

South Somerset District Council

Minutes of a meeting of the **Area East Committee** held at the **Council Offices Churchfield Wincanton on Wednesday 14 September 2016.**

(9.00 am - 1.45 pm)

Present:

Members: Councillor Nick Weeks (Chairman)

Mike Beech	Henry Hobhouse
Tony Capozzoli	Tim Inglefield
Nick Colbert	Mike Lewis
Sarah Dyke	David Norris
Anna Groskop	Colin Winder

Officers:

Helen Rutter	Assistant Director (Communities)
Jo Morris	Democratic Services Officer
Chris Cooper	Streetscene Manager
Tim Cook	Neighbourhood Development Officer (East)
Neil Waddleton	Section 106 Monitoring Officer
Adrian Noon	Area Lead (North/East)
Dominic Heath-Coleman	Planning Officer
Alex Skidmore	Planning Officer
Sarah Hickey	Locum Planning Solicitor

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

58. Minutes of Previous Meeting (Agenda Item 1)

The minutes of the meeting held on Wednesday 10th August 2016, copies of which had been circulated, were agreed and signed by the Chairman.

59. Apologies for absence (Agenda Item 2)

An apology for absence was received from Councillor William Wallace.

60. Declarations of Interest (Agenda Item 3)

Councillor Sarah Dyke declared a Disclosable Pecuniary Interest in Agenda Item 10 – The Balsam Centre – Allocation of Healthy Living Centre Funding for 2016/17, as an employee of the Balsam Centre.

Councillor Mike Lewis declared a Disclosable Pecuniary Interest in Planning Application No. 16/03149/LBC, as his wife was the applicant and advised that he would leave the room during discussion of the item.

Councillors Mike Lewis and Anna Groskop, members of SCC (Somerset County Council) would only declare a personal interest in any business on the agenda where there was a financial benefit or gain or advantage to SCC which would be at a cost or to the financial disadvantage of SSDC.

61. Public Participation at Committees (Agenda Item 4)

Questions/Comments from members of the public

The Committee was addressed by Lillian Elson. She expressed her appreciation to the local police officers for their help and support in dealing with local issues. She commented about the work that Horton Heritage Trust had undertaken in conjunction with the Streetscene service including the clearance of ragwort and liaising over the emptying of the litter bin located in the layby along the A303. She also raised concerns over the use of herbicides and badger setts becoming deserted on both sides of the A303 due to the impact of night working.

Questions/Comments from representatives of parish/town councils

Cllr. Colin Winder referred to the issue of lorries operating from a business in West Mudford which had been raised at the last meeting and asked about the outcome of consultation. In response, the Assistant Director (Communities) explained that a certificate of lawfulness had been submitted and Mudford Parish Council had been given 3 weeks to comment. The issue was ongoing and it was likely that a planning application would follow in the future. The Assistant Director (Communities) agreed to liaise with the Planning Department with regard to timescales and would check if an appropriate operators licence was being held.

Cllr. Tony Capozzoli advised that there were two issues that needed to be given priority by Highways. The first related to safety railings outside Mudford Village Hall that had been damaged for 6 months and the second related to the need for replacement white lines on the layby at Northover. The Area Development Lead (East) will follow these up.

Cllr. Tim Inglefield expressed his thanks to the Committee for funding received towards Horsington Pond and advised that the works were now fully funded.

Cllr. Henry Hobhouse informed members that he had attended the opening of South Barrow converted church and expressed his thanks to the Committee for the funding received towards the project.

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

Cllr. Henry Hobhouse advised that he was unable to attend an important meeting of the Dimmer Liaison Group being held the following day and asked whether any other member would be able to attend in his absence. Unfortunately no other member was available to attend. It was noted that representatives from Carymoor would be attending the meeting.

63. Date of Next Meeting (Agenda Item 6)

Members noted that the next meeting of the Area East Committee would be held on Wednesday 12th October 2016 at the Council Offices, Churchfield, Wincanton at 9.00am.

