

MEETING AW.04:0809
DATE 20:08:08

South Somerset District Council

Minutes of a meeting of the **Area West Committee** held in the Shrubbery Hotel, Station Road, Ilminster on **Wednesday, 20th August 2008**.

(5.30 p.m. – 10.20 p.m.)

Present:

Members: Kim Turner (In the Chair)

Simon Bending	Ric Pallister
Michael Best	Ros Roderigo
David Bulmer	Dan Shortland
Nigel Mermagen	Andrew Turpin
Robin Munday	

Officers:

Andrew Gillespie	Head of Area Development (West)
Zoë Harris	Community Regeneration Officer
Val Keitch	Community Justice Panel Co-ordinator
Adron Duckworth	Conservation Manager
Adrian Noon	Major Applications Co-ordinator – Development Control
Andrew Gunn	Deputy Team Leader – Development Control
Lee Walton	Planner
Chloe Beviss	Planning Assistant
Roger Wotton	Senior Enforcement Planner
Phillip Debidin	Solicitor
Andrew Blackburn	Committee Administrator

Also Present:

Ian McWilliams Somerset County Council – Highway Authority

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

38. Minutes (Agenda item 1)

The minutes of the meeting held on the 18th June 2008, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

39. Apologies for Absence (Agenda item 2)

Apologies for absence were received from Cllrs. Geoff Clarke, Nicci Court, Jenny Kenton, Angie Singleton, Linda Vijeh and Martin Wale.

40. Declarations of Interest (Agenda item 3)

Cllr. Kim Turner declared a personal but non-prejudicial interest in planning application no. 08/02797/FUL (erection of two flats with parking spaces, land adjacent 136 Blackdown View, Ilminster) as comments had been submitted by Ilminster Town Council on which she also served as a councillor.

Cllr. Andrew Turpin declared a personal but non-prejudicial interest in planning application no. 08/02214/FUL (demolition of existing buildings and erection of 4 dwellings together with the creation of vehicular access, parking and turning facilities, land at Manor Farm, Waterlake Road, Tatworth) as comments had been submitted by Tatworth and Forton Parish Council on which he also served as a councillor.

Cllr. Dave Bulmer referred to agenda item 10 (Appointment of Members to Outside Organisations 2008/9 – Action for Chard Town and Ilminster Forum) and mentioned that he was also a member of Chard Town Council and had been appointed as one of its representatives on the Market Town Investment Group and attended meetings of Action for Chard Town in that capacity.

In referring to agenda item 12 (Crewkerne – Conservation Area Appraisal and Designation of Extensions to Conservation Area), Cllrs. Simon Bending, Mike Best, Robin Munday and Ric Pallister mentioned that they had been appointed by the Council to serve on the ABCD (A Better Crewkerne and District) Group who had considered and supported the Crewkerne Conservation Area Appraisal and proposed extension to the Conservation Area.

41. Public Question Time (Agenda item 4)

No questions or comments were raised by members of the public, representatives of parish/town councils or county councillors.

42. Chairman's Announcements (Agenda item 5)

The Chairman referred to the Planning Tour for members in Area West, which was to take place on Monday, 13th October 2008. Members were asked to let the Development Control Team Leader (North/West) know of any sites that they would find of interest to assist him in drawing up an itinerary for the tour.

43. The Chard and Ilminster Community Justice Panel (Agenda item 6)

The Community Justice Panel Co-ordinator summarised her report on the agenda updating members on the progress of the Community Justice Panel.

She further reported that the Panel had acted as a consultant to Sheffield City Council who were looking to set up panels in two of their wards. This work would produce income for the Panel. She also mentioned that the County Council were looking at how restorative justice could be implemented throughout Somerset. She referred to funding being an issue but mentioned that both Avon and Somerset Constabulary and South Somerset Homes had awarded further funding this week and that the Home Office may award further funding in the future.

In response to questions from members, the Justice Panel Co-ordinator explained where the bulk of the funding came from. She also confirmed that the Panel was to be renamed

“Community Justice Panel – South Somerset Area” in the future. An explanation was given of the restorative justice work that was being undertaken at Swanmead School, Ilminster and Holyrood School, Chard.

