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites - Code of Practice. The report should include a detailed quantitative human health and environmental risk assessment.

3. A remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the remediation should be stated, such as site contaminant levels or a risk management action, and how this will be validated. Any on going monitoring should also be outlined.

4. If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to and approved in writing by the Local Planning Authority.

5. A validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show that the site has reached the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with Policy EP5 of the South Somerset Local Plan (adopted 2006).

09. The works shall be implemented in accordance with the bat mitigation measures detailed in the Conservation Action Statement (Appendix 4, Ecological Survey Report, Blackdown Environmental, Oct 2014) and roost provision for bats shall be provided in accordance with Figure 5 of the same report, as modified to meet the

requirements of any 'European Protected Species Licence' issued by Natural England, unless otherwise approved in writing by the local planning authority.

Each phase of the development shall not be occupied until confirmation, by a Natural England licenced bat consultant, that compensatory bat roosting features have been provided in accordance with the above, has been submitted to and approved in writing by the Local Planning Authority.

Reason: For the conservation and protection of species of biodiversity importance in accordance with NPPF, and of legally protected species in accordance with Policy EC8 of the South Somerset Local Plan (adopted 2006), and to ensure compliance with the Wildlife and Countryside Act 1981 and The Habitats Regulations 2010.

10. No works shall be undertaken unless a phasing plan for the following details has been submitted to and agreed in writing by the Local Planning Authority;

- a) works to the barns
- b) ecology works
- c) any road improvements
- d) landscaping
- e) Demolition of the modern barns / structures / removal of manege

The development shall be carried out in accordance with the phasing plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a well ordered approach is possible that respects the setting of the listed barns and protects residential amenity in accordance with Policies ST5, ST6, EC8, EH5 and EC3 of the South Somerset Local Plan (adopted 2006).

11. Before the installation of any lighting, details shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and no additional lighting shall be installed without the express grant of planning permission.

Reason: In the interests of light pollution in accordance with Policy EP3 of the South Somerset Local Plan (adopted 2006).

12. There shall be no obstruction to visibility greater than 900millimetres above adjoining road level in advance of a line drawn 2.4metres back from the carriageway edge on the centre line of the access and extending to a point on the nearside carriageway edge 43metres to the south of the access. Such visibility shall be fully provided before works commence on the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of highway safety in accordance with Policy ST5 of the South Somerset Local Plan (adopted 2006).

13. Prior to occupation of the development hereby permitted the proposed access over at least the first 5 metres of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall thereafter be maintained in that condition at all times.

Reason: In the interests of highway safety in accordance with Policy ST5 of the South Somerset Local Plan (adopted 2006).

14. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy ST5 of the South Somerset Local Plan (adopted 2006).

15. The area allocated for parking and turning on the submitted plan, Drawing No. 213.74/002A, shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety in accordance with Policies ST5 and TP7 of the South Somerset Local Plan (adopted 2006) and the guidance in the Somerset Parking Strategy.

Informatives:

01. Before this development can commence, a European Protected Species Mitigation Licence (under The Conservation (Natural Habitats, &c.) Regulations 2010) will be required from Natural England. You will need to liaise with your ecological consultant for advice and assistance on the application for this licence. Natural England will normally only accept applications for such a licence after full planning permission has been granted and all relevant (protected species) conditions have been discharged.
02. You are reminded that the barns are curtilage listed and planning permission would be required for alterations including the erection of extensions, flues, outbuildings, the formation of swimming pools and the siting of satellite dishes. This list is not exhaustive and you are advised to contact the Local Planning Authority for guidance.
03. The applicant / agent is reminded that the Local Planning Authority are happy to engage in pre-application discussions regarding any new or re-sited agricultural buildings.

(voting: 9 in favour, 1 against, 2 abstentions)

94. Planning Application 14/05096/LBC - Stone Farm, Stone Lane, Yeovil (Agenda Item 9)

(Having earlier declared a Personal & Prejudicial Interest Councillor Pauline Lock remained out of the room during consideration of this item).

This application was discussed in conjunction with the previous application 14/05095/FUL and comments made on that application also refer to this application.

