

South Somerset District Council

Minutes of a meeting of the **Area North Committee** held at the **Edgar Hall, Somerton** on **Wednesday 27 January 2016**.

(2.00 pm - 5.40 pm)

Present:

Members: Councillor Shane Pledger (Chairman) (to 5.30pm)

Neil Bloomfield	Jo Roundell Greene
Adam Dance (from 2.55pm)	Dean Ruddle
Graham Middleton	Sylvia Seal (from 2.05pm)
Tiffany Osborne	Sue Steele (from 2.10pm)
Stephen Page	Derek Yeomans
Crispin Raikes	

Officers:

Charlotte Jones	Area Development Manager (North)
Alasdair Bell	Environmental Health Manager
Paula Goddard	Senior Legal Executive
Adrian Noon	Area Lead (North/East)
John Millar	Planning Officer
Nick Head	Planning Officer
Linda Hayden	Planning Officer
Andrew Gunn	Area Lead (West)
Stephen Baimbridge	Planning / Enforcement Assistant
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.

130. Minutes (Agenda Item 1)

The minutes of the meeting held on 16 December 2015 were approved as a correct record and signed by the Chairman.

131. Apologies for absence (Agenda Item 2)

An apology for absence was received from Councillor Clare Aparicio Paul.

132. Declarations of Interest (Agenda Item 3)

Councillor Shane Pledger, as the applicant for planning application 15/05132/FUL, declared a Disclosable Pecuniary Interest (DPI).

Councillor Dean Ruddle, declared a Disclosable Pecuniary Interest (DPI) in planning application 15/05004/FUL, as his company was the applicant.

Councillor Crispin Raikes declared a personal interest in planning applications 15/05407/FUL and 15/05408/LBC as he is a member of South Petherton Parish Council who had submitted comments on the application.

Councillors Neil Bloomfield and Graham Middleton each declared a personal interest in planning application 14/03171/DPO as they are members of Martock Parish Council who had submitted comments on the application.

133. Date of next meeting (Agenda Item 4)

Members noted the next meeting of Area North Committee was scheduled for 2.00pm on Wednesday 24 February 2016, at the Village Hall, Norton Sub Hamdon.

134. Public question time (Agenda Item 5)

Mr J Allen, addressed members to provide feedback following the granting of planning permission last year for a commercial building at Badgers Cross near Somerton. He explained that he ran a construction training company at the site and worked with a number of local colleges to offer training for students and apprentices, and also with RNAS Yeovilton regarding training for re-settling personnel. Members were welcome to visit the business to see the activities taking place.

The Chairman and members thanked Mr Allen for his update and commended the work undertaken.

135. Chairman's announcements (Agenda Item 6)

The Chairman made no announcements.

136. Reports from members (Agenda Item 7)

There were no reports from members.

137. The Bell Hotel, Curry Rivel (Agenda Item 8)

The Area Development Manager (North) presented the report, and reminded members that concerns had been raised about the condition of the Bell Hotel in Curry Rivel when a confidential report on Buildings at Risk in Area North had been considered at the Area North Committee meeting in November.

She provided members with a verbal update on the latest situation and noted that since the agenda had been published, details had been received to enable an internal inspection to be arranged. The owners had since received an estimate for the works required, however the cost was more than they were prepared to spend at the current time and had basically indicated they would not continue with the works required. The Area Development Manager (North) explained that she could not provide detail of the exact figures in public session but advised that the Chairman and ward member were fully aware of the situation.

It was noted a way forward would be to proceed with the Section 215 notice. The situation would be reviewed further, but there was the option for members to express their opinions now regarding what action should be taken.

