

South Somerset District Council

Minutes of a meeting of the **Area North Committee** held at the **Edgar Hall, Somerton** on **Wednesday 28 October 2015**.

(2.00pm - 5.20 pm)

Present:

Members: Councillor Shane Pledger (Chairman) (to 5.05pm)

Neil Bloomfield	Jo Roundell Greene
Adam Dance (from 2.40pm)	Dean Ruddle
Graham Middleton	Sylvia Seal
Tiffany Osborne	Sue Steele
Stephen Page	Derek Yeomans (to 5.05pm)
Crispin Raikes	

Officers:

Teresa Oulds	Neighbourhood Development Officer (North)
Chris Cooper	Streetscene Manager
John Millar	Planning Officer
David Norris	Development Manager
Sarah Hickey	Locum Planning Solicitor
Becky Sanders	Democratic Services Officer

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

76. Minutes (Agenda Item 1)

The minutes of the meeting held on 23 September 2015 were approved as a correct record and signed by the Chairman.

77. Apologies for absence (Agenda Item 2)

An apology for absence was received from Councillor Clare Aparicio Paul. An apology for a late arrival to the meeting was received from Councillor Adam Dance.

78. Declarations of Interest (Agenda Item 3)

Councillors Neil Bloomfield and Graham Middleton declared a personal interest in planning application 15/03399/FUL as they are members of Martock Parish Council.

Councillors Derek Yeomans and Tiffany Osborne declared a personal interest in planning application 15/03472/S73A as they are members of Curry Rivel Parish Council.

Councillor Derek Yeomans declared a personal and prejudicial interest in planning application 15/00986/FUL as he part-owns a property near to the site.

Councillor Shane Pledger declared a personal and prejudicial interest in planning application 15/00986/FUL as he had had business dealings with the applicant.

79. Date of next meeting (Agenda Item 4)

Members noted that the next meeting of Area North Committee was scheduled for 2.00pm on Wednesday 25 November 2015 at the Millennium Hall, Seavington. It was noted that there was a possibility the venue might change.

80. Public question time (Agenda Item 5)

There were no questions from members of the public.

81. Chairman's announcements (Agenda Item 6)

There were no announcements from the Chairman.

82. Reports from members (Agenda Item 7)

Councillor Sylvia Seal provided an update about the Gold Star Awards, which was very successful and had been an excellent evening at the octagon Theatre.

83. Performance of the Streetscene Service (Agenda Item 8)

The Streetscene Manager summarised the report as shown in the agenda. He highlighted to members key points including:

- A main focus over the previous six months had been weedkilling – the process was now more mechanised using two quad bikes. The service had successfully completed two treatments across the district.
- Road sweepers had been kitted out with new fittings to deal with areas where there is heavy build up of dirt or vegetation along kerbs.
- The number of flytips was reducing, but the locations seemed to be the same.
- The grass cutting programme for the year was finishing and ditch clearance would start in early November.
- The service was prepared for snow and extreme weather this winter.
- Spring bulbs were still available for parishes as the take up had not been so high this year.

Responses by the Streetscene Manager to comments raised during discussion included:

- A supply of sandbags, and floodbags were in stock in case of flooding
- Yeovil Town Council funded Yeovil in Bloom.
- Detail regarding the herbicide used for spraying in towns and villages, and the rationale for using that particular treatment.
- Details about who to contact regarding concerns about fly-posting.
- Acknowledgement that in places dirt alongside roads was obscuring road markings.

Members praised the work of the team and thanked the Streetscene Manager for his informative report.

RESOLVED: That the report be noted.

84. Area North Committee Forward Plan (Agenda Item 9)

The Neighbourhood Development Officer (North) advised that the report about the Conservation Service including the listed buildings at risk report was now scheduled to be made to the next meeting.

RESOLVED: That the Area North Committee Forward Plan be noted.