There being no further debate, the proposal to approve the application as per the officer's recommendation as set out in the agenda report was put to the vote and was carried by 9 votes in favour, 1 against and 2 abstentions.

RESOLVED:

To grant consent subject to the following conditions:

01. The alterations to the listed buildings reflect the architectural and historic interest of the buildings and do not have an adverse impact upon the setting of the principle listed building. As such the proposals comply with Policies EH3 and EH5 of the South Somerset Local Plan and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

01. The works hereby granted consent shall be begun before the expiration of three years from the date of this consent.

Reason: As required by Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans: amended drawing 213.74/001A received 15 December 2014 and amended drawings 213.74/002A, 213.74/009A, 213.74/010A, 213.74/011A, 213.74/012A, 213.74/013B, 213.74/014A, 213.74/015A and 213.74/016A received 21 January 2015.

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

03. No work shall be carried out to Barn 1 unless the following details have been submitted to and approved in writing by the Local Planning Authority. Such details once approved shall be adhered to unless the Local Planning Authority gives written agreement for any variation:

- a) A full schedule of repair including details of repointing, repairs to masonry and any rebuilding / new work. Samples and sample panels will be required as necessary.
- b) Details of all windows and doors.
- c) Details of the rooflights.
- d) Details of eaves, verges and abutments including details of rainwater goods.
- e) Details of the external balustrade.
- f) Details of any external lighting, signage, metre boxes and other fittings.
- g) Details of all pipework routes serving Kitchens and bathrooms and associated ventilation.

Reason: In the interests of preserving the historic or architectural character of the listed building in accordance with Policy EH3 of the South Somerset Local Plan (adopted 2006).

04. No work shall be carried out to Barn 2 unless the following details have been submitted to and approved in writing by the Local Planning Authority. Such details once approved shall be adhered to unless the Local Planning Authority gives written agreement for any variation:

- a) A full schedule of repair including details of repointing, repairs to masonry and any rebuilding / new work. Samples and sample panels will be required as necessary.
- b) Details of how the first floor will intersect with the ventilation slit window.
- c) Details of all windows and doors.
- d) Details of eaves, verges and abutments including details of rainwater goods.
- e) Details of any external lighting, signage, metre boxes and other fittings.
- f) Details of all pipework routes serving Kitchens and bathrooms and associated ventilation.

Reason: In the interests of preserving the historic or architectural character of the listed building in accordance with Policy EH3 of the South Somerset Local Plan (adopted 2006).

05. No work shall be carried out to Barn 3 unless the following details have been submitted to and approved in writing by the Local Planning Authority. Such details once approved shall be adhered to unless the Local Planning Authority gives written agreement for any variation:
- a) A full schedule of repair including details of repointing, repairs to masonry and any rebuilding / new work. Samples and sample panels will be required as necessary.
 - b) Details of all windows and doors.
 - c) Details of the rooflights.
 - d) Details of eaves, verges and abutments including details of rainwater goods.
 - e) Details of any external lighting, signage, metre boxes and other fittings.
 - f) Details of all pipework routes serving Kitchens and bathrooms and associated ventilation.

Reason: In the interests of preserving the historic or architectural character of the listed building in accordance with Policy EH3 of the South Somerset Local Plan (adopted 2006).

06. No work shall be carried out to Barn 4 unless the following details have been submitted to and approved in writing by the Local Planning Authority. Such details once approved shall be adhered to unless the Local Planning Authority gives written agreement for any variation:
- a) A full schedule of repair including details of repointing, repairs to masonry and any rebuilding / new work. Samples and sample panels will be required as necessary.
 - b) Details of all windows and doors.
 - c) Details of the rooflights.
 - d) Details of eaves, verges and abutments including details of rainwater goods.
 - e) Details of any external lighting, signage, metre boxes and other fittings.
 - f) Details of all pipework routes serving Kitchens and bathrooms and associated ventilation.

Reason: In the interests of preserving the historic or architectural character of the listed building in accordance with Policy EH3 of the South Somerset Local Plan (adopted 2006).