64. Chairman Announcements (Agenda Item 7)

The Chairman made no announcements.

65. Area East Neighbourhood Policing Update (Agenda Item 8)

Sgt. Dean Hamilton and Insp. Neil Dillon from Avon and Somerset Constabulary were welcomed to the meeting and gave a short presentation on local issues, crime trends and initiatives. Particular reference was made to the new crime recording system and its implications and the latest position with staffing. He informed members that there was an increase in recorded crime throughout the Force because of the way that crime was now recorded. He advised that all Police Officers in Wincanton had been issued with body cams which would assist with evidence and protection. The issues with staffing problems over the last 18 months had now been resolved and two new posts had recently been secured resulting in 4 beat managers. Members were informed that the Police were looking at new ways of working with other agencies and that the fire brigade were now attending any welfare issues.

The Police Officers responded to questions and issues from members raised during discussion. Further details of the lorry watch scheme will be obtained as this may be of interest to communities in Area east.

The Chairman thanked the Police Officers for attending the meeting.

RESOLVED: that members note the report.

66. Report on the Performance of the Streetscene Service (Agenda Item 9)

The Streetscene Manager presented his report, which informed members about the performance of the Streetscene Service in Area East from January to August 2016. He highlighted to members key points including:

- Some concerns had been raised about use of herbicides and so the service was actively assessing alternative options;
- The service had accommodated the need for additional waste bins in the district;
- The number of flytips was reducing which was due to the street cleaning teams collecting single black bags of rubbish as routine litter;
- Work was being undertaken to develop the workshop as an MOT station.

The Streetscene Manager responded to points of detail raised by members during discussion. He explained that the process for prosecuting for flytipping was a complex issue and that the approach being taken involved the issuing of fixed penalty notices and this now came under the Environmental Health Service.

Members thanked the Officer for the work of the team especially for the following:

- clearing bales of hay in Ilchester;
- removal of weeds outside Queen Camel School;
- the continuation of christmas tree shredding.

The Chairman thanked the Streetscene Manager for attending the meeting.

RESOLVED: That the report be noted.

67. The Balsam Centre - Allocation of Healthy Living Centre Funding for 2016/17 (Agenda Item 10)

(Having earlier declared a Disclosable Pecuniary Interest as an employee of the Balsam Centre, Cllr. Sarah Dyke left the room during consideration of the item.)

The Area Development Lead (East) reminded members that the budget was originally established to support Healthy Living Centres across the whole of the District but was transferred to Area East as the only eligible organisation was based in Area East. He commented that the main strength of the Balsam Centre was that it was flexible and able to change to meet demand. He highlighted that the Balsam Centre had been effective in developing a strong relationship with the Health Centre.

A member suggested putting forward the project as an essential community facility for future funding through CIL.

Following a brief discussion on the report, Members unanimously supported the recommendations outlined in the report.

RESOLVED:

- (1) That the report be noted;
- (2) That the £10,000 ring fenced for Healthy Living Centres be awarded to the Balsam Centre for the delivery of the work programme.

Reason: To agree an allocation of funding ring-fenced for Health Living Centres.

(Voting: unanimous)

68. Section 106 Obligations (Agenda Item 11)

The Section 106 Monitoring Officer presented the report as shown in the agenda which detailed signed Section 106 agreements relating to development within Area East. He highlighted key changes in legislation since the last report with regard to contributions from schemes of 10 dwellings or less, and reminded members of the Community Infrastructure Levy (CIL) Regulations.

During discussion, members made a number of comments which included the following:

- Sought assurance that the money collected with county was being recorded;
- Queried the possibility of sending draft S106 agreements to district, town and parish councillors;

- Advised that Parish and Towns Councils were unaware of how to draw down the money that was due to improve community infrastructure from developments;
- Felt that it would be useful for future reports to include whether S106 agreements had been renegotiated and highlighted the need for the amount due to parish and town council areas to be made clearer.