85. Planning Appeals (Agenda Item 10)

Members noted the report that detailed recent planning appeals which had been lodged, dismissed or allowed.

RESOLVED: That the report be noted.

86. Schedule of Planning Applications to be Determined By Committee (Agenda Item 11)

Members noted the schedule of planning applications to be determined at the meeting.

RESOLVED: That the report be noted.

87. Planning Application 15/03472/S73A - Land Adjacent Acre Cottage, Stoney Lane, Curry Rivel. (Agenda Item 12)

Proposal: Section 73A application to vary condition 8 of 11/00059/OUT allowed at appeal 07.10.11, to allow the hatched red on attached plan to be removed from the condition; parking and turning.

The Planning Officer updated members that since the report had been written, a further letter of correspondence from a neighbour had been received, who felt that the parish council comments in the report did not reflect what had been discussed at the parish council meeting.

The application was presented to members, and the Planning Officer explained the application sought the removal of a turning head. He highlighted the applicant's case, and advised members that in summary they needed to consider if the turning head was required and enforceable.

Mr S Lovett, objector, noted that his reasons for objecting had been clearly outlined in his consultation response to the application, and were based upon concerns about highway

safety. He felt the council would be neglecting their duty of care if the application was approved.

Applicants, Mr and Mrs Fouracres, both addressed members and provided a brief background to the situation. Comments made by them included:

- The nature of the area was not made clear when purchasing the land and was not shown as such on their deeds or the land registry document.
- Their property was not part of the private access road
- Since development has been occupied a variety of vehicles accessed and exited the site, and they were not aware of any problems experienced by delivery vehicles.
- Parking requirements for the property is for 2 spaces, which is the garage.
- Emergency services had been consulted and had not raised any issues regarding access
- The access road was required to be kept clear, and had good visibility onto Stoney Lane which is in a 30mph area.

Agent, Ms C Stephens, noted the whole access into the development is private, and the application sought to remove the turning head from the applicants land. Any conflict with users of Stoney Lane was minimal, and the condition for a turning head was not necessary. The condition referred to a submitted plan at the outline stage, but there was only one plan and the layout indicated was different. She queried if the condition was enforceable, and if it was not practical to enforce, then it was not really valid.

Ward member, Councillor Tiffany Osborne, comments included that the situation seemed to be a civil and planning issue and that all four properties appeared to have been purchased with no indication of a turning head. She noted manoeuvring of vehicles could easily take place within the curtilage of each property. If the area in question was a turning head then the owner effectively would be unable to park on their own land. Refuse bins were left at the end of the road anyway as refuse vehicles would not go up the private drive. The properties had been purchased on the understanding there was no turning head on the development.

During discussion comments raised by members included:

- Turning head should never have been put there, and should be removed.
- The turning head was totally untenable
- Duplicate letters of objection had been generically reproduced
- Feel more a civil matter than planning, but question why the issue had not been noticed during conveyancing.
- Feel there are some issues regarding highway safety.
- If kept as a turning head, in theory someone else other than the land owner could park in the space and so block access to the property.

In response to comments made by members, the Locum Planning Solicitor advised members that ownership of the turning head was not a material consideration and should not be taken into account in reaching the decision, and any decision should be based upon highway issues and enforceability.

It was proposed to approve the application, contrary to the officer recommendation, as it was considered the proposal would not have a significant impact on road safety. On being put to the vote the proposal was carried 7 in favour, 3 against, with 1 abstention. *(Councillor Adam Dance was unable to vote as he had arrived late to the meeting and missed the officer presentation).*

RESOLVED: That planning application 15/03472/S73A be APPROVED, contrary to the officer recommendation for the following reason:

The removal of the turning area would not have a significant impact upon road safety in the locality and as such the scheme is in accordance with policy TA5 and EQ2 of the South Somerset Local Plan (2006-2028) and the provision of chapter 4 of the National Planning Policy Framework.

