

MEETING AW.10:1011  
DATE 16:02:11

## South Somerset District Council

**Draft Minutes** of a meeting of the **Area West Committee** held at the Henhayes Centre, off South Street, Crewkerne on **Wednesday, 16th February 2011**.

(5.30 p.m. – 8.25 p.m.)

### Present:

**Members:** Cllr. Kim Turner (in the Chair)

Simon Bending	Nigel Mermagen
Michael Best	Ric Pallister
David Bulmer	Angie Singleton
Carol Goodall (until 7.35 p.m.)	Linda Vijeh (from 5.45 p.m.)
Jenny Kenton	Martin Wale

### Also Present

Ann Campbell

### Officers:

Catherine Hood	Corporate Accountant
Jo Morgan	Community Cohesion Officer
Keith Wheaton-Green	Climate Change Officer
David Norris	Development Manager
John Millar	Planning Officer
Paula Goddard	Senior Legal Executive
Andrew Blackburn	Committee Administrator

### Also Present:

Ian McWilliams Planning Liaison Officer (Highways), Somerset County Council

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

### 113. Minutes (Agenda item 1)

The minutes of the meeting held on the 19th January 2011, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

### 114. Apologies for Absence (Agenda item 2)

Apologies for absence were received from Cllrs. Geoff Clarke, Dan Shortland and Andrew Turpin and County Councillor John Dyke.

### 115. Declarations of Interest (Agenda item 3)

Cllr. Angie Singleton declared her personal and prejudicial interest in planning application no. 10/03910/S73 (application to vary condition no. 37 of decision notice 07/02775/FUL to delete requirement to erect replacement factory accommodation prior to the occupation of any of the 52 no. dwellings, Merriott Plastics Ltd., Tail Mill Lane, Merriott) as the building that was being leased by the applicants in Crewkerne belonged to the Singleton Pension Fund. She withdrew from the meeting during consideration of the application.

Cllr. Kim Turner declared her personal but non-prejudicial interest in planning application no. 10/03965/FUL (alterations, the erection of a single storey and two storey extensions and conversion of existing building into a single dwellinghouse, building east of 22 Winterhay Lane, Ilminster) as comments had been submitted by Ilminster Town Council on which she also served as a councillor.

Prior to the consideration of planning application no. 10/03965/FUL (alterations, the erection of a single storey and two storey extensions and conversion of existing building into a single dwellinghouse, building east of 22 Winterhay Lane, Ilminster), Cllr. Linda Vijeh declared her personal but non-prejudicial interest as comments had been submitted on the planning application by Ilminster Town Council on which she also served as a councillor.

### 116. Public Question Time (Agenda item 4)

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

### 117. Chairman's Announcements (Agenda item 5)

The Chairman informed members that Paul Philpott, who had previously held the post of Agricultural Development Officer with the Council, had now been appointed as the Community Development Officer in Area West.

### 118. Budget Monitoring Report for the Period Ending 31st December 2010 (Executive Decision) (Agenda item 6)

The Corporate Accountant referred to the agenda report, which updated members on the current financial position of the Area West budgets as at the end of December 2010.

Reference was made by a member to the £20,000 that was approved in principle for the Ilminster Community Office and comment expressed that the amount had been shown in the capital programme for a long time. The Chairman commented that it had been hoped that this allocation would have been spent but plans for the relocation of the community office service had not moved forward as previously anticipated and the best way forward was being explored.

- RESOLVED:** (1) that the current financial position of the Area West budgets for the period ending 31st December 2010 be noted;
- (2) that the transfer of £3,000 from the unallocated capital balance to the Capital Programme to fund the pedestrian link in Crewkerne be approved;

- (3) that the transfer of £1,000 from the unallocated capital balance to the Capital Programme to fund the completion of the play area in Snowdon Park, Chard be approved.

**Reason:** To review the allocation of resources as part of the monitoring of the Area West Development Revenue Budgets, Area West Capital Programme and Area West Reserve.

(Resolution passed without dissent).

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

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## 119. Equalities Update Report (Agenda item 7)

Cllr. Ann Campbell, Theme Adviser for Social Inclusion and Equalities, introduced the Community Cohesion Officer, Jo Morgan, whose lead role was to ensure corporate compliance with the legislation and regulations and to promote equality and diversity throughout the district. Cllr. Campbell referred to the work of the Community Cohesion Officer being valued greatly and to the hard work she had undertaken in carrying forward Equality Impact Assessments of the Council's services and ensuring that residents received value.

