

South Somerset District Council

Minutes of a meeting of the **Area North Committee** held at **the Edgar Hall, Somerton** on **Wednesday 29 June 2016**.

(2.00pm - 5.25pm)

Present:

Members: Councillor Clare Aparicio Paul (Chairman)

Neil Bloomfield	Crispin Raikes
Adam Dance (from 2.20pm)	Jo Roundell Greene (to 4.55pm)
Graham Middleton	Dean Ruddle (from 2.15pm)
Tiffany Osborne	Sylvia Seal (from 2.35pm)
Stephen Page	Sue Steele
Shane Pledger	Derek Yeomans

Officers:

Helen Rutter	Assistant Director (Communities)
Lisa Davis	Community Office Support Manager
Chris Cooper	Streetscene Manager
Lynda Pincombe	Community Health & Leisure Manager
David Norris	Development Manager
John Millar	Planning Officer
Stephen Baimbridge	Planning / Enforcement Assistant
Nick Head	Planning Officer
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.

18. Minutes (Agenda Item 1)

The minutes of the meetings held on 19 May 2016 and 25 May 2016 were approved as a correct record and signed by the Chairman.

19. Apologies for absence (Agenda Item 2)

Apologies for a late arrival were received from Councillors Adam Dance and Dean Ruddle.

20. Declarations of Interest (Agenda Item 3)

Councillors Tiffany Osborne and Derek Yeomans each declared a personal interest regarding planning applications 15/04736/FUL and 15/04737/LBC as they are also members of Curry Rivel Parish Council.

Councillors Neil Bloomfield and Graham Middleton each declared a personal interest regarding planning application 16/01012/FUL as they are also members of Martock Parish Council.

21. Date of next meeting (Agenda Item 4)

Members noted the next meeting of Area North Committee was scheduled for 2.00pm on Wednesday 27 July, at a venue to be confirmed, but likely to be Norton Sub Hamdon Village Hall.

22. Public question time (Agenda Item 5)

There were no questions from members of the public.

23. Chairman's announcements (Agenda Item 6)

There were no Chairman's announcements.

24. Reports from members (Agenda Item 7)

Councillor Neil Bloomfield commented on a recent planning appeal decision which dismissed residential development of up to 91 dwellings on land north of Lavers Oak in Martock. He made reference to some of the Inspector's comments and also took the opportunity to thank the Planning Officer and Area Lead for their work with the appeal.

Councillor Sue Steele informed members there was item on the Scrutiny agenda in July regarding rural access to health which may be of interest.

25. Community Offices Update (Agenda Item 8)

The Community Office Support Manager presented the report which provided an update on the number of customers visiting the offices from April 2015 to the end of March 2016. She highlighted key statistics within the report and noted that looking to the future the service would be encouraging and supporting customers to access services digitally.

During a short discussion the Community office Support Manager and Assistant Director (Communities) responded to comments made including:

- No specific monitoring had taken place to assess any impact from reduction in public transport services and if this was affecting footfall.
- Cessation of the internal courier service from the end of July was part of the budget savings, and should have little impact regarding the community offices as only a relatively small number of people wished to make payments by cheque.
- Age profiles of users of the service were only recorded as part of the annual customer survey.
- Acknowledge more consideration could be given to promote the service to specific age groups, especially young people via social media.
- A referral system was in place to forward people to other organisations such as Citizens Advice South Somerset.

Members thanked the team for their work, and were content to note the report.

RESOLVED: That the Community Offices Update report be noted.

26. Performance of the Streetscene Service (Agenda Item 9)

The Streetscene Manager presented the report as shown in the agenda, which informed members about the performance of the Streetscene Service in Area North from November 2015 to May 2016. He highlighted to members key points including:

- 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.
- Weeds along roadsides were a big issue this year due to the weather conditions.
- Some concerns in the community about use of herbicides and so the service was actively assessing alternative options.
- The number of flytips was reducing, but the locations seemed to be the same.
- Hedge cutting will commence shortly.
- Looking at Health & Safety with regard to flooding events and how staff might work more safely in the future.

During a short discussion, the Streetscene Manager responded to points of detail regarding possibility of recycling road sweeping debris, recording of fly tip locations and risk assessment.

A member suggested the safety of driving in floodwater was a topic that should be shared with parishes, and this was generally supported. Members praised the work of the team and thanked the Streetscene Manager for his informative report.

RESOLVED: That the report on the performance of the Streetscene Service be noted.

