

Meeting AN 04M 10/11
Date 28.07.10

South Somerset District Council

Minutes of a meeting of the **Area North Committee** held in the Village Hall, Norton Sub Hamdon on **Wednesday 28 July 2010**.

(2.00pm – 6.00pm)

Present:

Members: Patrick Palmer (Chairman)

Jill Beale	Roy Mills	Sylvia Seal
Ann Campbell	Derek Nelson	Sue Steele
Tony Carvin	Paull Robathan	Derek Yeomans
Rupert Cox	Jo Roundell Greene (from 2.35pm)	

Somerset County Council

Anne Larpent

Officers:

Teresa Oulds	Community Regeneration Officer (North)
Les Collett	Community Development Officer (North)
Greg Venn	Conservation Officer
Lynda Pincombe	Community Health & Leisure Manager
Andy Foyne	Spatial Policy Manager
Amy Cater	Solicitor
Adrian Noon	Area Lead North/East (Development Management)
David Norris	Development Manager
Claire Alers-Hankey	Planning Officer
Jennie Roberts	Planning Officer
Linda Hayden	Planning Officer
Becky Sanders	Committee Administrator
Ian McWilliams	Planning Liaison Officer (SCC)
Carl Brinkman	Principal Planning Liaison Officer (SCC Highways)

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

33. Minutes (Agenda item 1)

The minutes of the meeting held on 23 June 2010, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

34. Apologies for Absence (Agenda item 2)

Apologies for absence were received from Councillor Keith Ronaldson.

35. Declarations of Interest (Agenda item 3)

There were no declarations of interest. Councillor Rupert Cox informed committee that he did not have a personal or prejudicial interest in the planning application for Bridge Horn Barn 10/01915/COU, however some residents considered that he had. He commented that he would make a statement prior to the consideration of planning application 10/01915/COU and then sit in the public gallery and would not take part in the discussion or determination.

36. Date of next meeting (Agenda item 4)

The Chairman reminded members that the next meeting of the Area North Committee would be held on Wednesday 25 August 2010 at the Edgar Hall, Somerton.

37. Public Question Time (Agenda item 5)

There were no questions from members of the public.

38. Chairman's Announcements (Agenda item 6)

The Chairman made several comments including:

- Thanks to members who had attended the Core Strategy workshop on 7 July.
 - He and three other members from Area North had attended a Charing Skills Workshop on 8 July.
 - A reminder that the Area North Annual Parish Meeting would take place on 15 September 2010 at Long Sutton Golf Club.
 - He had been pleased to attend the opening of the first phase of the park homes project at the Chubbards Cross Gypsy Site.
 - He had attended the opening of the new practice facilities at Huish Episcopi and Langport Cricket Club that had been grant aided by Area North Committee. It had been an excellent, traditional English afternoon involving all members of the community.
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39. Reports From Members (Agenda item 7)

Councillor Rupert Cox commented that the Turn Hill Lengthsman had been appointed and would start on 1 September 2010. In response, the Chairman noted the excellent progress and commended Councillor Cox for his input with the project.

Councillor Paul Robathan noted that Seavington Community Shop and Cafe had officially opened on 14 July.

40. CONFIDENTIAL – Exclusion of the Press and Public (Agenda item 8)

RESOLVED: That the following item be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under paragraphs:

- 1, information relating to any individual, and

- 6, information which reveals that the authority proposes:
 - to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - to make an order or direction under any enactment

41. **Listed Building Enforcement Action – (CONFIDENTIAL) (Executive Decision) (Agenda item 9)**

Members considered the confidential report, which was summarised by the Conservation Officer.

RESOLVED: That the provision of up to £1000 from the Area North Reserves be approved to cover the cost of SSDC carrying out urgent works (not legal costs) if the owner fails to comply with the schedule that accompanied the Urgent Works Notice, on the property identified in the confidential committee report. The Solicitor to the Council to seek recovery of the costs under section 55 of the Listed Building Act.

Reason: To approve financial provision to carry out works if non-compliance of an Urgent Works Notice on the property identified in the confidential committee report.