During discussion most members were generally in favour of action being taken and comments included:

- Owners have had building for around six years and they had permission for conversion in the past.
- Cracks in the building were starting to appear
- Would be useful to have more information regarding costs of going to court, the timeframes involved, and financial implications to SSDC if carrying out the works
- The authority had delayed taking action for too long and the owners should be pushed to do the works required
- Could a phased programme to do the works be offered?
- It's an eyesore and enforcement action should be taken

In response to comments made the Area Development Manager reminded members that a Section 215 notice would in effect require a tidy up of the site and not for the owners to carry out full repairs to the building. She highlighted the report was for noting only, not a decision, but she acknowledged the comments that had been raised. She explained that members could request a further confidential report to come forward with more detail, or that further information could be circulated to members but let officers take the final decision, as the Development Manager had delegated powers to do so, in consultation with the Chairman and ward member.

To make the opinions of members clear, regarding whether to proceed with enforcement action or not, the Chairman asked for a show of hands, to which ten votes were in favour of proceeding with action.

138. Environmental Health Service Update Report (Agenda Item 9)

The Environmental Health Manager presented the report as detailed in the agenda and provided an informative presentation indicating key elements and statistics for each part of the service including:

- Food safety -
- Health and Safety
- Environmental Protection, including new anti-social behaviour legislation
- Environmental Enforcement,
- Pest Control
- Housing Standards

At the request of a member, he provided an overview about Disabled Facility Grants for home adaptations and explained the main aim was to try to enable people to continue to live in their homes for as long as possible. He noted that funding beyond 2016 may not be ring-fenced to SSDC.

During a short discussion, responses by the Environmental Health Manager to other comments raised included:

- If fly-posting was brought to the attention of the service then it could be dealt with, and depending on the land ownership, staff could remove such signs.

- The recorded cases of food poisoning was average, and each individual case was followed-up.

Members were content to note the report and the Chairman thanked the manager for his informative presentation.

RESOLVED: That the report be noted.

139. Area North Committee Forward Plan (Agenda Item 10)

The Area Development Manager (North) updated members that the Licensing Service report would now be made to the meeting in April or May.

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

140. Planning Appeals (Agenda Item 11)

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

RESOLVED: That the report be noted.

141. Schedule of Planning Applications to be Determined By Committee (Agenda Item 12)

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

142. Planning Application 15/02218/FUL - Crimson Orchard, Top Road, Curry Mallet. (Agenda Item 13)

Proposal: Application for change of use of land to provide 2 additional Traveller pitches comprising 2 No mobile homes; 2 No Touring Caravans and associated hardstanding.

The Planning Officer presented the application as detailed in the agenda. He updated members with regard to the relevant policy in the Local Plan and the allocations target. It was noted additional drainage would need to be provided, if the application was approved, and this could be provided on the applicants land by condition.

Mr P McKeown, spoke on behalf of Curry Mallet Parish Council, noting they strongly recommended refusal of the application. At the time they considered the application in June they had been unaware that planning conditions were already being flouted. They recognised the special status for Gypsies and Travellers, but had concerns regarding the candour of the applicant.

Ms A Hill, Mr K Hill and Mrs A Hill on behalf of Mr M Hill addressed members in objection to the application and raised a number of comments including:

- Feel the assessment by the Equalities Officer is obsolete as the definition for Travellers has been revised.
- Reference to visual amenity and policy HG7 - the proposal should not have an adverse impact on the landscape. Reasons and conditions for the previous application had stated future development would damage the landscape.
- The required highway visibility splay for the access could not be achieved.
- The definition for Traveller had changed and the applicants did not have a nomadic lifestyle which was now part of the definition.
- Planning officers had a duty, and are able, to check that applicants meet the required criteria.
- The business website for one of the applicants indicated they did not travel.
- Consistency of reasons for refusal of planning applications in the local area.
- The site had been unlawfully occupied for some time with no enforcement action taken.

Dr S Ruston, agent, noted that defamatory comments made about the applicants should not be taken into consideration. He also commented that the definitions for Travellers, as referred to in the report, were correct at the time the application was submitted. Few objections had been raised by statutory consultees, and as the proposal was in accordance with the National Planning Policy Framework it should be approved.