(Voting: 7 in favour, 3 against, with 1 abstention)

**88. Planning Application 15/02934/FUL - Fairview Farm, Law Lane, Drayton.
(Agenda Item 13)**

Proposal: Conversion of redundant outbuildings to a dwelling.

The Planning Officer presented the proposal as detailed in the agenda report, and highlighted the buildings that should have been removed as part of a previous approved application. He noted that in some respects it was questionable if the proposal was a conversion due to the amount of reconstruction required, and under the terms of the National Planning Policy Framework it was not considered to comply with paragraph 55. He advised members that if they were minded to approve the application, then conditions would be required, including a specific one for drainage.

Mr C Miller, agent, was pleased that the buildings were considered to be convertible, but felt the officer had not given enough weight to the potential for enhancement of the site. Referring to current uses of the wider site he explained why the driveway and parking elements were included as part of this application. He noted much of the proposal could be subject to landscaping conditions, and felt there were ample planning arguments regarding enhancement to the site. He further noted that no objections had been submitted.

Ward member, Councillor Tiffany Osborne, referred to the officer recommendation for refusal and questioned whether elements of that reasoning were justified. She noted the track was not new and a track had existed for over 20 years but acknowledged it had been upgraded. The applicant had taken the opportunity to provide parking in this application for the neighbouring businesses. Regarding the proposed garden area having a negative landscape impact, she noted the applicant was willing to reduce the area or change the shape. Reuse of existing buildings would be an enhancement and not detrimental to the surrounding area.

During discussion, members indicated support for the application and comments raised included:

- Design quite innovative
- Other buildings in the nearby area had been converted
- Sympathetic design
- Feel would be an enhancement but should consider removing permitted development rights
- Post and rail fencing should be kept but perhaps enhanced by the addition of hedging

The Development Manager reminded members that the garden area as indicated on the plans before them was what needed to be considered, and whether it was felt to be an enhancement.

As members were minded to approve the application, the Planning Officer advised members that as well as conditions, a legal agreement would be required for an affordable housing contribution. The Planning Officer suggested wording for the justification, and recommended that the detail of conditions, including removal of permitted development rights, be delegated to officers in consultation with the Area Chairman and ward member.

It was proposed to approve the application, contrary to the officer recommendation, for the justification as suggested by the Planning Officer, and subject to a legal agreement for an affordable housing contribution, with conditions to be agreed by the Development Manager in consultation with the Area Chairman and ward member. On being put to the vote the proposal was carried unanimously.

RESOLVED: That planning application 15/02934/FUL be APPROVED, contrary to the officer recommendation for the following reason, and subject to appropriate conditions to be agreed by the Development Manager in consultation with the Ward member and Area Chairman.

Justification

The proposal would not be at odds with the rural character and appearance of the locality and would lead to an enhancement of this site. As such the proposal accords with policies TA5, TA6 and EQ2 of the South Somerset Local Plan 2006-2028 and the provisions of paragraph 17 and chapters 6, 7 and 11 of the National Planning Policy Framework.

(Voting: Unanimous in favour)

89. Planning Application 15/03045/FUL - Sunnyside Park, Fivehead. (Agenda Item 14)

Proposal: Change of use, retention of existing pitches and second access, addition of 2 pitches and 3 twin utility blocks.

The Planning Officer updated members that since the agenda had been published, legal advice had been sought. Referring to the mention of an Injunction Order and the status being unknown under the parish council comments, he noted that the Injunction had since been located; the Injunction was a consideration for members in reaching the decision but balanced with factors such as the compliance with the terms of the Injunction and passing of time and establishment of the landscaping etc. Further advice on the matter could be given by the Locum Solicitor if needed.

The proposal was presented to members, as detailed in the agenda report, and the Planning Officer briefly explained the planning history on site and elements of a previous appeal decision. He noted the proposal was to enable use by extended family members of the existing occupier on the site. It was acknowledged the current occupier had done much to tidy up the site and landscaping was now well established. Whilst the

Landscape Officer's comments had been carefully considered it was not felt the proposal would be so detrimental as to warrant an officer recommendation of refusal of this application.