The Community Cohesion Officer referred to the agenda report and gave a presentation during which she indicated that equalities work involved ensuring safe, sustainable and cohesive communities in a changing world. She also highlighted how the Council fulfilled its duties and responsibilities including through its Single Equality Scheme, which had been produced having regard to the Equality Act 2010. Reference was also made to the Equality Framework for Local Government, which was a key tool for measuring progress in mainstreaming equalities and to the Equality Impact Assessments, which had been carried out to ensure that services met the necessary requirements. It was noted that equalities training was being arranged for staff and also for newly elected councillors, which would take place in July, although longer standing members would be welcome to attend. The role of the Council's Equality Champions was also explained.

The Community Cohesion Officer gave examples of projects and events that benefited everyone in the community including the recently completed pedestrian link at the George Precinct, Crewkerne and the 1940s Fun Day, which celebrated the opening of the old railway project on the Stop Line Way at Donyatt Halt. Reference was also made to the New 2 Somerset Film Project, which explored what it was like to be new to an area and had produced a DVD. An event that brought together people from different religions and beliefs in South Somerset had also been held.

Reference was made to community offices and information centres giving local access to services, supporting needs of users and promoting a range of well-being services. The Community Cohesion Officer highlighted the role of the Council's Community Link Worker, Aurelio Horta, who was based in Chard, whose post was funded by the Migration Impact Fund through a levy paid by workers and students from A8 European countries and provided a link between migrant communities and the public, private and voluntary sectors. She also referred to support surgeries for migrant communities that took place throughout the district and gave examples of the type of issues that were dealt with at the surgeries.

In conclusion, the Community Cohesion Officer showed members a clipboard with an attached hearing loop, which officers could use in face to face contact with people with a hearing impairment.

During the ensuing discussion, a number of comments were made and the Community Cohesion Officer responded to members' questions. Matters raised included the following:-

- it was confirmed that the hand out giving details of the support surgeries for migrant communities was available in the Community Offices and also written in Portuguese and Polish;
- a member commented that he felt that equalities work within the Council had not been bad but was of the view that since the Community Cohesion Officer had been in post the work had reached an impressive level. He commented that he was proud of what the Council had achieved. He also urged members to watch the DVD produced by the New 2 Somerset Film Project, which he found to be excellent;
- reference was made to councillors engaging with the community all the time and having to try and strike the right balance in dealing with people who communicated in different ways;
- in response to questions, the Community Cohesion Officer confirmed that although the Equality Framework for Local Government, which was a measuring tool to monitor progress with equalities work, was not a statutory requirement, most authorities had adopted it. She also reported that the new Equalities Act brought all previous legislation together which did simplify matters;
- a member expressed her view that the Council used too much jargon, particularly in its reports. Reference was also made to the colours that were sometimes used for text and paper, which it was felt was not always compatible and could make documents difficult to read. The Community Cohesion Officer reported that the Corporate Equalities Steering Group was currently reviewing the Equality Impact Assessment for the Communications Strategy, which would include guidelines for the use of templates, text, colours etc.

The Chairman thanked the Community Cohesion Officer for her interesting and informative presentation.

**NOTED.**

*(Jo Morgan, Community Cohesion Officer – 01935 462297)  
(jo.morgan@southsomerset.gov.uk)*

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## **120. Carbon Reduction Projects - How the Council's Carbon Targets are Being Met (Agenda item 8)**

The Climate Change Officer gave a presentation giving a summary of the carbon reduction projects being brought forward and of how the Council's carbon emission targets were being met. He informed members that projects recently achieved included:-

- desk top electric sockets in offices to make switching off at the plug easy;
- changes to timings and temperature settings at Goldenstones swimming pool;
- 15kw wind turbine at Yeovil Innovation Centre;
- use of mega electric van at Lufton Depot;
- fleet driver training from the Energy Saving Trust;
- the South Somerset Hydro Power Project, which currently included 8 installations.

Schemes currently being implemented included voltage optimisation equipment to be installed at the Brympton Way offices and employee engagement with cutting carbon including the 'Switch Off Campaign'.