07. No work shall be carried out to Barn 5 unless the following details have been submitted to and approved in writing by the Local Planning Authority. Such details once approved shall be adhered to unless the Local Planning Authority gives written agreement for any variation:
- a) A full schedule of repair including details of repointing, repairs to masonry and any rebuilding / new work. Samples and sample panels will be required as necessary.
 - b) Details of all windows and doors.
 - c) Details of eaves, verges and abutments including details of rainwater goods.
 - d) Details of any external lighting, signage, metre boxes and other fittings.

- e) Details of all pipework routes serving Kitchens and bathrooms and associated ventilation.

Reason: In the interests of preserving the historic or architectural character of the listed building in accordance with Policy EH3 of the South Somerset Local Plan (adopted 2006).

- 08. No work shall be carried out to Barn 6 unless the following details have been submitted to and approved in writing by the Local Planning Authority. Such details once approved shall be adhered to unless the Local Planning Authority gives written agreement for any variation:
 - a) A full schedule of repair including details of repointing, repairs to masonry and any rebuilding / new work. Samples and sample panels will be required as necessary.
 - b) Details of all windows and doors.
 - c) Details of eaves, verges and abutments including details of rainwater goods.
 - d) Details of any external lighting and other fittings.

Reason: In the interests of preserving the historic or architectural character of the listed building in accordance with Policy EH3 of the South Somerset Local Plan (adopted 2006).

- 09. No work shall be carried out to the Old Farmhouse unless the following details have been submitted to and approved in writing by the Local Planning Authority. Such details once approved shall be adhered to unless the Local Planning Authority gives written agreement for any variation:
 - a) A full schedule of repair including details of repointing, repairs to masonry and any rebuilding / new work. Samples and sample panels will be required as necessary. This shall include details relating to the removal of the existing render including method of removal. Once the render is removed a sample panel of repointing will be needed to show how the exposed brickwork will be made good.
 - b) Details of all windows and doors.
 - c) Details of eaves, verges and abutments including details of rainwater goods.
 - d) Details of the proposed porch.
 - e) Details of any external lighting, signage, metre boxes and other fittings.
 - f) Details of all pipework routes serving Kitchens and bathrooms and associated ventilation.

Reason: In the interests of preserving the historic or architectural character of the listed building in accordance with Policy EH3 of the South Somerset Local Plan (adopted 2006).

- 10. No works shall be undertaken unless a phasing plan for the conversion of the barns has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed phasing plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the barns are converted in a sympathetic way to respect the listed buildings in accordance with Policy EH3 of the South Somerset Local Plan (adopted 2006).

Informatives:

01. You are reminded that the barn conversions are curtilage listed buildings. Therefore works for any internal or external alterations / works are likely to require listed building consent. You are advised to contact the Local Planning Authority at the earliest opportunity.

(voting: 9 in favour, 1 against, 2 abstention)

95. Planning Application 14/05567/FUL - 99A West Coker Road, Yeovil, Somerset (Agenda Item 10)

The Planning Assistant presented the application as detailed in the agenda and with the aid of a power point presentation showed the site and proposed plans.

She explained to members that planning permission is required for the installation of these rooflights due to the removal of permitted development rights when planning permission was first granted in 2010.

The Planning Assistant then referred to the key considerations:

- Overlooking
- Loss of Privacy
- Visual Impact

She clarified that planning guidance requires windows to be set at a minimum of 20 metres away from neighbouring properties due to overlooking issues and confirmed that the nearest property from this dwelling was in fact a distance of approximately 60 metres. She therefore considered this to be acceptable and believed would not cause harm in the terms of overlooking or loss of privacy. Her recommendation was therefore to approve the application for reasons as set out in the agenda report.

In response to questions from Members, the Planning Assistant confirmed that:

- Planning guidance requires a 20 metre distance from window to neighbouring window
- Original permission refused in 2007 due to overlooking issues was originally for a two storey dwelling
- Cannot confirm exact height difference from 99A West Coker Road and the houses on Beaconfield Road, however can acknowledge this property is on elevated ground
- The proposed rooflights would serve a bedroom, W.C. and sitting area
- Satisfied with the tree planting scheme and believed the appropriate specimens were suitable screening types which are easily maintained.
- The position of the escape rooflight was dictated by Building Regulation requirements and the other simply maintain the same height for uniformity.
- Rooflights were required to make the space habitable

Susan Smith then addressed the committee. As a local resident she spoke in objection to the application and believed the intention was to build a virtually self-contained area which is likely to be in constant use. She reminded members that the original planning permission omitted the proposed rooflights due to the concerns of overlooking. She also raised concern regarding the removal of trees and shrubs that helped screen the building and the additional lighting which would arise from the rooflights. She felt it was already

an over oppressive building which was out of character for the area in what was now an overdeveloped site.