Ms K Beacham, spokesperson for Fivehead Parish Council, noted there had been a lot of trouble with the site with previous occupiers. She made reference to the Planning Inspector's decision from previous applications which stated no more than four pitches and no extension to the north. She questioned if that decision was to now be disregarded.

Ms S Woodbury, agent, acknowledged comments raised by the parish council at their meeting, and commented she was aware of the previous appeal. She noted there were new circumstances now, family with children and an elderly person on site who was unable to decide which family member to live with him. Much of the proposed extension to the site was hard surface and included a large overgrown mound of rubble, and the site had been picked as it needed to be cleared anyway.

Ward member, Councillor Sue Steele, acknowledged the changed situation with the site, and referred to the previous appeal decision which stated part of the current application site should remain as a paddock. It was noted the Local Plan indicated the district had enough traveller pitches, and she didn't think the village ever thought there would be more pitches at the site. She felt there were still conditions from previous applications that may not have been fully complied with. She sought clarification regarding the height and details of the utility buildings

During discussion, comments made by members included:

- Uncomfortable that officer recommendation is for approval given the Landscape Officer and Planning Inspector comments.
- Children will need somewhere to play.
- Question why extension is needed as feel room for two pitches on existing site.
- The height of the buildings needs to be clearly defined.
- Know Gypsy families like to stay together.
- Could materials be looked at so they fit better into the landscape?
- Commend applicants for following proper procedures
- Can the existing drainage system adequately cope with more pitches?

In response to other comments made, the Development Manager and Planning Officer clarified that:

- The enforcement file for the site had been closed as it was felt the site now complied with the Injunction.
- Gypsy and Traveller needs sat outside of Policy SS" within the Local Plan.
- Committees and members don't always agree with Planning Inspectors.
- Officer view is, that with careful consideration, due to the vegetation now being mature, that it is acceptable to make a recommendation of approval.
- SS2 should not have been included under the list of policies, and it had been included in error.
- Some open space will be retained.
- After five years the site would remain as a residential site for Gypsies and Travellers. Would possibly be an argument for a brownfield site but unlikely due to Gypsy and Traveller policies.
- The district currently met the specified number of pitches, but there was a need to ensure there was adequate provision for the next five years.

- Conditions as detailed in the agenda would deal with concerns raised by members, however in light of comments raised it was recommended that there was an additional condition regarding levels and an informative for materials.

At the end of discussion, many members were supportive of the application. It was proposed to approve the application, as per the officer recommendation, subject to an additional condition regarding levels and an informative for materials. On being put to the vote the proposal was carried 9 in favour, 3 against.

RESOLVED: That planning application 15/03045/FUL be APPROVED, as per the officer recommendation, subject to:

Justification

The proposed development of an additional two pitches adjoining an existing gypsy/traveller site, would meet a recognised need without detriment to visual or residential amenity or highways safety. The site is reasonably well located relative to schools and other community facilities and can provide a refuse point, suitable drinking water supply, sewerage disposal and other necessary facilities. As such the proposal complies with policies SD1, TA5, TA6 and HG7 of the South Somerset local Plan and the policies contained in the National Planning Policy Framework.

Subject to the following conditions:

01. 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.

02. The development hereby permitted shall be carried out in accordance with the following approved plans: 'Drawing number 1181/02A', received 23rd June 2015, 'Location Plan', received 8th July 2015 and '1:1000 Site Layout Plan', received 12th August 2015.

Reason: For the avoidance of doubt and in the interests of proper planning.

03. The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of Planning Policy for Travellers (August 2015).

Reason: To avoid any ambiguity as to who can occupy the site hereby permitted as an exception to policy.