The Climate Change Officer also referred to projects, which had been subject of a capital bid but for which alternative funding methods would now have to be looked at if they were to proceed. Those projects included the installation of solar shading at Brympton Way to reduce overheating and the installation of photovoltaics at the Brympton Way offices and Octagon Theatre. He further referred to projects that were under investigation including an electric pool bike to replace short car journeys, lighting upgrades at the Octagon Theatre, Goldenstones and Lufton workshop and the use of wood heat installations, particularly at Lufton Depot and possibly the Octagon Theatre. Reference was also made to the potential for the use of biogas fuel for the Council's vehicle fleet and to potential improvements to ICT equipment.

During the ensuing discussion, a number of comments were made and the Climate Change Officer responded to members' questions. Matters raised included the following:-

- a member referred to the Brympton Way offices and enquired if the corridor lights could be provided with sensors. The Climate Change Officer reported that he had drawn up and costed a scheme, which was being looked at by the Property Services team;
- a member referred to the driver training being a good initiative and enquired if the fuel usage had come down. The Climate Change Officer commented that he was encouraging the use of some form of record keeping/chart to log how many miles per gallon were being achieved by drivers;
- reference was made to wind turbine schemes which, despite in some cases having received planning permission had not come to fruition. The Climate Change Officer commented that the strength of opposition to such schemes could discourage them from happening and it was a matter of encouraging schemes wherever possible;
- reference was made to solar farms and the Climate Change Officer informed members that 3 solar park installations were coming soon to South Somerset for which the economics were good;
- in response to a question from a member, the Climate Change Officer reported that he had been informed that it was felt that the LPG vans run by the Lufton Depot had underperformed;
- the Climate Change Officer responded to comments about the availability of fuel resources for wood heat installations, the use of living roofs to help with the insulation of buildings and the potential for the use of heat generated by crematoria.

The Chairman thanked the Climate Change Officer for his presentation, the details of which were noted by the Committee.

**NOTED.**

*(Keith Wheaton-Green, Climate Change Officer – 01935 462651)  
(keith.wheaton-green@southsomerset.gov.uk)*

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## 121. Area West Committee – Forward Plan (Agenda item 9)

Reference was made to the agenda report, which informed members of the proposed Area West Committee Forward Plan.

The Committee concurred with the comments of a member who suggested that bearing in mind the savings needing to be made by the Council, the Area Development Manager (West) be asked to quantify the cost of holding Area West Committee meetings in the evenings compared to during the day. It was also suggested that a discussion should take place after the elections with regard to whether members wished to continue to hold the meetings during the evening or change to holding them during the day.

**RESOLVED:** that the Area West Committee Forward Plan as attached to the agenda be noted subject to the above comments being taken into account.

(Resolution passed without dissent).

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

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## 122. Reports from Members on Outside Organisations (Agenda item 10)

Cllr. Linda Vijeh, the Council's representative on Chard Museum, referred to previous concerns about funding arrangements and was pleased to report that there was now a total of 442 'Friends of the Museum' and £5,000 had been generated from subscriptions. She further reported that £16,000 had been generated from various museum activities and that there was a need to keep the momentum going. She informed the Committee of a number of upcoming events that had been organised by the museum to generate further income.

The Chairman asked Cllr. Vijeh to pass on the Committee's congratulations to the museum on increasing their membership.

**NOTED.**

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## 123. Feedback on Planning Applications referred to the Regulation Committee (Agenda item 11)

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

**NOTED.**

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

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## 124. Planning Appeals (Agenda item 12)

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

**NOTED.**

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

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## 125. Date and Venue for Next Meeting (Agenda item 14)

Members noted that the next meeting of the Committee would be held at the Guildhall, Fore Street, Chard on Wednesday, 16th March 2011 at 5.30 p.m.

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

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## **126. Planning Applications (Agenda item 13)**

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).

Prior to consideration of the planning applications, at the request of the Chairman, those members who had declared interests at the beginning of the meeting in respect of any of the planning applications (details of which are set out in Minute 115 above) did so again bearing in mind that those members of the public who had attended the meeting for the planning applications may not have been present at the beginning of the meeting.

**10/03965/FUL (Pages 39-43) – Alterations, the erection of a single storey and two storey extensions and conversion of existing building into a single dwellinghouse (GR 335363/115044), building east of 22 Winterhay Lane, Ilminster – Mr. Steven Crabb.**

The Chairman asked if any members had viewed the site independently and 5 members indicated positively.

