

South Somerset District Council

Draft Minutes of a meeting of the **Regulation Committee** held on **Tuesday 15th October 2013** in the Council Chamber, Council Offices, Brympton Way, Yeovil.

(9.00 a.m. – 10.05 a.m.)

Present:

Peter Gubbins (Chairman)

Tim Carroll	Ros Roderigo
Nick Colbert	Sylvia Seal
Tony Fife	Gina Seaton
Ian Martin	Angie Singleton
Terry Mounter	
Shane Pledger	

Officers:

Jo Boucher	Committee Administrator
Dave Norris	Development Control Manager
Lee Walton	Planning Officer
Amy Cater	Solicitor

13. Minutes (Agenda Item 1)

The minutes of the meeting of the Regulation Committee held on Tuesday, 17th September 2013, 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, Paul Thompson 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 new three bedroom detached dwelling house with link attached garage designed to 'The Code for Sustainable Homes' level 4 on land adjacent to The Old Barn Owl – Land South of The Old Barn Owl 13/02322/FUL

The Planning Officer presented the report as set out in the agenda and explained to members that at the meeting of the Area North Committee on 25th September 2013 it was resolved that the application be referred to the Regulation Committee with the recommendation to approve contrary to the officer's recommendation.

In response to questions, members were informed that:

- the Highways Authority had recommended the visibility splay should be 120 metres on either side of the site access
- Although a Section 106 Agreement could be drawn up to control the occupancy in perpetuity of the dwelling this was not considered a material consideration and could be challenged in the future
- Land ownership was not an issue for consideration as separate negotiations would need to be held with the applicant and neighbours regarding encroachment onto/over third party land

The Ward Member, Councillor Sue Steele, said the site was currently very untidy with abandoned vehicles being a problem. She said the site was close to the vibrant community with a school, Post Office, Village Hall and nearby local employment units. She felt this site was within the heart of Westport and would tidy the area up considerably should the application be approved.

Mike Williams, Agent for the applicant, said the applicant was a local tradesman who wished to return to the area to live with his family. No objections had been received from neighbours or SSDC's Landscape Officer and that the design of the property was acceptable. He noted that the Planning officer had stated Policy ST3 could not be relied upon in previous applications but it had been cited in the reason for refusal. He felt the site was not in an isolated position but a vibrant community and could see there to be no reasonable objection to the application.

During the ensuing discussion, Members speaking in support of the Officer's recommendation referred to a number of issues, which included the following:

- Could set a precedent for similar infill developments within the area
- no proven justification to warrant an exception to policy
- although 40mph speed limit traffic travels considerably faster

Members speaking in objection of the Officer's recommendation made a number of comments which included the following:

- Genuine infill plot with no detrimental effect on surrounding area
- 40mph speed limit along highway, not an exceedingly busy road therefore no harm to highway safety
- Should look to encourage village development and a local connection where appropriate
- Proposed dwelling is of good design and would improve access for adjacent public house and tidy up the current state of the land

- site was within a sustainable location and close to the vibrant community with a school, Post Office, Village Hall and employment units.
- 120 metre visibility splay was considered a ridiculous limit for this type of development and the applicant could create a wide visibility splay in common with other existing properties along the road
- Considered the turning and parking area to be acceptable within the site for this development

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 lost by 2 votes in favour and 8 against.

It was then proposed and seconded that the application be approved as for the reasons stated by the Development Control Manager at the meeting as follows:

- The application site was considered to be a sustainable location bearing in mind the proximity to other local facilities
- The highway safety impact concerns were not considered significant as to warrant refusal

On being put to the vote, this was carried by 8 votes in favour and 2 against.

RESOLVED: That Planning Application No. **13/02322/FUL** be approved for the following reason:

The proposal, by reason of its design, layout and use of materials; its proximity to local facilities and services makes this a sustainable location, while the highway safety impact is not considered significant represents an acceptable form of development in accordance with policies ST5 and ST6 of the South Somerset Local Plan and the NPPF

Subject to the conditions as suggested at the meeting:

1. Approved Drawings
2. Materials and hard landscaping to be agreed
3. No obstruction to parking areas
4. Gates to site to be agreed

(Voting: 8 in favour, 2 against)

6. Date of Next Meeting (Agenda Item 6)

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

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Chairman