04. There shall be no more than 6 pitches on the whole of the application site contained within the area outlined in red on the submitted location plan, received 8th July 2015. On each of the 6 pitches hereby approved, no more than 2 caravans shall be stationed at any time, of which no more than one caravan shall

be a residential mobile home.

Reason: To ensure that the Local Planning Authority have control with regard to the number and type of caravans on the site in the interests of visual amenity and highway safety in accordance with policies TA5, TA6 and EQ2 of the South Somerset Local Plan and the provisions of chapters 4, 7 and 11 of the National Planning Policy Framework.

05. No commercial activities, including the storage of materials, shall take place on the land.

In the interests of visual amenity and highway safety in accordance with policies TA5, TA6 and EQ2 of the South Somerset Local Plan and the provisions of chapters 4, 7 and 11 of the National Planning Policy Framework.

06. No development hereby approved shall be carried out until particulars of details of materials (including the provision of samples where appropriate) to be used for external walls and roofs of the utility rooms hereby permitted have been submitted to and approved in writing by the Local Planning Authority.

In the interests of visual amenity in accordance with policy EQ2 of the South Somerset Local Plan and the provisions of chapter 7 and 11 of the National Planning Policy Framework.

07. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; 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.

In the interests of visual amenity in accordance with policy EQ2 of the South Somerset Local Plan and the provisions of chapter 7 and 11 of the National Planning Policy Framework.

08. No development hereby approved shall be carried out until details of foul and surface water drainage of the site, including provision for the continuing maintenance of the roadside ditch, have been submitted to and approved in writing by the Local

Planning Authority. Such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

09. 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), all means proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby approved. Such details, as may be approved, shall be retained and not varied or added to without the prior written consent of the Local Planning Authority.

Reason: In the interests of highway safety, to safeguard the amenities of the area and prevent unnecessary pollution of the night sky in accordance with policies TA5, TA6 and EQ2 of the South Somerset Local Plan and the provisions of chapters 4, 7 and 11 of the National Planning Policy Framework.

10. There shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2m back from the carriageway edge on the centre line of the existing southern access and extending to a point on the nearside carriageway edge 33m in each side of that access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

11. The northern access to the site hereby permitted, shall only be used in the event of an emergency. Prior to the development hereby permitted first being brought into use, a scheme for the stopping up of said access in a manner that it is only available for emergency access, shall be submitted to and approved in writing by the Local Planning Authority. Such approved scheme shall thereafter be maintained at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

and the following additional condition and informative:

12. No development hereby approved shall be carried out until details of the finished ground levels of the two proposed pitches to the north of the site have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be relative to an ordnance datum or such other fixed feature as may be agreed in writing by the Local Planning Authority. The development hereby approved shall be carried out in accordance with said approved details and shall thereafter be maintained at all times.

In the interests of visual amenity in accordance with policy EQ2 of the South Somerset Local Plan and the provisions of chapter 7 and 11 of the National Planning Policy Framework.

Informative:

In relation to condition 6, the applicant should note that the Local Planning Authority does not give approval to the use of the material finishes submitted with the application. It is recommended that the applicant contacts the Local Planning Authority to discuss appropriate material finishes further.

(Voting: 9 in favour, 3 against)

90. Planning Application 15/03660/LBC - Kingsbury Manor Cottage, Folly Road, Kingsbury Episcopi. (Agenda Item 15)

Proposal: Erection of a tube system solar panel on rear roof slope of dwellinghouse (Retrospective).

The Planning Officer presented the application as detailed in the agenda and highlighted the solar panel had been installed in the late 1990's by a previous owner. He explained that other listed building matters that need regularisation had been approved earlier this year.

Mrs Hobbs, applicant, reiterated the panel had been installed by a previous owner of the property, and she also referred to the listing description for the property which they considered to be partly incorrect. It was noted the building was significant within the village and the installation of the solar panel had not changed the structure of the building or caused any harm. She highlighted that in 1995, permission was granted for a velux roof light in the same roof, and the panel was to the rear of the property and not visible by the general public.