Cllr. Ric Pallister commented that it would be helpful for members to see examples of cases undertaken by the Community Justice Panel to enable them to see how it worked and the Co-ordinator agreed to circulate examples to members.

In referring to the involvement of South Somerset Homes, Cllr. Ric Pallister felt that all registered social landlords should be involved as he felt that it would be helpful for them and hoped that they would contribute to the Panel. The Co-ordinator reported that cases had been dealt with in conjunction with Knightstone Housing Association, from where staff had also been trained, and Raglan Housing Association. Sanctuary Housing Association would also be participating in the future. Cllr. Pallister offered to let the Justice Panel Co-ordinator have a list of other registered social landlords with a view to their being encouraged to work with the Justice Panel.

The Chairman thanked the Community Justice Panel Co-ordinator for her report and for her continuing work in making this project a success.

NOTED.

*(Val Keitch, Community Justice Panel Co-ordinator – (01460) 260341)
(valerie.keitch@southsomerset.gov.uk)*

44. Area West 2008/9 Budget Monitoring Report for the Period Ending 30th June 2008 (Agenda Item 7)

Reference was made to the agenda report, which updated members on the current financial position of the Area West budgets as at the end of June 2008.

The report was noted.

NOTED.

*(Catherine Hood, Management Accountant – (01935) 462157)
(catherine.hood@southsomerset.gov.uk)*

45. Christmas Free Car Parking Initiative (Agenda Item 8) (Executive Decision)

Reference was made to the agenda report and the Head of Area Development (West) asked members to review the Christmas Free Parking Initiative in Area West and sought the Committee’s approval for its continuation for 2008.

- RESOLVED:** (1) that the Christmas Free Car Parking Initiative be continued for 2008;
- (2) that £3,000 be allocated from the Area Reserve to meet the cost of this initiative for 2008.

Reason: To approve the continuation of the Christmas Free Parking Initiative in Area West for 2008.

(Resolution passed without dissent)

*(Andrew Gillespie, Head of Area Development (West) – (01460) 260426)
(andrew.gillespie@southsomerset.gov.uk)*

46. Progress of the Ilminster Forum and Community Plan (Agenda Item 9)

Reference was made to the agenda report, which updated members about the work of the Ilminster Forum and on the progress of the projects in the Community Plan for Ilminster and surrounding area.

The Committee welcomed Carol Goodall, Chairman of the Ilminster Forum, to the meeting who indicated that she would answer any questions that members may have with regard to the work of the Forum.

A member referred to potential problems that could occur with ongoing financing of swimming pool projects and queried whether there was still a strong wish for a pool in Ilminster. Carol Goodall clarified that Ilminster residents had made clear their desire for a swimming pool in Ilminster in a survey and the Ilminster Forum had said that they would undertake a feasibility study to ascertain whether that would be viable. The Forum had not said that a swimming pool would necessarily be provided.

Carol Goodall mentioned that the Forum were operating with funding that had been allocated by the District Council in 2005. She indicated that unlike other towns in the area, Ilminster had not had funding from the Market and Coastal Towns Initiative. She indicated that the Forum operated through volunteers and hoped that further funding may be made available from the District Council in the future. The Committee noted the comments made.

The Committee noted the continuing work of the Ilminster Forum and the progress being made with the projects in the Community Plan.

NOTED.

*(Zoë Harris, Community Regeneration Officer – (01460) 260423)
(zoë.harris@southsomerset.gov.uk)*

47. Appointment of Members to Outside Organisations 2008/9 – Action for Chard Town and Ilminster Forum (Agenda Item 10) (Executive Decision)

The Head of Area Development (West) referred to the Committee's meeting held on 21st May 2008 (Minute 13) when the appointment of members to represent the Council on Action for Chard Town (ACT) and Ilminster Forum was deferred to enable clarification to be sought on the need for representation on those organisations. It was noted that clarification had now been sought, the outcome of which was set out in the agenda report.