(Voting: Unanimous in favour)

*Greg Venn, Conservation Officer
greg.venn@southsomerset.gov.uk or (01935) 462595*

42. **Community Health and Leisure Service Update (Agenda item 10)**

The Community Health and Leisure Manager summarised her agenda report and noted that the service covered six main areas:

- Play development including the Community Resource Centre
- Play areas and youth facilities
- Opportunities for young people
- Healthy lifestyles
- Sport development
- Leisure facility development and outdoor sports facility management

As part of her comprehensive presentation members noted key information and statistics regarding play development, play areas and youth facilities including:

- 743 children and 348 adults from Area North had benefited from the Community Bus in the last financial year.
- The Community Play Officer had been in place since 2008 and the position was a fixed term, lottery funded post which would end in March 2011. Approximately 1100 people had benefited from play days to date.
- Multi Use Games Areas (MUGA) were in the pipeline for Martock and Langport
- Play area development was due to commence in Martock at Bracey Road and Hills Lane in the next few months. Future projects also included Stanchester Way in Curry Rivel, Copse Lane in Ilton and at Shepton Beauchamp.
- The play area project for South Petherton which had been earmarked for the Playbuilder Capital Grant Scheme was on hold. The grant scheme had been a victim

of the government cut backs and projects not yet commenced were subject to review. An outcome regarding continuation of the project was hoped for September.

Members noted the work of the Young Peoples Officer and the Healthy Lifestyles team which included:

- Supporting community youth clubs
- Flexercise - a countywide project aimed at the elderly or those with limited mobility – there were 24 leaders and activities were held at 13 venues across Area North.
- The team delivered Health Walks by training up leaders in the community so that the project was sustainable. Stoke Sub Hamdon was the largest Health Walks group in Area North.
- Buggy Walks were a new initiative to encourage parents to be active. Groups were currently set up in Langport and Stoke Sub Hamdon. The project was in its early stages and it was hoped it would expand to other venues.
- SSSDC had been fortunate in attracting funding from NHS Somerset until 2013 to deliver some healthy lifestyles projects.

The Community Health and Leisure Manager noted that partnership funding had been secured from some of the sports National Governing Bodies to deliver key sports in the district. She noted that Tennis was particularly strong in Area North with several clubs being involved with development and tournaments. Members noted that there would be challenges ahead given the financial climate.

Portfolio Holder, Councillor Syliva Seal, commented that the department were often successful in attracting funding and had raised almost £1 million through external sources. She commented that Health and well-being should not be separated and always thought of together and implored members to note the detail contained in the agenda report. Councillor Sylvia Seal wished to note her gratitude to the Community Health and Leisure team for their dedication and hard work.

During the ensuing brief discussion members raised several points including:

- Uncertainty regarding the impact of the recent NHS white paper and community health.
- Some residents in smaller communities had difficulty accessing evening transport for independent travel.
- With some coordination, some school community buses may be available for wider community use.
- Community projects needed to be lead by the community.

Members thanked the Community Health and Leisure Manager for her readable and very informative report.

- RESOLVED:**
- (1) That the report be noted.
 - (2) That members contact the Community Health and Leisure Manager/team if they wished to discuss the current service delivery programme or recommend future priorities. That members noted service planning took place annually and draft plans for 2011/12 would start to be drafted in autumn 2010.

*Lynda Pincombe, Community Health and Leisure Manager
lynda.pincombe@southsomerset.gov.uk or (01935) 462614*

43. **South Somerset Draft Core Strategy Incorporating Preferred Options; Recommendations for District Executive Consideration (Agenda item 11)**

The Spatial Policy Manager introduced the report and acknowledged that the papers were sizeable but most of the issues had been covered at the Members Workshop held on 7 July 2010. He explained that each Area Committee had made comments at the workshops and that those comments were now at Committee for endorsement to the District Executive. He further noted that the Appendix F circulated with the agenda had since been revised to incorporate comments made by the Assistant Director (Health and Wellbeing). Policy EP15 had also been revised since the Area workshops and was included in Appendix G of the agenda report.