Ward member, Councillor Derek Yeomans commented the solar panel was a tiny array and only visible from a private courtyard. He noted that other listed buildings have panels, and the existing velux window was already an alien feature. He supported approval of the application.

There being no further discussion it was proposed and seconded to approve the application, contrary to the officer recommendation, as it was considered to not adversely

affect the character and setting of the listed building, and on being to the vote was carried unanimously.

RESOLVED: That listed building application 15/03660/LBC be GRANTED, contrary to the officer recommendation for the following reason:

The works comprising the erection of a tube system solar panel are considered acceptable and do not adversely affect the character and setting or the historic and architectural interests of the listed building, in accordance with the aims and objectives of policy EQ3 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 12 of the National Planning Policy Framework.

(Voting: Unanimous in favour)

91. Planning Application 15/03399/FUL - 18 Barton Close, Bower Hinton, Martock. (Agenda Item 16)

Proposal: Change of use of dwelling from C3 (dwelling) to mix of C3 and C1 (short stay letting accommodation).

The Development Manager introduced the application as detailed in the agenda and highlighted that some members would be aware of the site and situation as similar applications were considered a few years ago. He advised the key issue was whether the change of use was considered to be acceptable. It was noted many letters had been received raising a number of issues. Whilst the issues were acknowledged and appreciated, it was a subjective view, and in planning terms difficult to recommend refusal.

Members were addressed by Ms C Roden, Ms C Edwards and Mr R Roden in objection to the application. Their comments included:

- Barton Close is a small cul-de-sac of houses suitable for families but the Hollies now owned many of them, creating a sterile environment.
- There was now a constant stream of strangers.
- So many houses now used by hotel that the original planning application for houses had been totally undermined.
- Only six houses left not owned by the hotel.
- Query if the original site application had been for a hotel, rather than housing, if it would have been approved.
- When is enough enough?
- There is no local economical benefit to this application.
- Residents have a stake in the area in which they live and contribute to the community both economically and socially.
- If rate of hotel expansion continues the whole close will be lost as residential.

Mr R Walsh, applicant, clarified that Barton Close had 18 houses but only 17 of those were new builds. He explained that of the houses owned by the hotel, 85% of use of the buildings was class C3 that did not require planning permission, and 15% of use fell into C1 use. They were seeking permission for the mixed use to give flexibility. In context as a percentage, there would be about 1.5 properties in C1 use. He noted many of the points raised in objection were subjective and conjecture. He noted that no Environmental Health or Police complaints had been received in relation to the site and any issues that arose were dealt with by the hotel.

Ward member, Councillor Neil Bloomfield, noted that Barton Close was attractive development but was soleless and lacked community feel. He made reference to national statistics about local and visitor spending and queried if we would have built a hotel on the site. He commented it was a good hotel but swallowing up needed housing. He felt enough of the dwellings had been granted a change of use and did not support the application.

Ward member, Councillor Graham Middleton, commented that he felt this application was retrospective. He noted there was no atmosphere at Barton Close, and felt there was enough mixed use already and that what was left of the community needed to re-establish itself. He acknowledged there was some disturbance to residents, and he found it difficult to support the application.

During the general discussion members raised several comments including:

- It's a difficult and sad situation.
- Share concern and opinion of residents, feel will be blighting existing domestic dwellings.
- Cannot support - but for reasons that won't stand up in planning terms.
- People in the past have been happy to sell their property to the hotel, could happen again, and we cannot determine who will sell what to who.
- Loss of homes for local people
- Discussing one house now, but previously 10.
- There has to be a tipping point when enough is enough.
- Its detrimental to residential amenity

In response to comments made, the Development Manager clarified:

- that the Council could control use but not ownership.
- No law about businesses buying properties
- Can control impact with change of use
- If minded to refuse, a clear reason was need as to why or the detriment that would be caused.
- Properties not considered to be affordable homes, but might be considered at lower end of the market.

