

South Somerset District Council

Minutes of a meeting of the **Regulation Committee** held on **Tuesday 19th February 2013** in the Council Chamber, Council Offices, Brympton Way, Yeovil.

(10.00am – 10.45am)

Present:

Peter Gubbins (Chairman)

Tim Carroll	Shane Pledger
Nick Colbert	Sylvia Seal
Tony Fife	Gina Seaton
Ian Martin	Linda Vijeh

Officers:

Jo Boucher	Committee Administrator
Andy Cato	Area Lead - South
Nick Head	Planning Officer
Angela Watson	Legal Services Manager

13. Minutes (Agenda Item 1)

The minutes of the meeting of the Regulation Committee held on Tuesday, 18th December 2012, copies of which had been previously circulated, were approved as a correct record by the Chairman.

14. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Councillors Mike Best, Terry Mounter, Ros Roderigo, Angie Singleton and William Wallace.

15. Declarations of Interest (Agenda Item 3)

There were no Declarations of Interest.

16. Public Question Time (Agenda Item 4)

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

17. Erection of a dwelling in part of garden at Tern House, Charlton Musgrove, Wincanton – Application No. 12/03627/FUL

The Planning Officer presented the report as set out in the agenda and explained to members that at the meeting of the Area East Committee on 12th December 2012 it was resolved that the application be referred to the Regulation Committee with the recommendation to approve contrary to the officer's recommendation.

He updated members that since consideration at Area East Committee an additional letter of representation had been received and he had included these comments on page 9 of his agenda report.

The Planning Officer also reported that planning permission had been previously refused on this site six months ago. He said that although this application presented a change in the orientation of the proposed dwelling, the locality, access and sustainability issues had not been addressed and therefore his recommendation was to refuse the application for reasons as set out in the agenda report.

With the aid of a powerpoint presentation the Planning Officer then highlighted to members:

- Aerial View of the site
- Location Plan
- Existing site plan
- Proposed Site Plan
- Proposed Plan and Elevations
- Various photographs including:
 - Varying views of site from lane
 - Proposed access to site
 - Varying views from highway and junction to lane

In conclusion the Planning Officer detailed the Key Considerations for members, this included the Principle of a New Dwellinghouse (Sustainability), Highway Safety and Impact on Locality. He considered that by virtue of its rural location and lack of local amenities that it did not constitute sustainable development and as such contrary to the National Planning Policy Framework (NPPF).

The Planning Officer also clarified to members that although a public house was located nearby this was not within the Parish and that there were no other local services and facilities.

Councillor Mike Beech, Ward member then addressed the committee. He felt there was no reason to believe the application was unsustainable as the towns of Wincanton and Bruton were within a 2 mile radius. He did not consider the issues raised by the Highways Authority were a problem and was in full support of the application.

Hazel Mote spoke in objection to the application. She felt that none of the previous issues had been adequately addressed and therefore there was no reason to change the recommendation from refusal. She highlighted the issues regarding drainage within the area and that the development could only exacerbate these problems.

Mr C Ricketts, the applicant, believed the application to be in a sustainable location as the towns of Bruton, Wincanton and Gillingham were all close by. He said that the village pub was not the only one that had recently closed and that there was a local village hall. He explained his wish that the family stay in Charlton Musgrove, but in a smaller eco-friendly house. There were already three businesses along the lane that created traffic and therefore did not feel the proposed dwelling would create any more traffic. The hedge would be moved back to alleviate any safety highway issues, he had organised a tree survey and would ensure that the site would be kept private from other houses within the area.

In response to questions, Members were informed that:

- There was a limited bus service for the area
- Although the drainage issue was a Building Control matter, it did not class as being a reason for refusal for this application and could be included as a condition should permission be granted

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

- Similar application passed recently so unsure why this one so different.
- Business already located down the lane so did not feel there was any traffic issues.
- Appreciated planning policies but danger of losing small communities and the need to help revive villages and help them develop.
- Site located outside the defined development area.
- Could set a precedent for future developments within the area.
- Site not within a sustainable location and remote from adequate services and facilities.
- Appreciated the Highway Authority concerns but was unsure whether this would be a reason to refuse solely on this purpose.
- Concerns over the design and layout which would harm the character and appearance of the area.

It was then proposed and seconded that the application be refused as per the Officer's recommendation as set out in the agenda report. On being put to the vote this was carried by 5 votes in favour and 4 against.

RESOLVED:

Refuse permission for the following reasons:

01. The proposed development would be unsustainably located outside of the defined development area where it is remote from adequate services, employment, educational and other facilities, and public transport. It would foster growth in the need to travel by private vehicles and is contrary to the aims and objectives of the NPPF and Policy ST5 of the South Somerset Local Plan, 2006.
02. The junction of Brickhouse Farm Lane and the B3081 by reason of its restricted visibility is considered unsuitable to serve as a means of access to the proposed development, and the application has failed to demonstrate that the restricted visibility can be satisfactorily overcome. Furthermore, on the information currently available, the Local Planning Authority is not satisfied that a safe means of access can be provided. The proposal is therefore prejudicial to highway safety, and contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review, (Adopted April 2000) and Policy ST5 of the South Somerset Local Plan, 2006.
03. The proposal fails, in terms of design, density and layout, to preserve and complement the key characteristics of the location. It does not satisfactorily respect and relate to the form and character of its surroundings and this rural setting. The proposal is therefore considered to be contrary to the aims and objectives of Policies ST3, ST5 and ST6 of the South Somerset Local Plan, 2006.

(Voting: 5 votes in favour and 4 against)

18. Date of Next Meeting (Agenda Item 6)

Members noted that the next meeting of the Committee would take place on Tuesday, 19th March 2013 at 10.00am in the Council Chamber, Council Offices, Brympton Way.

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Chairman