(The latest version of Appendix F had been circulated to members electronically prior to the meeting and paper copies at the meeting to members and the public.)

Members were requested to affirm the notes of the Area North Workshop of 7 July 2010 and to endorse the recommendations set out within the notes of the workshop (Appendix B). Members who had been unable to attend the workshop clarified some of the detail contained within Appendix B with the Spatial Policy Manager. During the lengthy ensuing discussion members raised several issues including:

- A need for lifetime homes
- Policies may need to evolve to encompass recent Government announcements
- Difficulty in influencing the Highways Agency regarding access to and improvements to the A303.
- Conflicting messages about sustainable tourism
- Measurements for local need.

Members requested that the following amendments were made to Appendix B:

- Policy EQ2 - Add bullet point regarding support for innovative design. Existing bullet point about 'reflect' or 'respect' – decision was to use 'respect' but with a definition that it could mean a contrasting design.
- Policy EP15 – delete last sentence as this was effectively a different policy and was not necessary.

The Spatial Policy Manager explained that the Regional Spatial Strategy (RSS) had been revoked. Policies in the RSS had been reviewed to see if it was appropriate for any to be incorporated into the draft Core Strategy. Proposed policies were indicated in Appendix H. The Spatial Policy Manager commented that it was difficult to substantiate the renewable energy targets and proposed the policy was deleted and replaced with text referring to, and supporting national policies.

Members felt the wording of the second bullet point for the tourism proposals in Appendix H needed to be reviewed, as the current text would be too restrictive. It was requested that the wording 'where practically possible' be added to the end of the sentence. In response to a question the Spatial Policy Manager confirmed that the last bullet point under major new tourist facilities referred to the national road route network.

The Spatial Policy Manager drew members attention to draft policies SS1, SS3, SS4 and SS5 in Appendix A as these had not been discussed at the Area Workshop. He explained that policy SS4 could change when further guidance was received from the Government.

Members were content to approve all the recommendations as indicated in the agenda report subject to the amendments discussed.

RESOLVED: It was resolved that:

- (1) The Area North Committee affirm the notes of the Area North Workshop held on 7 July 2010 on the draft Core Strategy. (Appendix B) subject to amendments to policies EQ2 and EP15.
- (2) The recommendations set out within the notes of the workshop as the Committee's formal recommendations on the principal proposals and policies of the draft Core Strategy be endorsed. (Appendix B)
- (3) The Settlement Strategy policies not discussed at the workshop (policies SS1 and SS3-5) as set out within Appendix A of the agenda report be noted and endorsed.
- (4) The latest revised version of the Health and Wellbeing policies (Appendix F) be endorsed.
- (5) The revised policy EP15 set out in Appendix G be endorsed.
- (6) The additional policies proposed for the draft Core Strategy emerging from review of the revoked Regional Spatial Strategy (Appendix H) be endorsed subject to amendments to the renewable energy targets and tourism.

*Andy Foyne, Spatial Policy Manager
andy.foyne@southsomerset.gov.uk or (01935) 462650*

44. Area North Committee Forward Plan (Agenda item 12)

The Committee Administrator informed members that the report on the work of the SSDC Licensing Service had been rescheduled for September. Members also noted that a representative of Raglan Housing Association would give a presentation at the August meeting. The Vice-Chairman commented that a Youth Parish Council had also been invited to give a presentation but confirmation was awaited.

RESOLVED: That the Area North Committee Forward Plan be noted.

*Becky Sanders, Committee Administrator
becky.sanders@southsomerset.gov.uk or (01458) 257437*

45. Planning Appeals (Agenda item 13)

The Committee noted the details contained in the agenda report, which informed members of planning appeals that were lodged, dismissed or allowed.

RESOLVED: That the report be noted.

