

South Somerset District Council

Minutes of a meeting of the **Area West Committee** held at **Swanmead Community School on Wednesday 18 May 2016.**

(5.30 - 7.30 pm)

Present:

Members: Councillor Carol Goodall (Chairman)

Jason Baker	Sue Osborne
Marcus Barrett	Ric Pallister
Mike Best	Garry Shortland
Amanda Broom	Angie Singleton
Dave Bulmer	Andrew Turpin
Val Keitch	Linda Vjeh (until 6.20pm)
Jenny Kenton	Martin Wale

Officers:

Jo Morris	Democratic Services Officer
Andrew Gunn	Area Lead (West)
Angela Watson	Legal Services Manager
Helen Rutter	Assistant Director (Communities)
Mike Hicks	Planning Officer

Also Present:

Mike Fear	Assistant Highway Service Manager, Somerset County Council
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NB: Where an executive or key decision is made, a reason will be noted immediately beneath the Committee's resolution.

144. To approve as a correct record the Minutes of the Previous Meeting held on 20th April 2016 (Agenda Item 1)

The minutes of the meeting held on 20th April 2016, copies of which had been circulated, were taken as read, and having been approved were signed by the Chairman as a correct record of the proceedings.

145. Apologies for Absence (Agenda Item 2)

An apology for absence was received from Councillor Paul Maxwell.

146. Declarations of Interest (Agenda Item 3)

Councillor Andrew Turpin declared a personal interest in Planning Application No. 16/00331/FUL, as a member of Tatworth and Forton Parish Council.

147. Public Question Time (Agenda Item 4)

No questions or comments were raised by members of the public.

148. Chairman's Announcements (Agenda Item 5)

The Chairman announced that Agenda Item 8 - Chard Business Hub Project would not be considered at the meeting as further discussions on the report were required. It was suggested that a workshop for Area West members only would be held prior to the start of the June Area West Committee meeting. Members were asked to email their comments and queries to the Neighbourhood Development Officer by 27th May 2016.

149. Date and Venue for Next Meeting (Agenda Item 6)

Members noted that the next meeting of the Area West Committee would be held on Wednesday 15th June 2016 at 5.30pm. Venue to be confirmed.

150. Area West Committee - Forward Plan (Agenda Item 7)

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

The Assistant Director (Communities) advised that the Environmental Health Service Update Report would be considered at the August possibly September Area West Committee meeting.

It was confirmed that the Chard Business Hub Project report would be considered at the June Area West Committee meeting.

Members were content to note the Forward Plan as outlined in the agenda subject to the suggested amendments.

RESOLVED: That the Area West Committee Forward Plan be noted as attached to the agenda subject to the following amendments:

- The Environmental Health Service Update Report to be considered in August possibly September.
- The Chard Business Hub Project report to be considered at the June meeting.

151. Chard Business Hub Project (Executive Decision) (Agenda Item 8)

This item was withdrawn from the agenda and would be considered at the June Area West Committee meeting.

152. Highway Service Report for Area West (Agenda Item 9)

The Assistant Highway Service Manager presented the report which outlined the highway works carried out in the last financial year in Area West and the proposed works programme for 2016/17. He advised that the Chard A30 High Street scheme was anticipated to commence on 1st August. With regard to grass cutting he informed members that the verge cutting of A and B roads had commenced on time.

The Assistant Highway Service Manager noted members' comments and concerns about local issues within the area which included:

- A member thanked the Assistant Highway Service Manager for the substantial programme of works for the forthcoming year;
- A member requested the need for plenty of notice of when the scheme would commence in Ditton Street, Ilminster as it was likely to cause considerable disruption. The Assistant Highway Service Manager advised that the works would most probably be undertaken in the evenings and take place over two to three days;
- With regard to the scheme on the A30 Barrows Hill, East Chinnock, the Assistant Highway Service Manager advised that the works would commence in June and the road would be closed with a diversion route from Crewkerne. He assured members that the bus company would be made aware of the closure;
- A member raised concerns over blocked drains in Market Street, Crewkerne.

The Chairman thanked the Assistant Highway Service Manager for attending the meeting.

RESOLVED: That the report be noted.