The Assistant Director (Communities) advised that a Portfolio Holder Briefing on CIL was due to be held for members in the near future.

At the conclusion of the debate it was agreed that a workshop on the S106 process would be arranged for members with the relevant officers. Somerset County Council Lead responsibility for their Section 106 Monitoring will be clarified.

The Chairman thanked the Section 106 Monitoring Officer for his report.

RESOLVED: That the report and verbal update be noted and the actions taken in respect of the monitoring and managing of Section 106 Planning Obligations be endorsed.

69. Area East Committee Forward Plan (Agenda Item 12)

The Assistant Director (Communities) advised that the updates on Historic Buildings at Risk (Confidential) and the Conservation Service expected at the November meeting would be presented as linked reports.

A member referred to a recent article in the Blackmore Vale and requested an update on Dimmer and its future to be added to the Forward Plan.

Members made a request for the new Chief Executive to attend the October meeting of the Area East Committee.

RESOLVED: that the Area East Forward Plan be noted as outlined in the agenda subject to the amendments

70. Planning Appeals (for information only) (Agenda Item 13)

Members noted the planning appeals which has been received and allowed.

71. Schedule of Planning Applications to be Determined by Committee (Agenda Item 14)

Members noted the schedule of planning applications to be determined by Committee.

72. 16/00041/FUL - Land North of Verrington Lane, Charlton Musgrove (Agenda Item 15)

Application Proposal: Erection of 9 dwellings and associated ancillary works

The Planning Officer presented his report to members with the aid of a powerpoint presentation. He noted an error in the report and that the site address was Wincanton. He advised that since writing his report, an additional letter had been received from an occupier of a neighbouring property seeking assurances that if approved the site would not be left in a partially completed state. The Planning Officer's recommendation was for approval subject to conditions.

The Committee was addressed by Sally Hoadley, a supporter of the proposal. She said that although she was saddened by the proposals the plans presented were as acceptable as they could be and was pleased that the access issues had been resolved.

The Applicant's Agent, Matthew Kendrick commented that the proposal had been developed in response to discussions with the Town Council and local members. The proposed development would be located within a sustainable location 550 metres to the High Street and would be served by a footway. He said that the proposal was supported by Policy SS5 and that the site was a perfect location for bungalows.

The Ward Member, Cllr. Colin Winder welcomed bungalows on the site. He felt that the site entrance should be constructed first. He referred to the stone wall around the site and wished to see a condition to ensure that it was cleaned and brought up to date. He also wished to see the trees removed. Reference was made to flooding and drainage issues in the area which needed to be addressed although were not in relation to this site.

The other Ward Member, Cllr. Nick Colbert expressed his support for nine bungalows on the site which he believed was the best option for the neighbourhood and wouldn't impact on the views from the properties above. He queried whether a condition could be added to ensure that bungalows were built on the site.

In response to member's comments and questions, the Planning Officer and Area Lead North/East confirmed the following:

- The Committee were considering a full application and that if the applicant wished to vary any details a new application would have to be submitted.
- The wall could be dealt under an existing condition;
- Condition 11 required the visibility splays to be provided prior to the development commencing;
- The application could not seek to deal with ongoing flooding issues through other sites;
- The scheme would provide for new storm water drainage to serve the development.

At the conclusion of the debate, it was proposed and seconded to approve the application as per the Planning Officer's recommendation outlined in the report. On being put to the vote, the proposal was carried 9 in favour and 1 against.