Steve Moore also a local resident spoke in objection to the application. He questioned what had changed since the original planning permission had been granted in 2010 and did not believe anything had altered at this time to allow the rooflights to be permitted.

Mr David Dawkins the applicant then addressed the committee. He appreciated the neighbours' concerns, however explained the tree planting process and the species to be used in order to screen the property to the best of his ability. He explained additional trees would be planted presently to ensure adequate screening of the bungalow and that this should ease any neighbours concerns.

Councillor Nigel Gage, Ward member raised his concern on what he felt was already a very large building with little architectural merit. He referred to the original planning permission granted in 2007 due to concerns of overlooking and highlighted the comments made in the report stating 'the rooflights could overlook the gardens of the properties in Beaconfield Road'. He therefore believed there was still a concern regarding overlooking and could not support the application.

During members' discussion, several points were made including the following:

- Apart from overlooking, felt the building was out of character and already overbearing
- Appreciated concerns of the neighbours but were satisfied that the distance from window to neighbouring windows was well in excess of the planning guidance
- Questioned the original design and impact the building has had on the surrounding area, however did not consider this application on its own merit would have a further significant impact on the character of the area
- Requested that the condition regarding the planting scheme be robust to ensure necessary and acceptable screening has been carried out.

It was then proposed and seconded that the officer's recommendation to approve the application as set out in the agenda report. On being put to the vote it was carried by 10 votes in favour and 3 against.

RESOLVED:

To grant consent 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 policy ST5 of the South Somerset Local Plan Deposit Adopted 2006 and the provisions of the National Planning Policy Framework (March 2012).

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 reference DAW01 A, DAW02 A, DAW03 , DAW05 dated as received 10.12.14 and planting scheme dated as received 16.01.15.

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

03. All planting shown in the approved planting scheme shall be carried out in the first planting and seeding season following the implementation of the planning consent. Any trees or plants which within a period of five years from the completion of the landscaping, 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 residential amenity and in accordance with policies ST5 and ST6 of the South Somerset Local Plan.

(voting: 10 in favour, 3 against, 0 abstentions)

96. Planning Application 14/05660/S73 - 1 Holywell Hollow, Holywell, East Coker (Agenda Item 11)

(Having earlier declared a Disclosable Pecuniary Interest (DPI) Councillor Peter Gubbins left the room during consideration of this item).

The Planning Officer presented the application and with the aid of a power point presentation showed the site and proposed plans and clarified the reason this application is brought before committee because the applicant is an elected Member.

She also explained the reason for the application was to seek a variation to the condition 2 of the planning consent 05/00337/FUL granted in 2005 through the removal of the time limit element.

She said it had been a standard holiday let condition at the time the original application was approved, however subsequently, the Government's 'Good Practice Guide on Planning for Tourism 2006, recognised a change in demand for self-catering accommodation but still required assurance that the building does not become a permanent residential dwelling.

The Planning Officer then read the following condition proposed to replace the original:

"02.(i) The occupation of the holiday accommodation hereby permitted shall be restricted to bona fide holidaymakers;

(ii) The holiday accommodation shall not be occupied as a person's sole, or main place of residence;

(iii) A register of holidaymakers shall be kept and made available for inspection by an authorised officer of the Local Planning Authority at all reasonable times.

The Planning Officer considered that the revised condition met the main aim of the original condition with regard to current policy and guidance. Her recommendation was therefore to approve the application for reasons as set out in the agenda report.

There being no members' debate, it was then proposed and seconded to approve the application as per the officer's recommendation as set out in the agenda report. On being put to the vote this was carried unanimously.