153. Planning Appeals (Agenda Item 10)

The Committee noted the appeals that had been received and allowed as outlined in the agenda report.

NOTED.

154. Schedule of Planning Applications to be Determined by Committee (Agenda Item 11)

Members noted the Schedule of Planning Applications to be determined by the Committee.

155. Planning Application 16/00331/FUL - Turbury Woods, Forton, Chard (Agenda Item 12)

Application Proposal: Alterations, raising of roof and conversion of building to form two storey dwelling (Revised Application)

The Planning Officer introduced the report and with the aid of slides and photographs summarised the details of the application as set out in the agenda. He referred to the

key considerations which were countryside (isolated) location of the site and Ecological Networks. His recommendation was for refusal.

In response to members' questions, the Planning Officer informed members of the following:

- Confirmed that permission was approved with conditions in 1987 for use of existing buildings as an education centre with store area and workshop. He had not given any weight to the approval as it was under a different planning regime;
- The Legal Services Manager explained that the Planning Officer had not felt it necessary for the application to be **. The Chairman could recommend that the application be referred to the Regulation Committee if members felt strongly that it should;
- Clarified the definition of core areas and those areas covered by the 'stepping stones' designation;
- In planning policy terms, the site was considered 'isolated' because of the distance from key services and facilities;
- Under the NPPF there was a general requirement to try and seek biodiversity enhancements on all sites.

The Committee was addressed by Sandra and George Beattie, members of Tatworth and Forton Parish Council speaking in objection to the application. Comments raised in objection to the application included the following:

- The application would set a precedent for other dwellings to be built;
- The access road was located on a dangerous bend;
- The site was isolated and there was a lack of services;
- The development was out of character within the immediate setting.

The Committee was then addressed by Sarah Holdsworth representing Tatworth and Forton Parish Council speaking in support of the application. She advised that there were a number of other dwellings in the area and commented that the building was in a discreet position. She referred to the need for management on the site and that the applicant was prepared to put in the time and money to create a valued working woodland. The applicant was also prepared for the property to be tied to the woodland.

The Agent, Mike Williams confirmed that the existing building would easily support a construction. If converted, the appearance of the building would not change in a detrimental way. He commented that the building was not out of place or isolated and that there were further dwellings to the north and south of the site. The applicant was committed to developing the property. There were no highway objections and the proposal would not harm the ecological area and there was no argument over how residential use would affect the ecological stepping stones.

The Applicant, Renny Shepherd advised that there had been no management of the woodland for over 30 years which was a long time for a woodland to be left. He commented that woodlands were not seasonal and that he was prepared to put time and money into the woodland and wished to live there.

Ward Member, Cllr. Andrew Turpin commented that the woodland was part of the gateway to the parish and needed to be looked after. In terms of enhancement to the immediate setting he believed it could not be made any worse than what it was at the present time. With regard to isolation, he said that the site was within walking distance to

a bus stop. He referred to the need for the applicant to live on the site to stop trees being taken down and for the protection of tools and materials.

During discussion on the application members made a number of comments which included the following:

- There were dwellings to the north and south of the site with the entrance being in part of a paddock;
- It was not considered that the site was isolated;
- Any enhancement to the site would be better than leaving it;
- There were no highway objections;
- A residential property would not create much more additional traffic;
- The proposal would enable the woodland to be managed;
- It was suggested that all permitted development rights should be removed;
- The precedent had been set a long time ago as there was already an existing structure on the site and some form of residential use had already been previously approved;
- There was a need for a landscaping condition.

The Legal Services Manager referred to the issue of isolation and pointed out that a couple of other houses located in the local area didn't stop the site from being isolated; the concept was intended to prevent individual dwellings in the countryside and outside of settlement limits. She advised that if members were minded to approve the application justified reasons for approval could include enhancement and preservation of woodland. She advised that it was not appropriate to tie the property to a specific holding, as this went against the thrust of current planning guidance.

It was proposed and seconded to approve the application contrary to the Planning Officer's recommendation for the following reason as suggested by the Area Lead West.