RESOLVED: That Planning Application No. 16/00041/FUL be **APPROVED** as per the Planning Officer's recommendation for the following reason:

That application reference 16/00041/FUL be approved for the following reason:

01. The site is located within a sustainable location, close to a primary market town, where the principle of residential development is acceptable. The development of the site

would respect the character of the area with no demonstrable harm to highway safety, protected species, or residential amenity. As such the proposal complies with local plan policies SD1, SS1, SS5, TA5, TA6, EQ2, and EQ4 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: 13070/HTA, 13070/HTB, 13070/HTC, and 13070/GAR received 06 January 2016, and 13070/002I and 13070/SE01B received 01 June 2016.

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

03. No work shall be carried out on site until particulars of the 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) a sample panel, to be prepared for inspection on site, to show the mortar mix and coursing of the external walls;
- c) 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;
- d) details of all hardstanding and boundaries
- e) details of the rainwater goods and eaves and fascia details and treatment.

Once 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 policy EQ2 of the South Somerset Local Plan.

04. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with

measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development 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. The scheme of landscaping shall include the maintenance intentions of the site's bounding vegetation, as well as new planting proposals.

Reason: To safeguard the character and appearance of the area in accordance with policy EQ2 of the South Somerset Local Plan.

05. No development shall commence unless a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:

- Construction vehicle movements;
- Construction operation hours;
- Construction vehicular routes to and from site;
- Construction delivery hours;
- Expected number of construction vehicles per day;
- Car parking for contractors;
- Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
- A scheme to encourage the use of Public Transport amongst contractors; and
- Measures to avoid traffic congestion impacting upon the Strategic Road Network.
- A condition survey of the existing public highway.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

06. The proposed estate roads, footways, footpaths, tactile paving, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses carriageway gradients, drive gradients, car, motorcycle and cycle parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels,

gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

07. The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

08. The development hereby permitted shall not be brought into use until that part of the service road that provides access to it has been constructed in accordance with the approved plans.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

09. The gradients of the proposed drives to the dwellings hereby permitted shall not be steeper than 1 in 10 and shall be permanently retained at that gradient thereafter at all times.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

10. No work shall commence on the development site until an appropriate right of discharge for surface water has been obtained before being submitted to and approved in writing by the Local Planning Authority. A drainage scheme for the site showing details of gullies, connections, soakaways and means of attenuation on site shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

11. There shall be no obstruction to visibility greater than 300mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access and extending to a point on the nearside carriageway 43m to the north of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and in accordance

with policies TA5 and TA6 of the South Somerset Local Plan.

12. There shall be no obstruction to visibility greater than 300mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access and extending to a point on the nearside carriageway 50m to the south of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

13. Prior to the commencement of development, details of a scheme for incorporating features (e.g. bat and bird boxes incorporated within dwellings, numbers, locations) for the benefit of wildlife shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme 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 and Local Plan Policy EQ4.

14. The drainage strategy detailed in the drainage strategy detailed on drawing C161171-C001B and supported by technical note R/161171/DTN02, received 27 July 2016, shall be fully implemented prior to the first occupation of any of the dwellings hereby approved. The drainage scheme shall be retained and maintained in a fully functional manner for the lifetime of the development.

Reason: To ensure that the development is served by a satisfactory system of surface water drainage and that the approved system is retained, managed and maintained in accordance with the approved details throughout the lifetime of the development, in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, Paragraph 103 of the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework (March 2015).

(Voting: 9 in favour, 1 against)

73. 16/02971/S73 - Boots Pharmacy, Dykes Way, Wincanton (Agenda Item 16)

Application Proposal: S73 Application to vary conditions 1 and 4 of approval 12/00971/S73, to allow for an increase in permitted retail sales area

The Area Lead (North/East) presented his report to members with the aid of a powerpoint presentation. He updated that a further letter had been received from a local resident objecting to the proposal raising concerns over the impact on the viability of the high street. He advised that the Area Development Officer had provided comments echoing concerns over the adverse effect on the town centre. The Area Lead North/East's recommendation was for approval.