At the conclusion of debate the officer recommendation to approve permission was proposed and seconded, and, on being put to the vote, and equal vote was recorded. The Chairman used his casting vote in favour of granting permission. (Voting: 6 in favour, 6 against with the Chairman's casting vote in favour).

RESOLVED: That planning application 15/03399/FUL be APPROVED, as per the officer recommendation, for the following reasons:

Justification:

The proposed change of use will contribute positively towards available tourism accommodation in the area and the rural economy. The proposal would not be prejudicial to visual or residential amenity, the historic environment, or highways safety; and as such, it accords with policies SD1, SS1, EP8, EQ2, EQ3, TA5, and TA6, of the South Somerset Local Plan, and chapters 1, 3, 7, and 12 of the NPPF

Subject to the following conditions

01. 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.

02. The development hereby permitted shall be carried out in accordance with the following approved plans (except where directed otherwise by the conditions below): Location Plan and Site Plan, received 23 July 2015.

Reason: In the interests of proper planning and for the avoidance of doubt

03. The application property known as 18 Bartons Close shall be occupied by no more than 5 persons at any one time without the prior express of planning permission. A log book showing the number of guests shall be maintained and made available for the inspection of the Local Planning Authority at their request for the lifetime of the sui generis use hereby granted.

Reason: In the interests of residential amenity and highways safety, in accordance with policies EQ2, TA5, and TA6 of the South Somerset Local Plan (2006-2028).

(Voting: 6 in favour, 6 against, with the Chairman's casting vote in favour)

92. Planning Application 15/00986/FUL - Land South of Greystones, Off Crouds Lane, Long Sutton. (Agenda Item 17)

(Councillors Shane Pledger and Derek Yeomans, having declared personal and prejudicial interests left the meeting prior to the presentation of this application. Councillor Dean Ruddle in the Chair).

Proposal: Erection of a detached dwelling and change of use and alterations of existing annexe building to form a separate dwelling (part retrospective).

The Development Manager presented the application as detailed in the agenda report, and highlighted the buildings subject to previous permissions. He explained the key considerations, including policy SS2, and he explained in a little more detail the SS2 element. It was noted that traffic from two extra dwellings off of Crouds Lane was not considered to be an issue by the Local Planning Authority or Highway Authority, and the officer recommendation was to approve the application.

Mr C Hayward, Ms K Jennson and Mr M Caulfield, addressed members in support of the application and their comments included:

- Site is not much more than scrubland at the moment
- There is little traffic along Crouds Lane and the applicant does builds of good design.

- No harm caused by the proposal. Originally the scheme was for four units, but opposition locally so the applicant had listened to comments and reduced the number to two.
- No surface water or flood issues relating to the site
- Applicant has fully consulted with neighbours throughout the process
- Dwellings are of an appropriate style for the village.

Mr N Gould applicant, noted the current scheme had evolved from a previous scheme for four smaller units, and whilst supported by the parish council, was not by the local community. Therefore came up with scheme for the two units. A big concern locally was regarding drainage and he noted he was willing to enter a legal agreement for ground and surface water management.

During a very brief discussion, a member commented that the proposal appeared well designed and noted many conditions were recommended. It was proposed to approve the application, as per the officer recommendation, and on being put to the vote was carried 9 in favour and 1 against.

RESOLVED: That planning application 15/00986/FUL be APPROVED for the following reason and subject to:

- the prior completion of a section 106 planning agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to secure a financial contribution towards affordable housing at a rate of £40 per square metre of the internal floor area of the new build dwelling.

Justification:

The proposed residential development, by reason of its location, scale, design and materials, represents the efficient and appropriate use of this site that will make a positive contribution to the district's housing supply whilst respecting the setting of the adjacent listed building and without causing any demonstrable harm to visual amenity, residential amenity, highway safety, drainage and flooding and the environment and therefore accords with the aims and objectives of policies SD1, TA5, TA6, EQ2, EQ3, EQ4 and EQ7 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

Subject to the following condition:

01. 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.