Ward member, Councillor Sue Steele, remembered the previous application when it was considered and the statements of assurance given by the applicants. She had visited the site, and was of the opinion that business activities were occurring there as portable showers were being washed down, and there was no permission for business use. She did not support the proposal and felt there had been little enforcement.

The Area Lead noted, enforcement issues aside, that the proposal would help meet the need for pitches in the district. A personal permission was not being proposed, and if approved, the usage as Traveller pitches would be for the site and not a named person or family. If the residents of the site did not meet the criteria of Traveller they would be moved on. Requirements for visibility splays and drainage would be covered by conditions.

During discussion, mixed views were expressed with some members minded towards refusing the application and others to defer for more information. Comments raised by members included:

- Is the water supply adequate and what are the arrangements for foul water and drainage?
- Defamatory comments are not helpful
- Should defer for more information about sewerage and drainage, and a site visit.
- Strong concerns about drainage.
- Concern that the Authority is not certain about which structures currently on the site have permission.
- By nature of location and settings the site is unsuitable for two further pitches
- Concern about impact on the landscape.

In response to other comments made the Area Lead clarified that unauthorised business use on the existing site would be an enforcement issue and not a matter to be considered for this current application. He acknowledged there was some lack of detail regarding drainage provision.

It was proposed to refuse the application due to concerns about landscape impact and the lack of information regarding drainage. On being put to the vote, the proposal was carried 8 in favour of refusal, 0 against and 4 abstentions.

Following the formal vote the Area Lead commented that on the basis of the decision, he assumed members wished officers to pursue enforcement. Whilst no formal vote was taken there was a positive indication from members to do so.

RESOLVED: That planning application 15/02218/FUL be REFUSED for the following reasons:

01. Insufficient information has been provided to demonstrate that the proposed foul and surface water drainage arrangements would be adequate to serve the needs of occupiers of the proposed pitches; safeguard the amenities of residents and preserve water quality. As such the proposal is contrary to policies HG7, EQ1, EQ2 and EQ7 of the South Somerset Local Plan (2006-2028) and the policies contained within the National Planning Policy Framework.
02. The proposal, by reason of the intensification of the use of the site arising from the retention of 2 further pitches in this remote rural, undeveloped location, would have an adverse impact on the character, appearance and the rural context of the locality. The proposal is therefore contrary to policies HG7 and EQ2 of the South Somerset Local Plan (2006-28) and provisions of chapters 7, 11 and the core planning principles of the National Planning Policy Framework.

(Voting: 8 in favour, 0 against, 4 abstentions)

143. Planning Application 15/05004/FUL - Proposed Retail Unit, Brunel Shopping Centre, West Street, Somerton. (Agenda Item 14)

(Councillor Dean Ruddle, having earlier declared a Disclosable Pecuniary Interest, left the room for the presentation and consideration of this application.)

Proposal: Erection of a new retail unit (between Williams supermarket and Lancaster House).

The Planning Officer presented the application as detailed in the agenda and updated members that two further letters had been received. One letter commented the proposal was unsightly and unnecessary as there was already a varying selection of shops, the other letter raised concerns about the size of the proposal and ownership of part of the land.

The Planning Officer highlighted that revised plans had been submitted to bring the entire proposed building onto land solely in the applicant's ownership, and hence resolved the ownership issue. He noted any signage would require Advertising Consent.

Mr Harrison, spokesperson for Somerton Town Council, acknowledged the issue of the proposal encroaching on third party land had been resolved. He commented the anticipated proprietor wanted a small unit that was not otherwise available. It was also

noted that the land on which the unit would be built was not a public space, but the use to date by the public had been tolerated. The limited size of the unit was a matter for the proposed tenant.

Mr R Williams and Ms J Hurley, spoke in objection to the proposal and their comments included:

- Don't object to another business as good for economic development, but there are three other shops selling bread and cakes.
- Do object about the design, feel the proposal will detract from local buildings.
- Design is not good and will be visually intrusive
- Reference to current use of canopy area by precinct entrance and supermarket, and the proposal would make the entrance dark and gloomy.