The Committee was addressed by John Smith, Chairman of Wincanton Chamber of Commerce. He advised that Boots had been contacted asking for assurances that their High Street shop would not close but no response had been received. He questioned if the High Street store didn't make a profit how long would it remain open? He sought assurances that if the application were to be approved, the District Council would work with the Chamber of Commerce to keep the high street going.

The Applicant's Agent, Malcolm Honour stated that Boots had no intention of closing the High Street store and that it was common for Boots to have more than one store in a town.

The Committee was then addressed by David Morton, Estate Manager for Boots. He commented that the High Street store was profitable and that there were no proposals to close the store.

Ward Member, Cllr. Nick Colbert commented that he was unable to support the proposal due to the impact on the high street.

The other Ward Member, Cllr Colin Winder was of the view that the proposal was contrary to planning policy guidance for town centre frameworks and that Boots were continuing to try to make a non-viable project viable.

The Area Lead (North/East) advised that the application was not for change of use and only related to an increased sales area and no variation to the range of products to be sold was being sought and that all conditions would remain the same.

During discussion on the item, one member expressed concerns over the impact on the High Street and that no need for an additional sales area had been demonstrated. It was felt that the social benefit of coming to the High Street outweighed the benefits of locating a pharmacy outside the community. Some members were of the view that a commitment from Boots to remain in the High Street for at least five years could address members concerns.

Following discussion, it was proposed and seconded to approve the application as per the Planning Officer's recommendation. On being put to the vote the proposal was lost 3 in favour and 5 against. It was subsequently proposed to defer the application to enable more information to be provided about the impact on the existing store on the High Street. On being put to the vote the proposal was carried 7 in favour and 2 abstentions.

RESOLVED: That Planning Application No. 16/02971/S73 be **DEFERRED** to a future meeting of the Area East Committee to enable more information to be provided about the impact on the existing store on the High Street.

(Voting: 7 in favour, 2 abstentions)

74. 16/00935/OUT - Land OS 2000 Between The Dairy House and Grangers, Stowell Road, Charlton Horethorne (Agenda Item 17)

Application Proposal: Outline application for the erection of a detached dwelling

The Planning Officer introduced the report and with the aid of slides and photographs and summarised the details of the application. The Planning Officer's recommendation was for refusal.

The Committee was addressed by Trevor Gill, representing Charlton Horethorne Parish Council. He informed members that the Parish Council supported the application and that no members of the public had raised an objection. The Parish Council were of the view that there was a special case to approve the application and that the only issue to be resolved as part of the application related to drainage.

The Committee was addressed by Lilian Elsa in objection to the application. She stated they she agreed with the comments of the Landscape Architect and believed that the finances of the farm were unsound.

The Applicant's Agent, Janet Montgomery commented that Stowell was part of the community of Charlton Horethorne. The proposal would allow an existing dairy farmer to have an injection of capital to allow the expansion of the business. Members were advised that the application was supported by the Parish Council and the Council's Economic Development Officer.

The Committee was addressed by the Applicants James and Liz Kingman in support of the application. They referred to the current financial climate and commented that they had no control over milk prices. They referred to the need for their business to grow and dairy farmers having to take on new technology. In order for them to complete the parlour and sustain a future, they advised that they would need help with funding.

Ward Member, Cllr. Tim Inglefield expressed his support for the application and advised that the other ward member, Cllr. William Wallace also supported the application. He commented that it was vital for the applicants business to be sustainably viable in the future. He believed that policy SS2 did apply and that the site was located in a sustainable location and close to adequate services in Charlton Horethorne. He referred to other developments in the village and commented that it was difficult to object to an infill and was of the opinion that the development had been planned so a gap would be retained to continue the landscape characteristics of the village. He felt that the application should be approved subject to conditions including an agreement to cover money from the sale of the dwelling being put back into the business.

The Area Lead (North/East) advised members strongly against putting a S106 agreement on the site. The Solicitor confirmed that the offer did not meet the statutory test for S106 obligations.