The Planning Officer, with the aid of slides and photographs, summarised the details of the application as set out in the agenda report. It was noted that the proposals were acceptable in terms of their visual impact and were not considered to cause unacceptable harm to the residential amenity of the occupiers of neighbouring properties. The Planning Officer reported, however, that the Highway Authority had identified a risk to highway safety because of the restricted width of the access track and limited visibility at the junction with Winterhay Lane together with the potential for increased vehicular movements. The recommendation was, therefore, one of refusal on highway safety grounds as set out in the agenda report.

In response to a question, the Planning Liaison Officer from the Highway Authority explained the reasons for their recommendation that the application be refused, details of which were set out in the agenda report. He further referred to Winterhay Lane having a 30 mph speed limit and to the visibility at the track's junction with Winterhay Lane being so far short of the recommended standards that a recommendation of refusal had to be made. He commented that although the site had the potential to generate some traffic now, the proposed development would introduce a new unit of residential accommodation, which was likely to result in an increase in vehicular movements. Concern was also expressed that a precedent may be set.

The officers then responded to members' questions on points of detail. Points addressed included clarification regarding the lawful uses to which the building could be put without obtaining planning consent; the potential for further dwellings being built in this locality, which a member felt would not necessarily be beneficial, and whether vehicles would

reach 30 mph along Winterhay Lane given the nature of the lane and that it was a cul-de-sac.

The Committee then noted the comments of Mr. R. Crabb on behalf of the applicant. He referred to the agenda report stating that the site was accessed via an agricultural track, which also provided access to the neighbouring 4 terraced cottages. He commented, however, that the cottages did not have rights to use the track. He explained that the proposed dwelling was intended as a starter home for his son. In referring to the agricultural track he referred to it being used twice a day by a tractor to feed animals and commented that rather than an increase, there would be a reduction in vehicular movements as the applicant would be on site. He further commented that the building had been derelict for years and the site would be tidied as a result of the proposed development.

Cllr. Carol Goodall, one of the ward members, commented that she understood that there was a need to work to guidelines but felt that there were occasions when they may be able to be put to one side. She referred in this case to the building needing to be re-used and was of the view that there was not the volume of traffic in this locality to cause concern.

Cllr. Kim Turner, also a ward member, concurred with the comments of Cllr. Goodall. She also referred to the track being used twice a day to feed animals and expressed her view that there was likely to be a decrease in vehicle movements if the proposals went ahead. She indicated her support for the application.

During the ensuing discussion, a member commented that this was a sensible use of an existing building and that the application stood on its own merits. It was also felt that any risk of the proposed development being prejudicial to highway safety was very small and not significant enough to refuse the application.

In conclusion, the majority of members were of the view that the proposal, by reason of its size, scale and materials, respected and related to the character of the property and its surroundings and caused no unacceptable harm to residential amenity or highway safety in accordance with the aims and objectives of policies STR1 and 49 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5 and ST6 of the South Somerset Local Plan 2006. Accordingly, the Committee agreed that the application be granted subject to conditions.

**RESOLVED:** that planning permission be granted subject to the following conditions:-

1. 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.

2. The development hereby permitted shall be carried out in accordance with the approved plans as shown on drawing no. '4032/09', received 1st October 2010.

Reason: For the avoidance of doubt as to the development authorised and in the interests of proper planning.

3. No work shall be carried out on site unless particulars of the materials (including the provision of samples) to be used for external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Slate hooks shall not be



used. The coursing of new brickwork in the construction of the external walls of the development hereby permitted shall match that of the existing building, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity, in accordance with policy STR1 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5 and ST6 of the South Somerset Local Plan 2006.

4. No work shall be carried out on site unless details of the design, materials and external finish for all new doors, windows, boarding and openings have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity, in accordance with policy STR1 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5 and ST6 of the South Somerset Local Plan 2006.

5. The windows comprised in the development hereby permitted shall be recessed in accordance with details to be submitted to and approved in writing with the Local Planning Authority before any work on the development hereby permitted is commenced.

Reason: In the interests of visual amenity, in accordance with policy STR1 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5 and ST6 of the South Somerset Local Plan 2006.