Mr C Wilson, addressed members in a personal capacity as a supporter of the application. He referred to the negative comments made years ago when the precinct was first built, but it was now accepted by most people. He supported the modern design of the proposal and wished the new proprietor well if the application was approved.

Ms J Fryer, agent, noted the proposal was good news for Somerton as it wasn't often that small market towns had applications coming forward for new retail units. The proposal would tidy up a little used area, and the scheme was supported by conservation officers and other consultees.

Ward member, Councillor Stephen Page, noted that although there were empty shops in the town they were probably in the wrong location for the proposed tenant and so understood the business case. Concerns were acknowledged about market competition with other shops selling similar products. He expressed disappointment regarding the design and was concerned about the impact on the local vernacular.

During the ensuing discussion mixed opinions were raised by members including:

- Content with principle of a new unit, but concerned about the design
- Wood cladding won't add anything to the street scene
- Is the type of wood specified – oak would weather to a greyish colour similar to Blue Lias
- Too much wood - some local stone should be included.

In response to other comments made the Area Lead and Planning Officer clarified that:

- Specific detail for the wood could be included in a materials condition.
- The three dimensional diagrams in the presentation were slightly misleading as it was only a very small unit.
- The proposal was for a stone plinth with vertical timber boards above.

The Area Lead advised that members needed to consider the design and location of the proposal. If it was felt to be acceptable then officers clearly noted the comments and desires regarding materials and rainwater goods, which would be conditioned. He noted that the detail of rainwater goods could be added as an additional point 'e' in condition 3.

It was proposed to approve the application, as per the officer recommendation, and subject to an additional point in condition 3 for detail of rainwater goods. On being put to the vote the proposal was carried 7 in favour, 4 against with no abstentions.

RESOLVED: That planning application 15/05004/FUL be APPROVED, as per the officer recommendation, subject to an additional requirement (e) to

condition 3 to require the submission and agreement of rainwater goods.

Justification:

The proposal, by reason of its scale, design and materials, respects the character and appearance of the setting, and causes no demonstrable harm to residential amenity. The addition of this small single unit of retail accommodation would enhance the vitality of the existing shopping centre and the town centre, and cause no harm to highway safety. In these respects, the proposal accords with the aims of the NPPF and Policies SD1, EQ2, EQ3, TA5 and TA6 of the South Somerset Local Plan.

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: the drawings ref. DRSO-GA numbers 001, 201 and 202.

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

03. No development hereby permitted shall be commenced unless particulars of the following have been submitted to and approved in writing by the Local Planning Authority:

- a) details of the materials (including the provision of samples where appropriate) to be used for external walls, including design details of timber cladding;
- b) full design details and material and external finish to be used for all windows and external doors;
- c) design and materials details of the railings/bannisters to the staircase on the south elevation of the building;
- d) details (including dimensions and materials) of the sign boards shown on the submitted elevation drawing ref. DRSO-GA202.
- e) details of rainwater goods.

Reason: To safeguard the character and appearance of the area and to accord with the NPPF and Policies EQ2 and EQ3 of the South Somerset Local Plan.

04. The subject land including any building thereon shall be used for retail (A1) use and for no other purpose (including any other purpose in any use class of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and

re-enacting that Order with or without modification).

Reason: To safeguard the vitality of the shopping area and the character of the setting, in accordance with the aims of the NPPF and Policies SD1, EQ2 and EQ3 of the South Somerset Local Plan.

Informatives:

01. The applicant's attention is drawn to the possible need to apply for separate advertisement consent for the signage attached to the proposed building. Details to be submitted prior to commencement will enable final checking as to whether these signs would have deemed consent, or need consent under the The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

(Voting: 7 in favour, 4 against, 0 abstentions)

144. Planning Application 14/03171/DPO - Ex Showroom/Garage and Land Rear of Long Orchard, Water Street, Martock. (Agenda Item 15)

Proposal: Application to modify a Section 106 Agreement dated 20 May 2014 relating to housing development.