In referring to the information given in the agenda report, the Head of Area Development (West) informed members that Audrey Spencer had now replaced David Mears as one of the representatives appointed by Chard Town Council to the Market Towns Investment Group.

The Committee then considered the appointment of a member representative to serve on the Ilminster Forum.

- RESOLVED:** (1) that the response of Action for Chard Town who had confirmed that no formal representation was required, be noted;
- (2) that Cllr. Kim Turner be appointed to serve as the Council's representative on Ilminster Forum.

Reason: To appoint a member representative to serve on Ilminster Forum.

(Resolution passed without dissent)

*(Fiona Tame, Community Development Officer – (01460) 260359)
(fiona.tame@southsomerset.gov.uk)*

48. Reports from Members on Outside Organisations (Agenda Item 11)

This item had been placed on the agenda to give an opportunity for members who represented the Council on outside organisations to report items of significance to the Committee.

Cllr. Ric Pallister, Portfolio Holder for Health, Housing, Inclusion and Revenues & Benefits, reported that although the Committee did not now have a representative on South Somerset Voluntary and Community Action (SSVCA) he thought it would be helpful to give an update. He referred to the financial difficulties that had been experienced by the SSVCA and to the funding that had been awarded to the organisation by the District Council. He indicated that much work had been done to overcome those financial difficulties and that the SSVCA were now on a firm financial footing. He also informed members that work was ongoing to achieve a county-wide structure, which would also provide an umbrella organisation to smaller groups who needed back up, whilst continuing to ensure local delivery of their core services.

NOTED.

49. Crewkerne – Conservation Area Appraisal and Designation of Extensions to Conservation Area (Agenda Item 12) (Executive Decision)

The Conservation Manager summarised the agenda report, which asked members to approve the recently prepared Crewkerne Conservation Area Appraisal and to review and formally designate an extension to the Conservation Area.

During the ensuing discussion, a member questioned whether the line on the map showing the boundary of the Conservation Area in relation to the West One Youth Club building was correctly drawn. The Conservation Manager agreed to check that matter.

- RESOLVED:**
- (1) that the Crewkerne Conservation Area Appraisal be approved;
 - (2) that the Committee formally designate the extension to the Crewkerne Conservation Area as shown on the maps attached to the agenda report at pages 47 and 48, subject to the Conservation Manager checking that the line on the map showing the boundary of the Conservation Area in relation to the West One Youth Club building is correctly drawn;
 - (3) that the extension to the designated area be advertised in accordance with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990;
 - (4) that £200 be allocated from the Area Reserve to cover the cost of statutory advertising.

Reason: To approve the Crewkerne Conservation Area Appraisal and to formally designate an extension to the Conservation Area.

(Resolution passed without dissent)

(Adron Duckworth, Conservation Manager – (01935) 462652)
(adron.duckworth@southsomerset.gov.uk)

50. Feedback on Planning Applications Referred to the Regulation Committee (Agenda item 13)

There was no feedback to report as there were no planning applications that had been referred recently to the Regulation Committee.

NOTED.

(David Norris, Development Control Team Leader (North/West) – (01935) 462382)
(david.norris@southsomerset.gov.uk)

51. Planning Appeals (Agenda item 14)

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

NOTED.

(David Norris, Development Control Team Leader (North/West) – (01935) 462382)
(david.norris@southsomerset.gov.uk)

52. Venue for Next Meeting (Agenda item 16)

The Committee noted that the next scheduled meeting of the Committee would be held at the Guildhall, Fore Street, Chard on Wednesday, 17th September 2008 at 5.30 p.m.

NOTED.

(Andrew Blackburn, Committee Administrator – (01460) 260441)
(andrew.blackburn@southsomerset.gov.uk)

53. Planning Applications (Agenda item 15)

The Committee considered the applications set out in the schedule attached to the agenda and the Planning officers 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).

08/02214/FUL (Pages 1-14) – Demolition of existing buildings and the erection of four dwellings together with the creation of vehicular access, parking and turning facilities (GR 332820/105787), land at Manor Farm, Waterlake Road, Tatworth – Country Village Homes Ltd.