27. Community Health and Leisure Service Update (Agenda Item 10)

The Community Health and Leisure Manager introduced the report and provided a brief presentation to highlight key points including:

- The work of the team
- Headline statistics for 2015 regarding:
 - Weight loss programmes
 - Participants in moderate intensity sport
 - Funding streams
 - Health Walks
 - Play Days and Youth Days
 - Gold Star Awards
 - Play area improvements
- Play area improvements
- Projects in the future

In response to a request raised during a brief discussion, the Community Health and Leisure Manager confirmed she would circulate information to members indicating where the service had secured, received or spent Section 106 monies to date. She also provided more detail regarding the monitoring of CLICK into Activity and how the associated savings were assessed.

Members thanked the Community Health and Leisure Manager for the work of the team, and for her informative report.

- RESOLVED:** (1) That the Community Health and Leisure Service Update be noted.
- (2) That members contact the Community Health and Leisure Manager, if they wish to discuss the current service delivery programme or recommend future priorities.
-

28. Area North Committee Forward Plan (Agenda Item 11)

The Assistant Director (Communities) noted there were no updates to the Forward Plan as published in the agenda.

During a brief discussion members made the following suggestions:

- Highways Update – would like an officer to attend with the next report.
- Policing and Safety – would like an update report or presentation.
- Safety of driving in flood water – might be beneficial for all members.

In response, the Assistant Director (Communities) noted as comments had already been made about sharing the driving in flood water training with parishes, she would investigate the best forum for sharing the information with both parishes and members.

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

29. Planning Appeals (Agenda Item 12)

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

RESOLVED: That the planning appeals be noted.

30. Schedule of Planning Applications to be Determined By Committee (Agenda Item 13)

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

31. Planning Application 16/01569/OUT - Land Rear of Maismore, Compton Street, Compton Dundon. (Agenda Item 14)

Proposal: Outline application for the erection of a single dwelling and associated garage with some matters reserved.

The Planning Officer presented the application as detailed in the agenda report. He noted there were some local objections due to highway safety and visual amenity, and updated members that a further two letters in support of the application had been received. During his presentation he explained the reason for the recommendation of

refusal, which was due to concern regarding the relationship of the site and the proximity of the neighbouring farm.

Mr S Berkieta, spokesperson for Compton Dundon Parish Council, noted they had considered the application carefully and concluded to unanimously recommended it for approval. Compton Dundon was very much a rural farming community with three other farms along the same street.

Ms J Fryer, agent, noted the impact of noise, dust and smells were not monitored on site and so could only look at the probability. The farm concerned was not a farm known to cause issues and no complaints had been made in the past to Environmental Health. Six neighbours had never had issues with the farm, and evidence indicated the farm existed quite happily with its neighbours, and did not warrant a refusal for the application.

Ward member, Councillor Stephen Page, noted the parish council comments and support in the community, but was mindful of the Environmental Health Officer comments and the potential for loss of enjoyment to any future owner.

Ward member, Councillor Dean Ruddle, was of the opinion that people who did not wish to live next to a farm would be unlikely to buy the property. He had no issue with the application being approved.

During discussion most members expressed support for the application. The Development Manager responded to points of detail and comments raised during discussion, his responses included:

- Acknowledge view of buyer beware, but the planning process looked at all scenarios
- Any new owner of the farm could change practices
- Potential for a new resident to be more particular

It was proposed to approve the application, contrary to the officer recommendation, on the grounds that the environmental issues are not material enough to warrant refusal of the application.

The Planning Officer suggested wording for a justification based on comments made during discussion, and advised that conditions would be required for:

- Reserved matters
- Time limit
- Approved plans
- Visibility splay
- Consolidation of surfacing
- Surface water
- No more than one dwelling
- Removal of caravan.

The proposal to approve the application, subject to the conditions as detailed by the planning officer, was put to the vote, and carried 9 in favour, 2 against, 1 abstention.

RESOLVED: That planning application 16/01569/OUT be APPROVED, contrary to the officer recommendation, subject to the following:

Justification:

01. The proposed residential development of the site is considered to be acceptable in this location, and could be carried out, subject to detail, with respect to the character of the area, and without causing demonstrable harm to residential amenity and highway safety, in accordance with policies SD1, SS1, SS2, TA5, TA6, EQ2, EQ7 of the South Somerset Local Plan (2006-2028) and the provisions of chapters 4, 6, 7, 11 and the core planning principles of the National Planning Policy Framework.

Subject to the following conditions:

01. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: As required by Section 92(2) of the Town and Country Planning Act 1990.