The Area Lead presented the application as detailed in the agenda. He provided members with a brief overview of the planning history at the site and the events leading to the current situation with construction on the site having stalled. It was noted the last Section 106 Agreement had not been completed and soon after construction at the site had commenced, the building contractor had gone into receivership.

The developer had now come back with the current application as it was no longer viable to provide the previously agreed affordable housing element. However they were willing to still provide four affordable dwellings.

The Area Lead noted it was an unfortunate situation, and that in hindsight the costs of the contractor collapsing might possibly have been insured against, or at least more fully. He commented the site was well underway and needed to be completed. He highlighted that the advice of the District Valuer was that the original scheme was no longer viable.

Mr R Powell, spokesman for Martock Parish Council, noted their primary concern was to see the site built out as soon as possible. He acknowledged that contractor insolvency could have been better insured against but there was a need to move things forward. The provision of four dwellings was considered acceptable considering the situation. He referred to the needs of housing associations and supported the officer recommendation.

Mr S Coles, agent, commented that Westco had ambitious plans for South Somerset, but there had been a radical change in circumstances affecting the viability of this site. He noted the proposal was supported by officers, and that retendering for the contract had resulted in a reduced offer from the affordable housing provider. He noted that being a charity they were unable to ring-fence profits. As a way forward they proposed to deliver four shared ownership houses.

Ward member, Councillor Neil Bloomfield, noted it was an unfortunate situation. Referring to the contractor insolvency he commented that for want of an insurance policy SSDC seemed to be being asked to pick up the tab. He did not support the officer recommendation.

Ward member, Councillor Graham Middleton, commented he wished to see the site built out sooner rather than later. He referred to pages 63 and 64 of the agenda and noted that the 12.22% profit would equate to nearly £1 million, and queried if instead of it being incorporated into the charity if it could be used to provide the affordable housing element.

During discussion, comments raised by members included:

- What's proposed will get the leisure contributions delivered and the development completed.
- Further negotiations should take place
- Martock needs affordable housing and some people had already been promised properties
- If development not completed it will deteriorate further
- Feel no option but to accept the officer recommendation
- Don't like it but could end up with nothing.
- If we say no what will the developer do?
- Don't feel developer will walk away as too much invested in the site
- Even if the application is approved there is no guarantee the development will be completed.

In response to other comments made the Area Lead clarified that:

- The District Valuer advice it is reasonable for the developer to take a level of profit, but we cannot say where that profit should be spent.
- Unknown if any insurance would have covered the full costs of the contractor collapsing, and would be a risk for any development.
- Only for the developer willing to take a lower profit were they offering the shared-ownership element now proposed.
- Negotiations had taken place and the applicants did not feel they could provide any more affordable housing.

The Area Lead acknowledged the strong member concerns. He mentioned it might be possible to look at inserting an uplift clause, however it was probable the developer would be finished on the site within a relatively short period and it was unlikely the viability would improve over that timescale. He explained that an uplift clause might therefore incentivise the developer to complete the site. He advised members a way forward would be to invite the agent to comment on the suggestion of adding an uplift clause.

The Chairman invited the agent to comment – in response, the agent asked for a few minutes to speak with his client who was present at the meeting.

(The Chairman adjourned the meeting for about five minutes to enable the agent to speak with his client, and for the Chairman, ward members and Area Lead to receive legal advice.)

When the meeting reconvened, the Area Lead summarised the discussions that had taken place. He advised that the developer and agent were happy to accept an uplift clause for a final viability review upon occupation of the last house. A proportion of any

profits above 12.22% to be recovered as a contribution towards affordable housing in Martock, and the detail of the clause to be agreed with the ward members. It was proposed to approve the application, as per the officer recommendation, subject to the addition of an uplift clause. On being put to the vote, the proposal was carried, 10 in favour, 2 against with no abstentions.