*David Norris, Development Manager – 01935 462382
david.norris@southsomerset.gov.uk*

46. Planning Applications (Agenda item 14)

The Committee considered the applications set out in the schedule attached to the agenda and the planning officer gave further information at the meeting and, where

appropriate, advised members of letters received as a result of consultations since the agenda had been prepared.

(Copies of all letters reported may be inspected in the planning applications files, which constitute the background papers for this item).

Prior to the presentation of planning application 10/01915/COU, Councillor Rupert Cox made a statement in which he expressed his despondency regarding the situation at Bridge Horn Barn. He noted that he did not have a personal or prejudicial interest in the application, however some local residents considered that he had. He stated that he would sit in the public gallery during consideration and determination of the application.

10/01915/COU - Retrospective change of use of land from agricultural to business use together with variation to condition 8 of 06/02183/COU to allow the inclusion of the sale of ancillary tractor goods/tractor accessories at Bridge Horn Barn, Henley, Langport.

Applicant: Mr S Cowling

The Planning Officer summarised the agenda report and presented aerial photographs showing the application site prior to the use of the tractor business. She informed members that the key considerations were the increase in traffic, the ancillary sales of tractor equipment and the landscape impact. She explained that the variation of condition 8 of 06/02183/COU for the ancillary sales was not unreasonable but the level of traffic accessing the site did need to be considered. The landscape impact was deemed to be minimal as the site was bounded by hedging and the Landscape Architect had not raised an objection. She noted that Highways had raised an objection and their detailed response was included in the agenda report.

The Planning Officer informed members that several items of correspondence had been received since publication of the agenda both in support and objection of the application and one which claimed that the officer report was misleading as they considered the site to be within Henley and not outside the hamlet.

Mr J Tidbal spoke as an objector and cited a brief history of previous applications. He further commented that this application sought approval for 24 deliveries by artic per year and the sale of an unlimited range of products. If committee were to approve the application there would be no control over the traffic movements and he claimed there had already been 34 artic deliveries so far this year. Conditions hadn't worked on the 2002 and 2007 applications and he claimed they wouldn't work with this application.

Mrs S Lloyd, spoke in objection to the application as one of the nearest residents to the application site. She noted that the application did not define what the ancillary products were. No one disputed that the business was doing well but she was concerned if it continued to expand. She referred to the paragraph regarding enforcement in the officer's report and questioned if formal action would have to be properly considered if the application was refused, did it suggest that it hadn't been before. She commented that the proposed limit of 24 artics was considerably more than the 6 originally permitted.

Mr A Lloyd, spoke as an objector on behalf of himself and his mother. He commented that the business had changed and that Henley was an unsuitable location. The site had previously been a cattle farm with only one artic movement a month. He claimed that the agent's estimate of 24 lorry movements annually was untrue and that there had already been 34 movements so far this year. He noted that a letter sent to SSDC dated 5 July

2010 with three signatures was still not available for public view on the SSDC website. He closed his remarks by saying that to approve the application would be a reward for wrongdoing.

Ms J Norris, spoke briefly in support of the application as a previous owner of the application site. She commented that she was glad to see the buildings put to good use and as a nearby neighbour noted that she barely heard any noise from the business.

Mr S Cowling, the applicant explained that ancillary equipment had always been sold. He commented that he hoped SSDC had evidence of the number and times of lorry movements and not just comments made by objectors. He noted that he had records indicating employee hours and deliveries. The applicant queried why vehicle restrictions applied to his business when there were no height, size or weight restrictions in Henley.

Mr P Dance, agent for the applicant noted that the main objections were regarding the traffic movements. The extra vehicle movements were potentially an extra vehicle a month which was not significant. Given the existing permission and the success of the business he asked that members considered approving the application.

During the brief discussion members raised various comments including:

- Previous planning conditions had been disregarded and not enforced
- Unfortunate that the applicant had not provided evidence of vehicle movements
- Acknowledged success of the applicants business
- If applicant appealed, how might the inspector view the traffic movements
- Scale of business was now inappropriate
- Highways had raised clear objections
- Vehicle movements to the site were likely to be less than those to nearby milk farms that had recently folded.

