South Somerset District Council

Draft Minutes of a meeting of the **Regulation Committee** held on **Tuesday 15th March 2011** in the Main Committee Room, Council Offices, Brympton Way, Yeovil.

(10.00am – 11.10am)

Present:

Peter Gubbins (Chairman)

Tony Fife	Keith Ronaldson
Julian Freke	Sylvia Seal
Michael Lewis	Kim Turner
Pat Martin	Linda Vijeh
Patrick Palmer	William Wallace

Also Present:

Cllr Colin Winder

Officers:

Adrian Noon	Area North/East Leads Officer
Alex Skidmore	Planning Officer
Angela Watson	Senior Solicitor
Jo Boucher	Committee Administrator

7. Minutes (Agenda Item 1)

The minutes of the meeting of the Regulation Committee held on Tuesday, 20th July 2010, copies of which had been previously circulated, were approved as a correct record and signed by the Chairman.

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8. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Councillors Mike Best, Tim Carroll, Henry Hobhouse and Cllr John Crossley (Ward Member).

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9. Declarations of Interest (Agenda Item 3)

There were no declarations of Interest.

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10. Public Question Time (Agenda Item 4)

There were no questions or comments from members of the public.

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11. The erection of a single dwelling and creation of associated access (GR:356485/128768) Land adjoining Shurlock Row North Street Babcary (Agenda Item 5)

The Planning Officer presented the report informing members that an additional letter had been received raising concerns over the highway safety issues of the site.

With the aid of slides she highlighted the following:

- location plan
- site plan showing proposed dwelling
- floor plan of proposed dwelling
- elevations of proposed new dwelling
- photos of various views from North Street

The Planning Officer then explained to members the planning concerns regarding the lack of justification based on Planning Policy ST3. She said this application was considered contrary to policy as the application site did not fall within a development area and had not been submitted as an affordable housing application. She said that the house would therefore be offered for sale on the open market and that as no specific justification had been proved to benefit local economic activity her recommendation was for refusal of the application.

In response to questions, members were advised that:

- subjective whether this was classed as a modest dwelling but did not meet with Policy and therefore not accepted as 'affordable'
- clarified that whilst the Highway Authority now accepted the detail of the application site they still have a policy objection given the location and sustainability of the site
- confirmed that Babcary had no development limits
- the Local Plan has no infill policies that support development in settlements without development limits which are afforded the same protection from development as the open countryside
- not confirm details of a former Smithy onsite although recent history shown site as garden area
- size of plot was approx 300m^2

Simon Hoar of Babcary Parish Council spoke in support of the application. He felt that the plot was currently an eyesore, overgrown and derelict and too small to be used for anything other than a modest dwelling. He said the streetscene would be enhanced by this proposal and that there were shortages of suitably sized dwellings for young families and therefore this dwelling should be welcomed.

Councillor Colin Winder spoke in support of the application. He commented that the highways objection had now been withdrawn regarding any concerns over the traffic safety issues. The application site was in the heart of the village and was a good opportunity for infill and a new dwelling within the village. He said that travelling to work and school was now commonplace and therefore should not fight against a policy which didn't really apply.

Joanna Fryer, agent for the applicant also spoke in support of the application. She informed members that sometime ago the applicants had been advised that they would be able to build a new dwelling on the site in question. She reiterated that the application

site was in the heart of the village commenting that it would help the vitality of the village and tidy up what was currently an eyesore. She also felt that the proposed dwelling would be relatively affordable and assured members that there would be no further scope to extend the dwelling due to the size of the plot. She felt that there would be no harm to highway safety and referred to a letter of support from Ward member Councillor John Crossley to confirm his support of the application.

The Area Leads Officer confirmed that he had no evidence to suggest that officers have offered support for one dwelling on the site and confirmed that an application made in 1994 for 4 affordable houses had been refused. He further comments that at the time the application was made for the erection of a garage to serve Dove Cottage this site was shown as curtilage to Dove Cottage and the application forms indicate that at that time the applicant owned the whole site.

The Senior Solicitor then advised that although the current state of the site might be a concern and can be considered a material planning consideration, this can be rectified through other statutory procedures and therefore does not outweigh the other considerations.

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

- the proposed dwelling would be an improvement of the site
- appreciated the strong support from the parish council for this application
- referred to the localism bill and the need to support local communities
- felt that days of sustainable communities had gone and that current policy should be reviewed, however mindful to go against so many relevant policies.
- would not wish to approve this application with no relevant justification as would set a precedent for sites similar to this one
- considered that this was not an affordable dwelling and went against policy ST3
- Babcary did not have a Parish Plan and therefore the official view of the village was unknown
- acknowledged a letter of support from the Ward Member had been supplied to the Area East Committee
- referred to the refusal of a similar application 2 years ago and felt no key changes had been made
- mindful to justify approval of this application as it went against nine policies

It was then proposed and subsequently seconded the officer's recommendation, that planning permission be refused for reason that:

'The proposal represents an unjustified development outside of the development area which would not benefit economic activity. The proposed development site is remote from any urban area and therefore distant from adequate services and facilities, such as education, employment, health, retail and leisure. In addition, public transport services are infrequent. As a consequence, occupiers of the new development are likely to be dependant on private vehicles for most of their daily needs. Such fostering of growth in the need to travel would be contrary to government advice given in PPS1, PPS7 and PPG13, and to the provisions of Policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review (1991-2011) as well as Policies ST3, ST5 and HG9 of the South Somerset Local Plan 2006.'

On being put to the vote this proposal was carried by 8 votes in favour, 3 against and 0 abstentions.

RESOLVED:

Refuse permission for the following reasons:

01. The proposal represents an unjustified development outside of the development area which would not benefit economic activity. The proposed development site is remote from any urban area and therefore distant from adequate services and facilities, such as education, employment, health, retail and leisure. In addition, public transport services are infrequent. As a consequence, occupiers of the new development are likely to be dependant on private vehicles for most of their daily needs. Such fostering of growth in the need to travel would be contrary to government advice given in PPS1, PPS7 and PPG13, and to the provisions of Policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review (1991-2011) as well as Policies ST3, ST5 and HG9 of the South Somerset Local Plan 2006.

(Voting: 8 in favour, 3 against, 0 abstention,)

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12. Date of Next Meeting (Agenda Item 7)

Members noted that the next meeting of the Committee would take place on Tuesday, 19th April at 10.00am in a venue to be confirmed.

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Chairman