6. No work shall be carried out on site unless details of all new guttering, down pipes, other rainwater goods, and external plumbing have been submitted to and approved in writing by the Local Planning Authority. Such details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity, in accordance with policy STR1 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5 and ST6 of the South Somerset Local Plan 2006.

7. All meter cupboards and gas boxes shall be positioned on the dwelling in accordance with details, which shall have been previously submitted to and approved in writing by the Local Planning Authority and thereafter retained in such form. The meter cupboards and gas boxes shall not be positioned on the north elevation of the dwelling.

Reason: In the interests of visual and residential amenity, in accordance with policy STR1 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5 and ST6 of the South Somerset Local Plan 2006.

8. 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 unless otherwise agreed in writing by the Local Planning Authority.

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

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

Reason: In the interests of highway safety, in accordance with policy 49 of the Somerset and Exmoor National Joint Structure Plan Review and saved policy ST5 of the South Somerset Local Plan.

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

Reason: In the interests of visual and residential amenity, in accordance with policy STR1 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5 and ST6 of the South Somerset Local Plan 2006.

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

Reason: In the interests of visual and residential amenity, in accordance with policy STR1 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5 and ST6 of the South Somerset Local Plan 2006.

### **Informative**

The Local Planning Authority endorse the recommendations identified in the Ecological Survey, dated November 2010, detailing measures to minimise risk of harm to wildlife and to introduce ecological enhancement measures. Section 7 of the report contains a number of recommendations regarding precautionary measures to employ in order to minimise risk of impact to any protected species that could potentially be encountered during works. The applicant's attention is brought to these recommendations.

(9 in favour, 1 against)

**10/03910/S73 (Pages 1-31) – Application to vary condition no. 37 of Decision Notice 07/02775/FUL to delete requirement to erect replacement factory accommodation prior to the occupation of any of the 52 no. dwellings (GR 344885/112382), Merriott Plastics Ltd, Tail Mill Lane, Merriott – Mr. Ian Low.**

Cllr. Angie Singleton, having declared a personal and prejudicial interest in this application, withdrew from the meeting during its consideration and determination.

The Development Manager, with the aid of slides and photographs, summarised the details of the application as set out in the agenda report. In referring to the key considerations to be taken into account, the Development Manager reported that the application was to remove the requirement to build the factory extension and that there were no other changes to the proposals granted in 2008 under application no. 07/02775/FUL. He referred to issues such as design, access and flooding having been considered acceptable at the time of the previous approval. He also mentioned that the existing listed mill buildings were unsuitable for industrial use and that Merriott Plastics had already partially moved their operations to an industrial building in Crewkerne. He referred to the firm employing 70 people and gave members a breakdown of the numbers of employees coming from Yeovil, Crewkerne, Merriott and other towns and villages in the surrounding area. The Development Manager further reported that the District Valuer had carried out an assessment of the viability of the scheme and considered that the level of development was justified to fund the conversions and relocation of the factory. The District Valuer had also considered it unreasonable to ask for further Section 106 contributions but had suggested that an overage/review clause be included within the Section 106 Agreement to allow a reassessment of the viability of the scheme.

The Development Manager indicated that the recommendation was one of approval to vary the condition subject to the successful completion of an amendment to the Section 106 legal agreement to secure the highway improvements that were approved previously together with a mechanism that allowed for a revaluation of the site to take into account changing conditions within the housing market. Any approval would also be subject to conditions as set out in the agenda report.

In response to a question from a member, the Development Manager informed the Committee that Merriott Plastics had taken out the lease on the buildings in Crewkerne about six months ago and were now using it.

The applicant's agent, Mr. A. King, commented that he was content that the officer's report to the Committee reflected the current position.

Cllr. Simon Bending, ward member, referred to this site having a long history and to the mill buildings being listed. He referred to work needing to be carried out to safeguard the buildings and was of the view that the only way the applicant could do so was through a residential scheme such as that submitted. He further commented that he was amazed that the firm had carried on working in the buildings as he did not feel that they were really suitable and was not surprised that they were moving to Crewkerne. He indicated his support for the proposals but suggested that any grant of the application should be subject to the successful prior completion of the legal agreement, the word "prior" being added to the officer's recommendation.

During the ensuing discussion, a member commented that one of the reasons for the proposals was initially to secure employment, which seemed to have been achieved. He referred to the other reason being to achieve the conversion and preservation of the listed buildings, which was felt to be important. Comment was also expressed that the

inclusion of an overage/review clause within the Section 106 agreement was critical and that the suggestion that the review took place every three years was acceptable.