In response to some of the comments the Solicitor reminded members that the past behaviour of the applicant on previous applications was not a legitimate planning reason for refusal. Members needed to consider the application before them now.

The Development Manager also emphasised that members needed to consider the application on its merits and that the previous behaviour of the applicant was not a material consideration. In response to the question raised about the likelihood of defending an appeal the Development Manager made it clear that the key issue would be whether or not the Inspector considered that the additional HGV movements to be unacceptable.

It was proposed and seconded to accept the officer recommendation to refuse the application for Highways reasons as indicated in the agenda report, and on being put to the vote was carried 2 against, 9 in favour.

RESOLVED: That planning application 10/01915/COU be REFUSED planning permission for the following reason:

Henley Road by reason of its restricted width, poor alignment and sub-standard junction with Nythe Road is considered unsuitable to accommodate an increase in traffic, particularly HGV movements that this proposal would generate. The proposal is therefore contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policy ST5 of the South Somerset Local Plan.

*(Voting: 9 in favour, 2 against, 0 abstentions)***10/00902/FUL – Formation of a new vehicular access and the erection of a dwellinghouse at land south of Pendower, Shells Lane, Shepton Beauchamp.**

Applicant: Mr P Close

(Councillor Rupert Cox returned to the table)

The Planning Officer introduced the report as shown in the agenda that sought permission for a four bedroom dwelling and detached garage. She informed members that additional comments from Shepton Beauchamp Parish Council had been received the previous day in response to additional plans regarding bank stabilisation along Shells Lane. The parish council still recommended refusal as the Local Planning Authority were unable to place a covenant on the bank.

Using photographs, the planning officer explained the planning history on the site and that groundworks had already commenced. Sight lines were indicated as the proposal site was on higher ground than dwellings to the east. It was noted that the lowered ground level of the proposed dwelling, obscured windows and a fence would minimise overlooking across the neighbouring property.

Since publication of the agenda, structural engineers had submitted appropriate drawings for bank stabilisation along Shells Lane. Building Control had been consulted on the drawings and had raised no objections but recommended existing vegetation remained in place while bank works and concrete trench at the top of the bank were completed.

The Planning Officer indicated that the key considerations were visual amenity, residential amenity, stability of bank in Shells Lane, surface water run off/drainage and the legal position. SSDC Building Control and the Area Engineer had been consulted about surface water and drainage and were happy that it could be addressed by a condition. It was also noted that the legal position as indicated in the agenda report had clarified that the application could be considered and determined by the Area North Committee. If the applicant were to revert back to the 2008 application then there would be a need to discharge the outstanding conditions.

Ms F Rowswell, representative for Shepton Beauchamp Parish Council, commented that they were not convinced that the structural designs for the stabilisation of the bank along Shells Lane answered all of their concerns. The Parish Council was still concerned about surface water drainage and where the water would go.

Mr N Hill, spoke in objection to the application. He raised a number of comments including:

- outstanding gardens which were adjacent to the conservation area had been destroyed.
- he considered three planning policies had been breached and the application was unlawful.
- queried how a landscaped garden could be reinstated when so much earth had been removed.
- he claimed his correspondence with the Local Planning Authority contained errors of fact.

Mr J Hallett, an objector, noted his concern about drainage issues and the natural flow of water. He commented that water could end up in houses at a lower level and until drainage issues were resolved there was a risk of flooding.

Mrs B Close, the applicant commented that her family hope to live in the proposed house and that they had tried to accommodate many concerns. She noted that they were content to be responsible for the section of bank along Shells Lane which was in their ownership, and that they had also submitted a landscaping scheme for the site which included planting of native trees.

Mr D Anderson, agent for the applicant, commented that the required technical specifications had been submitted and appeared to have been acceptable. He asked that the Committee considered approving the application.