RESOLVED:

To approve, subject to the conditions outlined below:

01. The use of the buildings as holiday accommodation would not have a significant adverse impact on the amenities of neighbouring properties, nor would it have a significant detrimental impact on highway safety within the vicinity. The proposed development would therefore meet the requirements of saved policies ST5 and ST6 of the South Somerset Local Plan (adopted 2006), the National Planning Policy Framework 2012 and the Good Practice Guide on Planning for Tourism 2006.

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. (i) The occupation of the holiday accommodation hereby permitted shall be restricted to bona fide holidaymakers;

(ii) The holiday accommodation shall not be occupied as a person's sole, or main place of residence;

(iii) A register of holidaymakers shall be kept and made available for inspection by an authorised officer of the Local Planning Authority at all reasonable times.

Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation, in accordance with saved policy ME10 of the South Somerset Local Plan (adopted 2006).

03. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed in the building, or other external alteration made without the prior express grant of planning permission.

Reason: In the interests of residential amenity, in accordance with saved policy ST6 of the South Somerset Local Plan (adopted 2006).

04. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to this building without the prior express grant of planning permission.

Reason: In the interests of visual amenity and the character of the area in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan (adopted 2006).

05. The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan (adopted 2006).

06. The proposed access over the first 6m of its length, as measured from the edge of the adjoining carriageway, shall be property consolidated and surfaced in accordance with the details that were approved under planning consent 05/00337/FUL.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan (adopted 2006).

07. There shall be no obstruction to visibility greater than 900mm above adjoining road levels in advance of lines drawn 2.0 m back from the carriageway edge on the centreline of the access and extending to points on the nearside carriageway edge 70m either side of the access. Such visibility splays shall be maintained at all times.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan (adopted 2006).

08. Any gates would need to be hung to open inwards and be set back a minimum distance of 4.5m from the adjoining carriageway edge.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan (adopted 2006).

09. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, in accordance with the details that were approved under planning consent 05/00337/FUL.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan (adopted 2006).

10. The surfacing materials of the access drive and turning and parking shall be as approved under planning consent 05/00337/FUL. Such areas shall be properly drained, consolidated and surfaced in accordance with those approved details.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan (adopted 2006).

(voting: unanimous)

97. Youth Service Review Group (Agenda Item 12)

The Neighbourhood Development Officer presented the report and updated members on the current situation of the continuing youth service provision for the area. She said that tenders had been received from three local organisations and that these had been considered by the steering group. Unfortunately the successful tenderer had yet to be informed and therefore she could not at this stage disclose who had been successful.

She explained that although the contract would be for the duration of three years, this would be monitored closely and should there be any failings the contract can be terminated at any time.

Members voiced their full support on the progress of this service and commended the Neighbourhood Development Officer on her excellent work.

98. Yeovil Hospital Charity (Executive Decision) (Agenda Item 13)

The Neighbourhood Development Officer presented the report and voiced her support for the grant application. She said the project would support the older patients at the hospital and benefit the young with potential employment opportunities.

There being no members' debate the proposal to award a grant of £2,000 towards the new Create@YDH project was proposed and seconded. On being put to the vote this was carried unanimously.

RESOLVED: That members agreed an award of £2,000 from the Area South grants budget.

Reason: To seek funding towards the new Create @ YDH project at Yeovil Hospital.

(Voting: unanimous)

99. Forward Plan (Agenda Item 14)

Following the earlier discussion regarding the Section 106 Agreement on Sherborne Road/Lyde Road Junction, Councillor Tony Lock requested that the Section 106 Monitoring Officer attend committee on a monthly basis to update members on the current situation. Members agreed with this request as believed this was exceptional circumstances.

Councillor Andy Kendall inquired on the current situation of the installation of CCTV at the Yeovil Subway and requested an update report be brought to committee as soon as possible.

In response the Area South Development Manager noted his concerns and would inform him of the current position and action an update report as soon as possible.

RESOLVED: (1) that the Area South Forward Plan and the comments of Members be noted.

- (2) that the reports identified by Members be added to the Area South Forward Plan.

(Voting: Without dissent)

100. Planning Appeals (For Information) (Agenda Item 15)

Members noted the Planning Appeals.

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Chairman

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Date