02. The development hereby permitted shall be carried out in accordance with the following approved plans:

- location plan;
- drawings numbered 4220(P)03D, 4220(P)16, 4220(P)05C, 4220(P)11C, 4220(P)14 Proposed Floor Plans, 4220(P)14

- Proposed Elevations and 4220(P)13; and
- drawings numbered P5436/100 and P5436/101 received 13/10/2015.

Reason: For the avoidance of doubt and in the interests of proper planning.

03. No work shall be carried out on site unless particulars of the following have been submitted to and approved in writing by the Local Planning Authority:
- a. details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
 - b. a sample panel, to be prepared for inspection on site, to show the mortar mix and coursing of the new natural stone walls;
 - c. details of the recessing, materials and finish for all new external windows and doors;
 - d. details of the rainwater goods and eaves and fascia details and treatment;
 - e. details of all boundary treatment;
 - f. details of all hardstanding.

Once approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area in accordance with policy EQ2 of the South Somerset Local Plan.

04. The development hereby permitted shall be served by a private foul and surface water drainage system (i.e. shall not connect to the mains drainage system), details of which shall be submitted to and agreed in writing by the local planning authority before the development is commenced. Such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation the approved scheme shall be permanently retained and maintained thereafter.

Reason: To safeguard the local ground water quality, environmental health and neighbour amenity to accord with policies EQ2 and EQ7 of the South Somerset Local Plan.

05. The development hereby permitted shall not be commenced unless there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels (to include section drawings as appropriate). All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development,

whichever is the sooner; 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: In the interests of visual amenity to accord with Policy EQ2 of the South Somerset Local Plan.

06. No works shall commence unless details of the internal ground floor levels of the two-storey dwelling have been submitted and agreed in writing by the local planning authority. The development thereafter shall be carried out in accordance with the agreed details.

Reason: In the interest of visual amenity to accord with Policy EQ2 of the South Somerset Local Plan.

07. Before the dwellings hereby permitted are first occupied, the access over the first 5m of its length shall be properly consolidated and surfaced with tarmac unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with policy TA5 of the South Somerset Local Plan.

08. Before the dwelling is occupied and the access is first brought into use, provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto any part of the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority and thereafter maintained in this fashion at all times.

Reason: In the interests of highway safety in accordance with policy TA5 of the South Somerset Local Plan.

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

Reason: In the interests of highway safety in accordance with policy TA6 of the South Somerset Local Plan.

10. Any entrance gates shall be hung to open inwards and set back a minimum distance of 5m from the highway at all times.

Reason: In the interests of highway safety in accordance with policy TA5 of the South Somerset Local Plan.

11. There shall be no construction works (including the operation of any machinery) or any associated deliveries or despatching of any

construction materials carried out outside the hours 08.00 to 18.00 Mondays to Fridays and none shall be carried out at any time on Saturdays, Sundays, Bank or Public Holidays.

Reason: In the interest of residential amenity to accord with policy EQ2 of the South Somerset Local Plan.

12. Prior to the two-storey dwelling hereby permitted being first brought into use the first floor windows within the north and south elevations shall be fitted with obscure glass (and fixed closed) and shall be permanently retained and maintained in this fashion thereafter.

Reason: In the interest of residential amenity to accord with policy EQ2 of the South Somerset Local Plan.

13. 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 windows or other openings shall be formed above ground floor level within the north or south elevations of the two-storey dwelling hereby permitted hereby permitted without the express grant of planning permission.

Reason: In the interest of residential amenity to accord with policy EQ2 of the South Somerset Local Plan.

Informatives:

01. The applicant is reminded that the foul drainage system will require the separate agreement of the Environment Agency.

(Voting: 9 in favour, 1 against)

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Chairman