Ward Member, Councillor Paull Robathan, noted that issues regarding the site and application had become more complicated as time had gone by. Water flowing down roads in Shepton Beauchamp continued to be an issue which needed to be addressed. He acknowledged the logic of the argument made by an objector (that the earlier permission was “unlawful” because the conditions hadn’t been complied with, and that a revised application could not be made on a permission which no longer existed in law). However he did not agree with this argument. He commented that members needed to consider the application in front of them and officers considered that formal enforcement at the current time in relation to breaches of conditions on the previous consent was inappropriate.

In response, the Solicitor explained the legal position that there was a previous consent on the land with conditions, some of which the applicant had not yet complied with. Whilst this meant that enforcement action could be taken if the Council considered it expedient, it did not make the entire permission “unlawful”. The works carried out in breach of the conditions under the previous consent were unlawful, not the permission. Only the High Court could declare a permission invalid and quash it. Therefore the previous consent was still extant.

The Area Lead acknowledged that given the nature of the current application that the term ‘revised application’ would have been better described as ‘alternative’. In response the Ward Member commented that he felt an apology should be sent to Mr Hill to explain that that terminology of ‘unlawful’ (on the previous consent) and ‘revised application’ (on the new application) may have been misleading.

Ward Member, Councillor Paull Robathan, further commented that locals were correct to insist that surface water drainage was conditioned so that other properties were not affected. He proposed that if members were minded to approve the application that the conditions were discharged in consultation with the Parish Council and Ward Member.

During the ensuing, thorough discussion, members raised several comments including:

- An attenuation tank could resolve the surface water drainage issues
- Conditions 2, 3, 12 and 14 should specify exactly what would be acceptable.

In response the Area Lead suggested some wording for condition 14 to state that ‘within three months technical drawings will be fully implemented and thereafter maintained in good order.’ Regarding condition 2, he indicated that details of the driveway surface could be amended to ‘entire access and parking area’. He clarified that members were happy with the conditions in principle.

It was proposed and seconded to approve the application subject to the conditions included in the agenda report, but with amendments to condition 2 about permeability, condition 3 about drainage and condition 14 regarding stabilisation of the bank in Shells

Lane. The detailed wording to be agreed with the SSDC Engineer and Building Control, the Ward Member and Parish Council.

RESOLVED: That planning application 10/00902/FUL be APPROVED subject to the conditions included in the agenda report, but with amendments to condition 2 about permeability, condition 3 about drainage and condition 14 regarding stabilisation of the bank in Shells Lane. The detailed wording to be agreed with the SSDC Engineer and Building Control, the Ward Member and Parish Council.

(Voting: 11 in favour, 1 abstention)

09/04096/FUL – Alterations to wall to form new vehicular access and parking area at The Gateway Cottage, The Hill, Langport.

Applicant: Mr C Chapman

The Planning Officer introduced the report and explained that Gateway Cottage had no vehicular access and was situated down a steep lane which was a public footpath. It was explained that the proposal sought to introduce a new entrance into the boundary wall of The Gateway, a Grade II listed house, to provide a gated entrance and parking for Gateway Cottage. The proposal was for a three metre wide opening with a slight curving of the wall for visibility splays. There would be no substantive change to the boundary wall going down the public footpath. She explained there had been discussions with Highways and Conservation Officers to reach a compromise regarding the proposal. Members were informed that an additional condition was proposed regarding lighting.

Ms J Seaton, spoke as an objector on behalf of neighbours to the east of the site. They objected to a break in the wall as access could be gained via the existing access to The Gateway. She commented that something should be done to protect the streetscene leading to the Hanging Chapel and the proposals would create an unattractive entrance.

Ms P Clarke, an objector, commented that she had lived and work nearby for a number of years and cited a brief history of the nearby Hanging Chapel. She felt the proposal would create an asymmetric entrance with pillars at different heights and would not enhance or protect the boundary wall.

Mr J Paul, agent for the applicant, commented that the opening had been carefully considered so that as long a length as possible of the boundary wall was unaffected and that the proposals satisfied Highways criteria. He noted the proposal would reduce on street parking and improve sight lines and road safety.