The Major Applications Co-ordinator referred to the agenda report, which set out the details of the application. He gave members an overview of the proposals and explained the details of the scheme including the access arrangements.

The Major Applications Co-ordinator then clarified some points of detail and responded to a number of questions that had arisen since the agenda report had been published. Those matters included clarification that the indicative plan submitted with the application for outline planning permission, which was granted in 2004, did not specify the number of dwellings to be provided on the site, as had been stated in the agenda report. In referring to the current application he clarified that only plot 1 was to have a thatched roof. Clarification was also given, by reference to a plan, of the location of a number of listed buildings which were either adjacent, in the immediate vicinity of, or in the area of the site. References to hedges on the site were clarified as were details regarding the numbers and types of dwellings that were subject of a planning permission granted in 1985 in respect of an adjoining site, which now formed the development at Manor Farm Close. It had also been requested that it be clarified that Tatworth and Forton Parish Council and the Save Old Tatworth Group were not connected although three parish councillors also belonged to the Save Old Tatworth Group but had declared personal and prejudicial interests when matters concerning this site had been discussed at Parish Council meetings.

In updating members, the Major Applications Co-ordinator reported the details of four further letters of objection that had been received including one from the occupier of 14 Manor Farm Close that also indicated that a strip of land adjacent to Manor Farm Close was in their ownership, which had now been acknowledged by the applicants. He also referred to the Save Old Tatworth Group having expressed concern that many points raised by objectors to the application such as scale, mass, form, height and design had not been included in the agenda report. The Major Applications Co-ordinator commented, however, that there were items listed in the agenda report that dealt with those aspects in an expanded form rather than as a basic summary. In responding to comments made by objectors, the Major Applications Co-ordinator commented:-

- that the Council's Ecologist had noted the age of the wildlife survey but felt that it was unlikely that there would be any significant change in wildlife usage of the site. In any case, recommended condition 18 in any permission would address that matter;
- as there were only four dwellings proposed for the site it would be below the threshold to require affordable housing;
- that there was scope within the application to consider the relationship of plot 1 with the hedge but explained that due to the internal layout the impact was not considered so great as to withhold permission;
- that the density of the site was equivalent to 25 dwellings per hectare, which was low compared to planning policy guidance. However, bearing in mind that the site was close to the Conservation Area and listed buildings the density was considered acceptable in this location;
- that bearing in mind the conclusions of the Inspector in respect of a planning appeal relating to a site (Gulwell Bungalow) on the other side of the road it was not felt that there was any reason to think that two storey dwellings would be unacceptable on this site.

The Major Applications Co-ordinator showed plans and photographs of the site and its surroundings and members noted that the proposals were considered acceptable and that the recommendation was one of approval subject to conditions.

The representative of the Highway Authority reported that the impact on vehicular and pedestrian movements had been assessed. He mentioned that the existing access would be used and felt that there was adequate parking provision on the site. A footway was also to be provided around the front of the site. He indicated, therefore, that there was no objection to the scheme on highway grounds.

The Conservation Manager referred to his comments on the application being set out fully in the agenda report. He confirmed that he supported the proposals, which he felt constituted a good development that would contribute to the setting of the listed buildings and Conservation Area.

The officers then answered members' questions on points of detail regarding the proposals. Points addressed included the suitability and width of the footway along Waterlake Road, the relevance of the appeal relating to the site at Gulwell Bungalow, clarification of the density of the development in relation to planning policy guidance, the height of the proposed dwellings in relation to other dwellings and, whether, if the information with regard to ownership of the strip of land adjacent to Manor Farm Close had been received earlier, it would have influenced the recommendation with regard to the orientation of the dwelling on plot 1. In that respect, the Solicitor commented that that was a minimal issue and was not one that should prevent the Committee making a decision on this application.