During discussion, members were of the view that the site was in a sustainable location and that the application would not result in harm to the characteristics of the area. It was proposed and seconded to approve the application contrary to the Planning Officer's recommendation subject to conditions relating to time limit, reserved matters and drainage. On being put to the vote, the proposal was unanimously agreed.

RESOLVED: That Planning Application No. 16/02374/FUL be **APPROVED** contrary to the Planning Officer's recommendation for the following reason:

The proposal would constitute the appropriate infill of a site in a sustainable location that would meet an identified need without detriment to visual or residential amenity or highway safety. As such the proposal complies with policies SD1, SS2, TA5 and EQ2 of the South Somerset Local Plan 2006-2028.

SUBJECT TO THE FOLLOWING CONDITIONS:

01. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: As required by Section 92(2) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be begun, not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with the provisions of S92 (2) Town and Country Planning Act 1990 (as amended by S51 (2) Planning and Compulsory Purchase Act 2004)

03. Approval of access, appearance landscaping, layout and scale (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To accord with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 2015.

04. Before the development hereby permitted is commenced, foul and surface water drainage details to serve the development, shall be submitted to and approved in writing by the Local Planning Authority and such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: In the interests of residential amenity further to Policy EQ1 and EQ2 of the South Somerset Local Plan 2006- 2028.

(Voting: unanimous)

75. 16/00090/FUL - Land And Buildings Adjoining Cooks Cary Farm, Lytes Cary, Kingsdon (Agenda Item 18)

Application Proposal: Conversion of agricultural building to dwelling and the erection of a detached carport with room above, boundary wall and formation of new access (Revised and Part Retrospective)

The Planning Officer presented the report to members with the aid of a powerpoint presentation. The Planning Officer's recommendation was for refusal.

The Committee was addressed by the Applicant, Mr Stacey Beaton. In terms of visibility, he advised that neighbouring properties were content with the change to the boundary wall. He commented that the Parish Council had not raised any objection with leaving the glazed end.

The Ward Member, Cllr. David Norris commented that the neighbours still had an issue with overlooking and neighbour amenity. He was in agreement with the Planning Officer's recommendation to refuse the application and felt that approval should only be given for a proposal more in line with what was originally approved.

At the conclusion of the debate, it was proposed and seconded to refuse the application as per the Planning Officer's recommendation as members felt that the development should be built to plan. On being put to the vote the proposal was carried by 8 votes in favour and 2 against.

RESOLVED: That Planning Application No. 16/00090/FUL be **REFUSED** as per the Planning Officer's recommendation for the following reason:

1. The proposed development, by reason of its design and window arrangement, will significantly increase the extent to which the development overlooks the next door property increasing both the sense of intrusion and a genuine loss of privacy to the neighbour which is considered to be so severe as to represent a demonstrable loss of their amenity. The application is therefore contrary to the aims and objectives of policy EQ2 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

(Voting: 8 in favour, 2 against)

76. 16/02374/FUL - 9 Quaperlake Street, Bruton (Agenda Item 19)

Application Proposal: Refurbishment of free-standing outbuilding to create an annex to house (guest bedroom and living space) (revised application)

The Planning Officer presented the report to members with the aid of a powerpoint presentation. She noted an error on page 95 of the agenda report and advised that the distance to the adjoining property was approximately 35 m and not 70 m as stated in the report. She advised that the only reason the proposal required planning permission was because of the raising of the roof height. The Planning Officer's recommendation was for approval.

The Committee was addressed by John Bishton and Helena Pomeroy who spoke in objection to the application. Their comments included the following:

- Concerns over the ridge height;
- Concerns of overlooking and the proposal being intrusive;
- Concerns over the effect on the boundary wall;
- Support for the change in colour of the roof material;
- Loss of privacy;
- The proposal would not enhance the neighbourhood.