Ward Member, Councillor Roy Mills, commented that the proposal affected a listed building in a conservation area. The Hanging Chapel was nearby and the application needed to be considered carefully. He agreed with the comments made by Langport Town Council.

Division Member, Councillor Derek Yeomans noted that the proposed entrance had good visibility and acknowledged the applicant didn't want to lose any more garden than was necessary.

During the ensuing short discussion varying opinions of the proposals were raised including:

- Acknowledgement that applicant wanted parking in their own curtilage

- Electric gates were out of keeping
- Proposed gateway looked one sided and may be more balanced situated further along the wall.
- Gateway would look out of place.

It was proposed and seconded to approve the application. On being put to the vote the proposal was not carried, with 8 voting against approval, 3 in favour and 1 abstention.

RESOLVED: That planning application 09/04096/FUL be REFUSED for the following reason:

The formation of a new access in the manner proposed would have a significant adverse impact upon this wall that forms part of the setting of a listed building and is within a conservation area. The proposal will therefore both adversely impact upon the setting of the listed building and fail to preserve or enhance the character and appearance of the conservation area. This is contrary to Policies EH1 and EH3 of the South Somerset Local Plan 2006 and advice contained within PPS5 'Planning for the Historic Environment' (2010).

(Voting: 8 in favour, 3 against, 1 abstention)

09/04281/LBC – Alterations to wall to form new vehicular access and parking at The Gateway Cottage, The Hill, Langport.

Applicant: Mr C Chapman

This application was discussed in conjunction with the previous application 09/04096/FUL and comments made on that application also refer to this application. Members were broadly against the application as the proposals would be detrimental to the boundary wall and the streetscene.

It was proposed and seconded to refuse Listed Building Consent, and on being put to the vote was carried.

RESOLVED: That the application 09/04096/FUL for Listed Building Consent be REFUSED for the following reason:

The formation of a new access in the manner proposed would have a significant adverse impact upon this listed wall that forms part of the setting of a listed building. The proposal will therefore adversely impact upon both the special architectural and historic qualities of this listed wall and the setting of the listed building. This is contrary to Policy EH3 of the South Somerset Local Plan 2006 and advice contained within PPS5 'Planning of the Historic Environment' (2010).

(Voting: 8 in favour, 2 against, 2 abstentions)

10/02424/FUL – New vehicular access and estate road to serve residential development at land at Bartletts Elm, Huish Episcopi.

Applicant: Yarlinton Homes Ltd

The Area Lead informed members that the Somerset County Council scheme for a 5-arm roundabout were at a very advanced stage. He explained that the tree works had already occurred at the site. Members noted that it was a requirement of this application that the existing entrance would be stopped up (condition 5).

The stone gate pillar would be relocated to the south of the main building. The Area Lead informed members that the applicant had requested that condition 9 be amended to permit the gate pillar to be re-erected upon completion of the development. This was not unreasonable and would prevent the pillar being damaged whilst construction on the site was taking place. He noted that the Tree Officer was content with the proposals and the landscape plan adequately catered for the mitigation of felled trees.

Ward Member, Councillor Roy Mills, expressed his support and that of the local parishes to the proposal.

Mr M Frost, agent for the applicant, spoke briefly and commented that they had also requested an amendment to condition 8 about planting times.

In response the Area Lead indicated that he considered the planting scheme must be carried out in the next planting season following the completion and connection of the proposed estate road to the 5-arm roundabout.

Members were unanimous in their support for the proposal.

RESOLVED: That planning permission for application 10/02424/FUL be APPROVED subject to the nine conditions in the agenda report to include the amendment to condition 9 to read:

The stone gate pier at the former entrance shall be dismantled and re-erected within the Bartletts Elm site in a location and in accordance with a method statement (which shall include details of timing and phasing) that shall have been submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development. The relocation shall thereafter be carried out fully in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard this local feature in the interest of visual amenity and to accord with ST5 and ST6 of the South Somerset Local Plan 2006.

(Voting: unanimous in favour)

*David Norris, Development Manager
david.norris@southsomerset.gov.uk or (01935) 462382*

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Chairman