The Committee indicated its support for the application to be granted.

**RESOLVED:** that planning permission be granted subject to:-

- (1) the successful prior completion of an amendment to the Section 106 legal agreement to secure the highway improvements that were approved as part of planning applications 02/01696/FUL and 07/02775/FUL together with a mechanism that allows for a revaluation of the site to take into account changing conditions within the housing market, i.e. a review to take place three years after the date of consent and every subsequent three years until the completion of the development;
- (2) conditions 1-37 as set out in the agenda report.

(8 in favour, 0 against)

**10/03766/COU (Pages 32-38) – The change of use of land for the hire and storage of motor homes (GR 330799/113872), Emerald Farm, Poltimore Lane, Combe St. Nicholas – Ms. Sarah Foord.**

The Planning Officer, with the aid of slides and photographs, summarised the details of the application as set out in the agenda report. He referred to the key considerations to be taken into account including the principle of development in the open countryside and the impact on landscape character. In showing photographs of the site he also displayed two, which had been provided under the Council's appropriate protocol by the applicant, showing the site as viewed from the A303. The Committee noted that it was the view of the officers that the change of use of land for the storage and hire of motor homes was considered to be unjustified economic development in an unsustainable location, which failed to maintain or enhance the environment and caused unacceptable harm to the distinctive character and quality of the local landscape. The Planning Officer in referring to the impact on landscape character further mentioned that, although a landscape scheme had been submitted, some concern had been raised that the development may lead to the need for the installation of security measures such as fencing, although it was noted that the applicant had confirmed that the application would not give rise to such additional measures. The Planning Officer also mentioned that the Economic Development Officer was concerned that the granting of the application may set a precedent for similar situations where smaller farms were broken up into even smaller holdings. The Planning Officer reported that the recommendation was finely balanced but was one of refusal for the reasons set out in the agenda report.

The Planning Officer then responded to members' questions on points of detail during which the nature of the business was clarified, including the numbers of motor homes to be kept on the site. It was also confirmed that there were no other properties in the immediate location.

The applicant's agent, Mr. Carpendale, in response to comments made, clarified that the business involved the hire of motor homes to people on holiday in the South West. He also explained the reason for the difference in the maximum number of motor homes kept on site during the tourist season and the winter period. In referring to the sustainability of the location he referred to the site being near to the A303 and M5 and was ideally located for the business to be successful. The applicant also worked from his home. He also mentioned that an edge of town site would not be viable because of business rates and that the business would have to cease trading if it had to move. In

terms of the visual impact he referred to the site being fairly well screened and to a landscaping scheme having been submitted. He referred to the photographs that had been submitted and commented that they showed the fleeting glimpses of the site if driving past on the A303. He expressed his view that the visual impact would be minimal. He also referred to there being no objections from the Parish Council or local residents or from the County Highway Authority or Highways Agency. The applicant's agent also referred to certain planning policies, which he felt supported the application. He further expressed his view that the site was not remote, being close to the A303 and the edge of Horton and only three miles from Ilminster.

During the ensuing discussion, Cllr. Jenny Kenton, who was also a County Councillor in whose County division the site was situated, indicated her support for the application and could not see any problems with the proposals. She referred to this being a family business and commented that if it had not been paying its way it would have closed down.

Other members also indicated their support for the application. Comment was expressed that the only people who would see the site were those travelling along the A303 and that the proposals brought a useful employment activity to the area and would bring people to the Blackdown Hills. Although understanding the need to protect the countryside, the view was expressed that given that the landscaping would grow, the site would not be seen. A member expressed surprise at the Economic Development Officer's comments on the application and felt that the proposals were perfectly acceptable and re-used an existing farm building. Reference was also made to the scale of the business being appropriate.

In conclusion, the Committee was of the view that the proposed change of use of land for the hire and storage of motor homes was considered to be an acceptable form of development, which would benefit economic activity and was not considered to be detrimental to highway safety or local landscape character, in accordance with the aims and objectives of policies STR1, STR6, 5 and 49 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST3, ST5, ST6 and EC3 of the South Somerset Local Plan 2006.