RESOLVED: That planning application 14/03171/DPO be APPROVED, as per the officer recommendation, subject to the addition of an uplift clause to require a final viability review upon completion of the 35th dwelling. A proportion of any profits above 12.22% to be recovered as a contribution toward the provision of affordable housing in Martock. Detail of uplift clause to be agreed with ward members.

Justification:

The revisions to the affordable housing provision, for which a financial justification has been made, would not unacceptably undermine the benefits to the community of this development. As such the scheme is considered to comply with the policies of the local plan and the aims and objectives of the NPPF.

That the Section 106 agreement be amended to:-

- reduce the affordable housing contribution to 4 intermediate affordable units
- insert a mortgagee in possession clause
- retain all other previously agreed obligations.
- Insertion of an uplift clause as detailed above

(Voting: 10 in favour, 2 against, 0 abstentions)

145. Planning Application 15/05407/FUL - 50 St James Street, South Petherton. (Agenda Item 16)

Proposal: Demolition of outbuilding, alterations to existing vehicular access and the erection of a new dwellinghouse (revised application).

The Planning Officer presented the application as detailed in the agenda, and noted that Historic England and Conservation officers raised no objections regarding the impact upon the listed building. She updated members that a further letter had been received from the agent, which referred to another location in South Petherton that had been approved with a similar roadside scenario to this application. It was noted that the associated listed building application was recommended for approval as it was for works to the wall with no additional traffic from the existing development.

Mr C Hockey, addressed members on behalf of South Petherton Parish Council and in a personal capacity. He commented the proposal would improve the access and he supported the application. He referred to a property in West Street which had similar access along a stretch of high stone wall. It was noted the highway at the current application site was yellow lined on both sides and was a no through road.

Mr M Merer, agent, noted the applicant wished to sell the current house in order to downsize, and if a large family were to move in then there was likely to be an increase in traffic using the access anyway. He highlighted that the timber building had been designed so that it did not look like a shed.

Ward member, Councillor Crispin Raikes, noted the site location was near to the end of North Street and close to a bus stop, and so most people using the road exercised caution anyway.

Ward member, Adam Dance, commented the proposal would make the access safer and enable cars drive into the site and turn around. He recommended approving the application.

There being no further discussion and as members were minded to approve the application, officers suggested the justification could be based on the design and layout being acceptable and not being prejudicial to highway safety. They advised that conditions would be required for time limit, approved plans, materials, reworking of the wall, external lighting and removal of permitted development rights. As the proposal was for a new dwelling, a contribution towards affordable housing would also be required.

It was proposed to approve the application, contrary to the officer recommendation, subject to the conditions and justification as suggested by the officers. On being put to the vote the proposal was carried unanimously.

RESOLVED: That planning application 15/05407/FUL be APPROVED, contrary to the officer recommendation, subject to the following:

Justification:

The proposal is of an acceptable design and layout that would safeguard the setting of the listed building and residential amenity without prejudicing highways safety. As such the proposal complies with policies EQ2, EQ3, HG4 and TA5 and the policies contained within the National Planning Policy Framework.

Subject to:

Subject to:-

a) The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to ensure that:-

1. A contribution, payable on occupation of the dwelling, is made available to the Council towards the provision of affordable housing, in terms of the provisions of Policy HG4 of the South Somerset Local Plan.

and

b) conditions for the following:-

1. Time
2. Plans
3. Material

4. Wall details
5. Control over external lighting
6. Permitted Development rights removed for extensions and outbuildings

(Voting: Unanimous in favour)

**146. Planning Application 15/05408/LBC - 50 St James Street, South Petherton.
(Agenda Item 17)**

Proposal: Demolition of outbuilding and alterations to existing vehicular access.

This application was presented and discussed in conjunction with the previous application, 15/05407/FUL, and comments made on that application also refer to this application.

There was no discussion, and having approved the previous application, members were content to grant listed building consent as per the officer recommendation. On being put to the vote the proposal to approve was carried unanimously.