The Committee then noted the comments of Mrs. J. Hodgson, Mr. M. Turner, Mrs. J. Morse and Dr. M. Osbourne in objection to the application. Views expressed included the following:-

- not against the development of the site itself but people wanted the best for the village for the future;
- reference was made to the closeness of dwellings to the road and a bend and to the consequent potential impact on safety;
- proposed gardens on the development were small and not good for family life;
- a modern style development existed in the locality already and it was not felt that was a reason to allow more;
- the enhancement of the whole area should be paramount;
- covenant in place protecting hedge and bank. The proposed turning and parking area could be reduced because of that;
- slow worms present on the site and the survey previously undertaken was now old. It was felt that four large dwellings would affect the species;
- the compliance of the proposals with planning policies in respect of their impact on the character, setting and preservation of the Conservation Area and listed buildings was questioned.
- proposed dwellings not in keeping adjacent to the Conservation Area and listed buildings. There were no buildings like those proposed in the vicinity and there would be an unacceptable impact on a prominent location;
- ridge height of the dwellings higher than the Old Dairy House;

- footprint of dwellings excessive. 1¹/₂ storey dwellings previously seen as unacceptable but these are two storey;
- concern expressed that development may not be built in accord with the plans, particular reference being made to plot 1;
- garages not large enough and access to them is poor, which could mean that people may not park within the site;
- concerns raised about the impact on the level of the pavement outside Gulwell Bungalow;
- three dwellings on the site would have been preferable;
- it was hoped that this application would not be a repeat of problems that had been experienced at another site at Langdons Way;
- the strength of feeling in the village was emphasised and the chance should be taken to listen to the community to make a landmark decision for this most important site in the village.

The comments of the applicant's agents, Mr. T. Holden from White Young Green and Mr. J. Paterson were then noted. Comments expressed included the following:-

- reference was made to the significant interest from the community and comment expressed that although it was right for the community to take an interest there was a need to look at the planning issues;
- reference was made to the extant outline planning permission relating to the site and also to an appeal having been lodged against refusal of the previous planning application for reserved matters, which would be withdrawn if this current application was granted;
- it was felt that the plan attached to the outline consent should be taken into account. It was also mentioned that the earlier rejected scheme had an impact on the current application;
- the proximity to listed buildings and the Conservation Area and the impact on Waterlake Road had been considered as had the number of dwellings;
- negotiations had taken place with planning officers with regard to the scheme submitted;
- the scheme was of a high quality, which would enhance the Conservation Area and provide a significant visual improvement on what was there at present;
- reference was made to the perceived issue of the relationship of plot 1 with the conifers and to the ownership of the strip of land adjoining Manor Farm Close. It was mentioned that any impact on relevant rooms within the proposed dwelling would be limited as they were dual aspect;
- it was indicated that cars would be able to access the garages satisfactorily and that the hedge was not an issue;
- it was not considered that three bungalows was right in this location as had been suggested by objectors to the scheme;

- this was the third scheme that had been submitted in respect of this site, all of which had met with the Conservation Officer's approval.

The Major Applications Co-ordinator responded to the comments made by the public including clarifying the situation with regard to the highway issues, particularly mentioning the widening of the footway that would take place as a result of this scheme, which would address safety issues. He also clarified the status of the earlier application for six dwellings. He further indicated that should any development take place that was not in accordance with the approved plans it could be dealt with under enforcement powers. With regard to the chimneys he commented that as long as they were constructed in accordance with the submitted plans they were not an issue. He further responded to comments about the nature of the development and the nature of the locality and explained that the relevant planning policies did not preclude the acceptance of these proposals.

The Solicitor informed members that the Committee had a duty to look at the planning issues and take account of national, regional and local planning policies. He also advised that the Committee should not be influenced by comments made by the applicant's agent about the appeal against the refusal of an earlier application being withdrawn if this current application was granted.