Upon discussing the conditions to be attached to any permission, particular reference was made to whether the number of motor homes to be kept on the site should be subject of a condition. It was noted that during the tourist season it was intended to store up to 8 motor homes on site with no more than 5 being kept on site during the winter period. Members felt, however, that it would be acceptable for a maximum of 8 motor homes to be stored on site all year round.

**RESOLVED:** that planning permission be granted subject to the following conditions and informative note:-

1. Notwithstanding the time limits given to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission (being granted under section 73A of the Act in respect of development already carried out) shall have effect from the 13th September 2010.

Reason: To comply with Section 73A of the Act .

2. The approved scheme of landscaping shall not be carried out otherwise than in complete accordance with the submitted plans and specifications as detailed in drawing no. 09129 - 2, received 13th September 2010. All planting, seeding, turfing or earth

moulding comprised in these approved details of landscaping shall be carried out in the first planting and seeding season following the date of this decision notice; 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.

Reason: To safeguard the character and amenity of the area, in accordance with policy 5 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5, ST6 and EC3 of the South Somerset Local Plan 2006.

3. The change of use hereby granted consent shall be limited to the storage of a maximum of 8 motor homes.

Reason: To safeguard the character and amenity of the area, in accordance with policy 5 of the Somerset and Exmoor National Joint Structure Plan Review and saved policies ST5, ST6 and EC3 of the South Somerset Local Plan 2006.

4. Within two months of the date of this decision, the access over at least the first 5.0m of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details of which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with Policy 49 of the Somerset and Exmoor National Joint Structure Plan Review and Policy ST5 of the South Somerset Local Plan.

5. There shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2.0m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43.0m both sides of the access. Such visibility shall be provided within two months of the date of this decision and shall thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with Policy 49 of the Somerset and Exmoor National Joint Structure Plan Review and Policy ST5 of the South Somerset Local Plan.

### **Informative**

The alteration of the access and/or minor works will involve construction works within the existing highway limits. These works must be agreed in advance with the Highway Service Manager for the South Somerset Area at the Highways Depot, Houndstone Business Park, Yeovil, 08453 459155. He will be able to advise upon and issue/provide the relevant licences, necessary under the Highways Act 1980.

(9 for, 0 against)

**10/05077/S73 (Pages 44-52) – Application to remove conditions 18 and 19 of decision 03/02274/FUL (regarding holiday restriction/ownership) (GR 347254/110970), The White Horse, North Street, Haselbury Plucknett – P.J. & J.S. Howard.**

The Planning Officer, with the aid of slides and photographs, summarised the details of the application as set out in the agenda report. He referred to the key considerations to be taken into account including residential amenity and viability of the existing business. In referring to residential amenity, the Planning Officer reported that the Environmental Health Officer felt that the proposed mitigatory measures were acceptable. A condition was, however, recommended requiring the mitigatory measures set out in the noise and odour assessment submitted by the applicant to be completed. The Planning Officer also commented that it had been shown that the holiday flats were a small part of the business and that it did not rely on the income from them to remain viable. The Committee noted that the recommendation was one of approval subject to the conditions set out in the agenda report.

The Committee then noted the comments of the applicant's agent, Mr. P. Dance, who explained that his clients were nearing retirement and were trying to sell the business but were having problems finding a buyer. Agents had indicated that this was because of the attached holiday flats, which were making the property too expensive. He further referred to the Council's Environmental Health and Economic Development Officers being content with the application and to no objections having been received from the Highway Authority. The nearest neighbour was also content. He mentioned that the only objection was from the Parish Council and he felt that their comments were contrary to their wish to keep the main pub/restaurant business a going concern.

Cllr. Ric Pallister, ward member, commented that the two conditions concerned had been applied for sound reasons at the time. He referred, however, to time having moved on and to the applicant's agent having commented that those conditions were detracting from the business. He further referred to feeling encouraged that the Economic Development Officer did not feel that the removal of the conditions would impact on the viability of the business. Cllr. Pallister expressed his view that the original purpose of the conditions did not help the viability of the pub now. He referred to the Parish Council being concerned that the business could be lost but he felt that information was available that showed that was not the case.

The Committee indicated its support for the application to be granted subject to conditions as recommended by the officers.

**RESOLVED:** that planning permission be granted subject to conditions 1-21 as set out in the agenda report.

(9 in favour, 0 against)

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

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 Chairman