RESOLVED: That planning application 15/05408/LBC be APPROVED as per the officer recommendation subject to the following:

Justification:

01. The proposed demolition and alteration to the boundary wall will not result in the loss of significant historic fabric and, as such, the proposals by reason of their limited/informed intervention are considered to respect the historic and architectural interests of the setting of the listed building and will preserve the character and appearance of the conservation area. This is in accordance with policy EQ3 of the South Somerset Local Plan and advice contained within the NPPF.

Subject to the following conditions:

01. The works hereby granted consent shall be begun before the expiration of three years from the date of this consent.

Reason: As required by Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (1:1250), Block Plan (1:250), Details of Opening (1:100) and Parking Arrangements (1:100) all stamped 15/05408.

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

03. No work shall be carried out on site unless details of the materials of the proposed lintel and the making good of the existing structure abutting that to be demolished, 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 consent of the Local Planning Authority.

Reason: in the interests of the special architectural and historic interests of the listed building and in accordance with policy EQ3 of the South Somerset Local Plan 2006-2028.

(Voting: Unanimous)

147. Planning Application 15/02269/FUL - OS0062 Mildmays Road, High Ham. (Agenda Item 18)

Proposal: Change of use of land for the creation of two additional gypsy pitches for occupation by family members of the applicant.

The Area Lead (West) presented the application as detailed in the agenda. He reminded members that the application had been deferred at the December meeting due to concerns raised about water supply and drainage.

He clarified that Wessex Water supplied water to the site. Regarding drainage, the applicant had installed a cess pit some time ago, and Wessex Water had indicated this was an adequate provision for drainage at the site. The Environment Agency raised no objections but noted they would have preferred to see a sewage treatment works. The Area Lead explained that Building Control would be asked to check the installed cess pit to ensure it is fit for purpose – as they have the power to remove it and/or improve it if necessary. An additional condition was recommended to require that before any pitches are occupied, that the cess pit is checked to ensure that it meets the relevant regulations and guidance.

There was no further discussion and it was proposed to approve the application, as per the officer recommendation, subject to an additional condition to agree details of foul and surface water drainage. On being put to the vote, the proposal was carried unanimously.

RESOLVED: That planning application 15/02269/FUL be APPROVED, as per the officer recommendation and subject to an additional condition to agree details of foul and surface water drainage, and subject to the following conditions:

Justification:

01. The proposal would make a contribution towards meeting the Council's identified need for gypsy/traveller pitches. It would not cause any severe highway impact and will have limited impact on the visual amenity of the rural area. The proposal is considered to be in accordance with policy advice in Planning Policy for Traveller Sites and Policy HG7 of the South Somerset Local Plan.

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 site shall not be occupied by any persons other than gypsies and travellers, as defined in Planning Policy for Traveller Sites.

Reason: The Local Planning Authority would not wish to see a caravan site established in this locality except to meet the particular need to provide facilities for gypsies and travellers in accordance with Policy HG7 of the South Somerset Local Plan and policy guidance in Planning Policy for Traveller Sites.

03. The residential use hereby permitted shall be restricted to a maximum of 2 pitches, with a maximum of one mobile home/static caravan and one touring caravan per pitch.

Reason: In the interests of visual amenity and highway safety in accordance with Policy EQ2 and TA5 of the South Somerset Local Plan.

04. No business activities shall be conducted at the site without the express grant of planning permission.

Reason: In the interests of the character and amenities of the locality in accordance with Policy EQ2 of the South Somerset Local Plan.

05. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any subsequent order amending or revoking and re-enacting that Order), no further gate, fence, wall, building or other means of enclosure or structure, other than those approved by this permission and as part of condition 6, shall be erected on the site without the express grant of planning permission.

Reason: The Local Planning Authority wish to exercise control over the matters referred to in the interests of visual amenity in accordance with South Somerset Local Plan Policy EQ2.