Cllr. Andrew Turpin, ward member, referred to this site being contentious. He expressed his view that its current state was a consequence of activities that had taken place previously on the site, details of which he explained. He referred to the need to get the best for the site, which formed an historical gateway to the village and expressed disappointment at the apparent lack of informal consultation that had taken place. He felt that any development should enhance the site and the Conservation Area and was of the view that the proposed development did not bear any resemblance to the local vernacular with there being nothing like it in the village. He also thought that planning policy guidelines on density could be relaxed when a site was adjacent to a Conservation Area and expressed the view that the density of the development was excessive. He also referred to the listed buildings in this locality and expressed his view that the proposed development would obscure those buildings. He also felt that the dwellings should be set back on the site so as to enhance the adjacent listed building. Concerns were also expressed about the height of the proposed dwellings and the mass of the frontage of the development, which he felt would have an adverse impact. Reference was made to highway safety issues that he felt would affect Gulwell Bungalow. Concern was also expressed that the provision of the turning space may result in cutting into the bank. Cllr. Turpin then referred to a number of photographs/images, which had been provided in accordance with the Council's appropriate protocol, to illustrate some of his points. In conclusion he referred to people wanting to see the community enhanced rather than marred.

The Major Applications Co-ordinator in responding to the comments made reported that it was difficult to judge whether the ridge height of the proposed dwelling was indicated correctly in one of the photographs shown, given the need to allow for perspective. He further reported details of the height and positioning of the dwellings concerned for members' information. With regard to community involvement he reported that the application, given that it was for four dwellings, would not trigger the formal requirement for community involvement. He indicated, however, that the applicants had been aware of the observations that had been made about the scheme. He further commented that the design was considered acceptable including the garages, parking and turning area provisions.

The Solicitor advised members that although it was right to hear the views of the objectors to this application, he reminded the Committee of the need to consider the

planning issues including the appropriate planning policies that were relevant in respect of this application.

During the ensuing discussion, the majority of members indicated that they found the proposals to be acceptable. The view was expressed that two storey dwellings would not be over dominant and would be in character in the village whilst bungalows would not. It was not felt that the issues raised with regard to the hedge were significant enough to make the proposals unacceptable. With reference to the closeness of the dwellings to the frontage and highway issues, comment was expressed that there was a speed limit on the highway and therefore it was not felt that this was a planning issue. In referring to the presence of slow worms, the view was expressed that if that argument was followed there would be no development at all on the site. Reference was also made to outline planning permission already having been granted for the land and to the application having been well researched. It was not felt that there were sound planning reasons to refuse the proposals. It was further commented that the outcome of the appeal in relation to Gulwell Bungalow had given an indication of what may be acceptable. It was remarked that the density of the development was lower than that within planning policy guidance and that there were no highway grounds for refusal. In referring to recommended condition 7 it was suggested that the approval of materials by the local planning authority be carried out in conjunction with the ward member and Area Chairman. With reference to the speed of vehicles, a member commented that there was a 20mph speed limit and speed humps in the vicinity together with a 7.5 ton weight limit. Another member commented that he felt that the development was well designed and would be desirable in the village.

Comment was also expressed that it was a shame that there could not have been a better scheme on this site. A member felt that the height of the chimneys would be quite prominent and was dubious about the use of render.

The Major Applications Co-ordinator gave an indication of the height of the chimneys and commented that he was not inclined to agree that they were out of character. He also informed members that conditions should not be used to make a fundamental change to materials so as to affect the design of the proposal submitted.

Cllr. Andrew Turpin, ward member, expressed his view that the application should be refused referring to reasons outlined by the Committee when a previous application relating to this site was discussed.

The Solicitor indicated at this point that he wished to request the Committee to adjourn the meeting to enable him to address members on a legal issue in closed session. Accordingly, the Committee:

RESOLVED: that the press and public be excluded from the meeting by virtue of Paragraph 5 of Schedule 12A to the Local Government Act 1972, i.e. information in respect of which a claim to legal professional privilege could be maintained in legal proceedings, as it is considered that the public interest in maintaining the exemption from the access to information rules outweighs the public interest in disclosing the information.

The Committee left the meeting room to enable the legal advice to be heard.

The Committee then reconvened in open session.

A proposal by Cllr. Andrew Turpin to refuse the application was not seconded.