The Applicant, Natalie Jones informed members of the nature of her local business and the reasons for the application. She stated that in order to provide a usable room it was necessary to raise the roof height and the proposed height was the minimum rise feasible. She said that it was appropriate to retain a different material and welcomed the colour grey. She advised that the roof lights with frosted glass would mean that privacy would remain.

The Ward Member, Councillor Anna Groskop advised that the Town Council objected to the materials proposed. She commented that the roof scape in Bruton had been admired for many generations and the proposed roofing material was not in keeping with the area. The adjoining neighbour would also be affected by the proposal.

In response to a member question, the Area Lead (North/East) confirmed that the material of the roof would be profile metal sheeting and that the Conservation Officer had no objection.

During discussion, members expressed concerns over the proposed roofing material and could not support a corrugated roof. It was proposed and seconded to defer the application to allow for clarification of the proposed roofing material to be used.

RESOLVED: That Planning Application No. 16/02374/FUL be deferred to a future meeting of the Committee to allow for clarification of the proposed roofing material.

(Voting: unanimous in favour)

77. 16/02567/LBC - 9 Quaperlake Street, Bruton (Agenda Item 20)

Application Proposal: Refurbishment of free-standing outbuilding to create an annex to house (guest bedroom and living space) (revised application)

It was proposed and seconded to defer the application to allow for clarification of the proposed roofing material. On being put to the vote the proposal was unanimously carried.

RESOLVED: That Planning Application No. 16/02567/LBC be deferred to allow for clarification of the proposed roofing material.

(Voting: unanimous in favour)

78. 16/03149/LBC - Camelot House, High Street, Queen Camel (Agenda Item 21)

Application Proposal: Reversionary works to reinstate original ceiling heights, replace non-consented windows and minor internal alterations

(Having earlier declared a Disclosable Pecuniary Interest (DPI) in the application, Cllr. Mike Lewis left the room during consideration of the item)

The Planning Officer presented his report to members with the aid of a powerpoint presentation. His recommendation was for approval.

The Committee was addressed by the applicant, Mrs Pauline Lewis. She advised that the proposed works included the reinstatement of the original ceiling heights at first floor level.

Following a brief discussion, it was noted that the application was only before the Committee because of the relationship of the applicant with a District Councillor. It was proposed and seconded that the planning application be granted permission and on being put to the vote, this was carried unanimously.

RESOLVED: That Planning Application No. 16/03149/LBC for listed building consent be granted for the following reason:

That Listed Building Consent be granted.

01. The proposal, by reason of its materials and design, respects the character of the area and causes no demonstrable harm to the Historic Environment in general accordance with the aims and objectives of policy EQ3 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework (March 2012).

SUBJECT TO THE FOLLOWING:

01. The works 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 works hereby permitted shall be carried out in accordance with the approved plan number AL(0)01, AP(0)02, AP(0)03, AP(0)04.

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

03. No work shall be carried out to fit any doors, windows, boarding or other external opening unless details of the design, materials and external finish of these elements have been submitted to and approved in writing by the Local Planning Authority. This will include detailed drawings including sections of at least 1:5. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of the special architectural and

historic interests of the listed building in accordance with Policy EQ3 of the South Somerset Local Plan.

- 04. No work shall be carried out to make good the exposed first floor ceiling following the removal of the current modern ceiling unless a specification for the new ceiling has been submitted and agreed in writing by the Local Planning Authority. Such details once agreed shall not be varied without written consent from the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building in accordance with Policy EQ3 of the South Somerset Local Plan.

- 05. Once the plaster finish of the possible ovolo moulded partition on the ground floor has been investigated details of the making good of the partition shall be submitted to and approved in writing by the Local Planning Authority, prior to carrying out any further work. Such details once agreed shall not be varied without written consent from the Local Planning Authority.

Reason: In the interests of the special architectural and historic interests of the listed building in accordance with Policy EQ3 of the South Somerset Local Plan.

(Voting: unanimous in favour)

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Chairman