06. The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan and block plan date stamped 11th May 2015.

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

07. (i) Before any part of the permitted development is commenced, details of the boundary treatment which shall include the southern boundary of the adjacent pitch, details of the species, siting and numbers to be planted, and in the case of any fencing/walling to be erected, details of the materials to be used, shall be submitted to and approved in writing by the Local Planning Authority.

(ii) The details as referred to above, shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority.

(iii) For a period of five years after the completion of any landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Policy EQ2 of the South Somerset Local Plan.

08. No external lighting shall be installed within the site without the details having first been submitted to and agreed in writing by the Local Planning Authority.

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

09. The development hereby approved shall not be commenced until a Flood Emergency Plan has been submitted to and approved in writing by the Local Planning Authority. Once approved, the applicant should follow the procedure in the event of flooding.

Reason: To ensure that any future residents of the site are aware of the procedure to follow in the case of a flooding event.

10. No occupation of the 2 additional pitches hereby approved shall be occupied until
1) details of the method of foul and surface water disposal have been submitted to and approved in writing by the Local Planning Authority, and 2) the agreed foul and surface water details have been fully installed to the satisfaction of the Local Planning Authority. Once agreed and installed, the foul and surface water systems shall not be removed or replaced without the written consent of the Local Planning Authority.

Reason: To ensure that the scheme is adequately drained to accord with the NPPF.

(Voting: Unanimous in favour)

148. Planning Application 15/05132/FUL - The Old Vicarage, Knole Causeway, Long Sutton. (Agenda Item 19)

(Councillor Shane Pledger, having earlier declared a Disclosable Pecuniary Interest, left the room for the presentation and consideration of this application. Councillor Dean Ruddle took the role of Chairman.)

Proposal: The conversion of outbuilding into a two bed annexe, the erection of a garage and proposed two storey rear extension to dwelling.

The Planning Assistant presented the application as detailed in the agenda, and noted no objections had been received. Work to the outbuilding was mainly to make it habitable and minimal structural works were proposed. With the aid of slides he indicated the other works being proposed on the site.

Mr R Rowntree, agent, noted that the existing dwelling had been subject to a number of extensions over the years. The proposal was to provide a new north gable end and to make similar to the south, and the new garage would help to improve turning of vehicles on the site. It was noted the application had full support from the parish council and consultees.

There was no discussion and it proposed to approve the application as per the officer recommendation, and on being put to the vote was carried unanimously.

RESOLVED: That planning application 15/05132/FUL be APPROVED, as per the officer recommendation, and subject to the following:

Justification:

The conversion of the outbuilding into an annexe, and the erection of an extension to the dwelling, and the erection of a garage are of appropriate designs, detailing, and size and would have no adverse impact on visual or residential amenity, or highway safety. As such the proposals comply with policies SD1, SS1, EQ2, TA5 and TA6 of the South Somerset Local Plan, and the provisions of the NPPF.

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. The development hereby permitted shall be carried out in accordance with the following approved plans (except where directed otherwise by the conditions below): Drawing Number: F1270/100C; Drawing Number: F1270/101B; Drawing Number: F1270/102B.

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

03. The annex hereby permitted shall remain as ancillary to the principal dwelling and shall not at any time be used by way of independent living accommodation (even if occupied by persons of same household) and there shall be no subdivision of this single residential planning unit either by way of being let, or given or sold as a separate unit.

Reason: To ensure the accommodation remains ancillary to the existing dwelling and remains as a single planning unit.

- 04. Notwithstanding the provisions of Class E, Part , Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) no openings shall be created or altered on the east elevation of the annex hereby permitted without the prior benefit of planning permission.

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

- 05. Notwithstanding the provisions of Class E, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) the annex hereby permitted shall not be extended without the prior benefit of planning permission.

Reason: In the interests of local amenities, in accordance with Policy EQ2 of the South Somerset Local Plan (2006-2028), and ensure that the annex remains ancillary to the main dwelling, as one planning unit.

(Voting: Unanimous in favour)

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Chairman