The majority of members were of the view that the proposals were acceptable and that the application should be approved. It was felt, however, that condition 7 relating to

materials should be amended to require them to be approved in writing by the Local Planning Authority in conjunction with the ward member and Area Chairman.

RESOLVED: that planning permission be granted subject to conditions 1-22 and notes 1-3 as set out in the agenda report but with the amendment of condition 7 relating to materials to require them to be approved in writing by the Local Planning Authority in conjunction with the ward member and Area Chairman.

(7 in favour, 2 against)

08/01781/FUL (Pages 15-19) – The erection of two semi-detached dwellings (GR 337582/106502), land adjacent Plum Tree Cottage, Fore Street, Winsham - Mr. Peacock.

The Deputy Development Control Team Leader summarised the details of the application as set out in the agenda report. It was noted that the proposals in terms of design were acceptable but the recommendation was one of refusal on highway safety grounds as set out in the agenda report.

The representative of the Highway Authority then explained the reasons for their recommendation that the application be refused on highway grounds, details of which were set out in the agenda report. He referred to the main problem being the use of the access, which was sub-standard where it joined the main highway. Although visibility was satisfactory to the right it was restricted on its left hand side and as the applicant did not own the adjacent building, the access could not be improved.

The Committee then noted the comments of the applicant's agent, Mr. J. Gainsford. In referring to the highway issues, he mentioned that consideration had been given to the use of the Fore Street access. He referred to the applicant having made alterations on the site of his nursery business, which enabled vehicle movements relating to the nursery to use an alternative entrance. He referred, therefore, to the nursery making less use of the Fore Street access, which would mean that there would be negligible increased use of that access resulting from two dwellings over the one dwelling already approved. He also commented that Fore Street was quiet and straight. He further mentioned that trees would be cut back on the north side of the access, which would mean that visibility would be improved over that existing.

The Highway Authority representative commented that although speeds were low in Fore Street, visibility from the access should be 25 metres in both directions. With reference to the traffic movements from the business he commented that they were not relevant as the access onto Fore Street could still be used. He further indicated that his concern was that there would be a permanent increased use of the access onto Fore Street.

Cllr. Robin Munday, ward member, indicated that he had used the access and commented that although visibility was slightly restricted to the left by the garage building he felt that there were worse accesses in the street. He referred to speeds being low and felt that the access for two dwellings was adequate. He indicated his support for the application.

During the ensuing discussion, other members also indicated their support for the application. A member commented that although not going against the Highway Authority's recommendations lightly he felt that they were being perhaps over-sensitive in this case, especially bearing in mind the information given about the nursery use. Reference was made to the street being moderately busy where it was seldom possible to drive non-stop and rarely over 20 mph. There were also obstructions in the street and he did not feel that an additional hazard would be caused by this proposal.

The Committee was of the view that the proposals would not give rise to any undue increase in traffic or any significantly increased risk to highway safety and that the application was otherwise acceptable as by reason of its layout, size, scale and materials it respected the character of the area and caused no demonstrable harm to residential amenity. It was also felt that it preserved the character and appearance of the Conservation Area.

RESOLVED: (1) that planning permission be granted subject to conditions which shall include:-

- standard time limit;
- roof tiles to be reclaimed second hand clay tiles;
- details of the repair and retention of the boundary wall to be submitted for approval;
- details of internal ground floor levels to be submitted for approval;
- withdrawal of permitted development rights;
- details of materials and external finish of windows, doors, boarding and openings to be submitted for approval;
- details of eaves/fascia board detailing, guttering, downpipes and other rainwater goods to be submitted for approval;
- highway conditions;
- details of surface water disposal to be submitted for approval;
- details of landscaping to be submitted for approval;

(2) that the wording of the conditions be delegated to the Head of Development and Building Control in consultation with the ward member and Area Chairman.

(Resolution passed without dissent).

08/02797/FUL (Pages 20-23) – The erection of two flats with parking spaces (GR 336360/114673), land adjacent 136 Blackdown View, Ilminster – Mr. Lee Bryan.

The Planner summarised the details of the application as set out in the agenda report. It was noted that the recommendation was one of approval subject to conditions.