The proposed dwelling, by reason of its design, density, form, scale, mass and proportions would maintain and enhance the character and appearance of the locality. It would preserve the character and quality of the local landscape and would result in an enhancement to the immediate setting. The development would not be detrimental to ecological interests or highway safety. As such the proposal would comply with policies EQ2, EQ4 and TA5 of the South Somerset Local Plan (2006-2028) and paragraphs 55 and 117 of the National Planning Policy Framework (2012).

Conditions suggested by the Planning Officer and in agreement with members were in relation to the following:

- Plans
- Materials
- Removal of Permitted Development Rights (Classes A, B, E and F)
- Hard and Soft Landscaping
- Woodland Management including ecological enhancements
- Details of external lighting

- Highway conditions including the first 6.0m of the access being properly consolidated.

On being put to the vote the proposal to approve the application subject to conditions was unanimously approved.

RESOLVED: That Planning Application No. 16/00331/FUL be **APPROVED** contrary to the Planning Officer's recommendation for the following reason:

The proposed dwelling, by reason of its design, density, form, scale, mass and proportions would maintain and enhance the character and appearance of the locality. It would preserve the character and quality of the local landscape and would result in an enhancement to the immediate setting. The development would not be detrimental to ecological interests or highway safety. As such the proposal would comply with policies EQ2, EQ4 and TA5 of the South Somerset Local Plan (2006-2028) and paragraphs 55 and 117 of the National Planning Policy Framework (2012).

SUBJECT TO THE FOLLOWING

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. Other than as required by conditions the development hereby permitted shall be carried out in accordance with the following approved plans: 001 Rev A; 003; 100 Rev. A; only.

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

03. Prior to the commencement of works to the building, particulars of the materials (including the provision of samples) to be used for the external surfaces of the roof, walls, windows and doors have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved materials.

Reason: In the interests of visual amenity in accordance with Policy EQ2 of the South Somerset Local Plan (2006-2028).

04. Prior to their installation details of all boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall be completed prior to the first occupation of the development hereby approved.

Reason: In the interests of visual amenity to accord with policy EQ2 of the South Somerset Local Plan (2006-2028).

05. Prior to the first occupation of the dwelling hereby permitted or during the first planting season following occupation, whichever is the sooner, a hard and soft landscaping scheme shall be carried out and completed in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include the retention of the hedge to the eastern site boundary, together with measures for its protection (in

accordance with British Standard 5837:2012) and measures for the protection of trees adjoining the site 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. 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. The approved tree and hedge protection measures shall be implemented in their entirety for the duration of the construction of the development.

Reason: In the interests of visual amenity to accord with policy EQ2 of the South Somerset Local Plan (2006-2028).

06. At the proposed access there shall be no obstruction to visibility greater than 900mm above adjoining road level within the visibility splays to the south of the proposed access, details of which shall be submitted to and approved in writing by the Local Planning Authority. Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of highway safety to accord with policy TA5 of the South Somerset Local Plan (2006-2028).

07. Prior to the occupation of the dwelling hereby approved, the proposed access over the first 6 metres 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 which shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall thereafter be maintained in that condition at all times.

Reason: In the interests of highway safety to accord with policy TA5 of the South Somerset Local Plan (2006-2028).

08. Details of ecological enhancements for the site, including the management of the adjoining woodland and a timetable for carrying out of the said measures shall be submitted and approved in writing by the Local Planning Authority prior to the substantial completion of the dwelling hereby approved.

Reason: To provide ecological enhancements to comply with Policy EQ4 of the South Somerset Local Plan (2006-2028).

09. No means of external lighting or other illumination shall be installed on the dwelling hereby approved or within the garden unless details of such lighting 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 agreement of 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 (2006-2028).

10. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 ("the 2015 Order") (or any order revoking and re-enacting the 1995 Order with or without modification) no development of the types described in Schedule 2, Part 1, Class A (Enlargement, improvement or other alteration), B (Additions to the roof) , E (Buildings within the curtilage) and F (hard surfaces) of the 2015 Order, or Schedule 2, Part 2, Class A other than that expressly authorised by this permission shall be carried out without the further grant of planning permission.

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

Informatives:

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions. In this case the application follows a previous refusal. The applicant has engaged with the Council through pre application advice and the applicant was advised that a revised submission was unlikely to overcome the previous reasons for refusal.

(Voting: unanimous in favour)

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Chairman