Cllr. Kim Turner, ward member, remarked upon the difficulty with parking in this locality and on the visibility when coming out of the site.

The representative of the Highway Authority acknowledged that parking was an issue in this location and, therefore, the maximum parking standards of two spaces for a two bedroomed flat had been applied and had been provided for both flats.

The applicant indicated that he did not wish to address the Committee at this stage.

The Committee indicated its support for the application.

RESOLVED: that planning permission be granted subject to conditions 1-7 as set out in the agenda report.

(Resolution passed without dissent)

08/02739/FUL (Pages 24-26) – The construction of a dormer window (Retrospective) (GR 336632/108872), Whitedown Lodge, Windwhistle, Cricket St. Thomas – Mr. & Mrs. P. Singleton.

08/02740/LBC (Pages 27-29) – The construction of a dormer window (Retrospective) (GR 336632/108872), Whitedown Lodge, Windwhistle, Cricket St. Thomas – Mr. & Mrs. P. Singleton.

The Planning Assistant summarised the details of the application as set out in the agenda report. It was noted that the recommendation was one of refusal in respect of planning permission and listed building consent for the reasons set out in the agenda report.

The Conservation Manager summarised his comments on the application, the details of which were contained in the agenda report. He commented that the proposed alterations had been discussed with conservation officers and had been opposed consistently. He mentioned that the dormer concerned would light a landing space and not a habitable room and he did not feel that the proposal had been justified sufficiently especially given its impact on the front of the building. He was of the view that the dormer would intrude on the roof form and change the character of the dwelling, which was situated on the Windwhistle Ridge. He considered, therefore, that the dormer was inappropriate to the listed building.

The officers answered members' questions on points of detail regarding the history of alterations that had been made to the building and their acceptability in terms of their impact on the character of the building in comparison with the addition of the dormer window.

The Committee then noted the comments of the applicant, Mr. P. Singleton, who referred to photographs that he had provided under the Council's appropriate protocol. He informed members of the history of the building and of the details of more recent alterations that had been made. He referred to other alterations that had taken place having been done with full planning approval and to it not having been the intention for this application to be retrospective. He also explained why he felt that the basis for the reasons put forward for the recommendation of refusal in respect of this application were misplaced.

In response to the comments made, the Major Applications Co-ordinator informed members that he was of the view that officers had acted consistently with regard to applications on this site and that the dormer applied for on the front of the dwelling was of legitimate concern. It was not considered that there was any historical reason for the dormer and the applicant's contention that it was desirable was not supported by the officers in this instance.

Cllr. Robin Munday, ward member, expressed his view that bearing in mind that the addition of the external walling for a garden room on the end of the building had been considered to balance the property, he remained to be convinced that the third dormer window on the front would not blend in with the roof. Although he accepted that the property was visible from the A30 road he did not feel that the dormer would detract from the building.

During the ensuing discussion, other members indicated that they considered the proposal to be acceptable and that it would respect the historic and architectural interests of the building and not adversely affect its character and appearance. Reference was made, however, to the light colour of the "cheeks" of the dormer and it was commented that they would perhaps be more suitable in a darker material. It was noted that the submission of materials for approval would be subject to a condition and it was suggested that this matter could be delegated to the Head of Development and Building Control in consultation with the ward member and Area Chairman.

In noting that the existing dormers were also of a lighter material the officers indicated that that matter could be dealt with separately as part of another application.

- RESOLVED:**
- (1) that planning permission be granted subject to a condition with regard to standard time limit (effective from 30th June 2008);
 - (2) that listed building consent be granted subject to conditions which shall include:-
 - standard time limit (effective from 30th June 2008);
 - conditions relating to the submission for approval of details of materials and external finish;
 - (3) that the wording of the conditions and approval of the external finish of the dormer be delegated to the Head of Development and Building Control in consultation with the ward member and Area Chairman.

(Resolution passed without dissent)

(David Norris, Development Control Team Leader (North/West) – (01935) 462382)
(david.norris@southsomerset.gov.uk)

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Chairman