02. All reserved matters shall be submitted in the form of one application to show a comprehensive and coherent scheme with respect to appearance, landscaping and scale to the Local Planning Authority before the expiration of three years from the date of this permission, and before any development is commenced on site.

Reason: As required by Section 92(2) of the Town and Country Planning Act 1990.

03. The site hereby approved for development shall be as shown on the submitted drawings '1:1250 Location Plan and '1:500 Proposed Site Plan', received 12th April 2016.

Reason: For the avoidance of doubt as to the development authorised and in the interests of proper planning.

04. There shall be no obstruction to visibility greater than 900mm above the adjoining road level within the visibility splays, as indicated on the submitted '1:500 Site Layout' plan, received 12th April 2016. Such visibility splays shall be fully provided before the dwelling hereby permitted is first occupied 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.

05. The proposed access over the first 6.0m of its length, as measured from the edge of the adjoining carriageway, shall be

properly consolidated and surfaced in accordance with details of which shall be submitted to and approved in writing by the Local Planning Authority. Such approved details shall be carried out prior to the occupation of the dwelling hereby approved and 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.

06. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved 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.

07. The development hereby approved shall comprise no more than one dwellinghouse.

Reason: To ensure that the level and density of development is appropriate to the location and commensurate with levels of contributions sought in accordance with policies HG4 and EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of chapters 6, 7, 11 and the core planning principles of the National Planning Policy Framework.

08. The existing buildings, including shipping containers and mobile home, as indicated on the approved plan, '1:500 Proposed Site Plan', shall be completely removed from the site in their entirety, prior to any works commencing on the construction of the dwellinghouse hereby permitted.

Reason: To safeguard the character and amenities of the locality, as the proposal does not fully occupy the same part of the site as all the existing buildings and structures to be removed, in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 7 and the core planning principles of the National Planning Policy Framework.

(Voting: 9 in favour, 2 against, 1 abstention)

32. Planning Application 16/00678/OUT - Clarendon House, Street Road, Compton Dundon. (Agenda Item 15)

Proposal: Proposed single dwelling, amended access and extended curtilage to include cottage orchard.

The Planning officer presented the application as detailed in the agenda, noting the main reason for a recommendation of refusal was due to the location of the dwelling.

Mr S Berkietta, spokesperson for Compton Dundon Parish Council, noted they had discussed the size of the dwelling in relation to the neighbouring bungalow and the view from the properties opposite. They unanimously recommended the application for approval, and noted that following approval of the nearby gypsy pitch and business in 2014, this application site no longer could really be considered as open countryside.

Ms J Fryer, on behalf of the applicant, noted this was a finely balanced case, originally an application had been for approval but now it was for refusal. She noted the matter of character was subjective and the proposal was within the domestic curtilage. Properties opposite the site were not indicative of local character, and reference was made to other nearby sites without roadside frontage.

Ward member, Councillor Dean Ruddle, felt some elements of the officer report and consultation responses appeared ambiguous. He recommended approval of the application.

Ward member, Councillor Stephen Page, noted on balance that he also supported the application.

During a short discussion several members made comments in support of the application, and that the impact of the development was acceptable. The Development Manager responded to comments made about the principle versus subjective elements of the officer report. He informed members that it was not possible to condition for a single storey dwelling but an informative could be added to the decision notice indicating that a two-storey dwelling would be unfavourable.

On hearing the comments made, and as members were minded to approve the application, the Planning Officer suggested wording for the justification and the conditions that would be required for:

- Time limit
- Submission of reserved matters
- Approved plans
- This permission to be treated as a replacement to the extant permission
- Access works to be completed prior to first occupation

It was proposed to approve the application, contrary to the officer recommendation, for the justification and subject to the conditions, as suggested by the Planning Officer. On being put to the vote the proposal was carried 10 in favour, 0 against with 2 abstentions.

RESOLVED: That planning application 16/00678/OUT be APPROVED, contrary to the officer recommendation, subject to the following:

Justification:

01. The proposed development, by reason of its location and nature, is considered to represent a sustainable form of development that respects the character of the area and raises no substantive visual

amenity, residential amenity or highway safety concerns and to therefore accord with the aims and objectives of Policies SD1, TA5, TA6 and EQ2 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

Subject to the following conditions:

01. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: As required by Section 92(2) of the Town and Country Planning Act 1990.

02. All reserved matters shall be submitted in the form of one application to show a comprehensive and coherent scheme with respect to appearance, landscaping, layout and scale to the local planning authority before the expiration of three years from the date of this permission, and before any development is commenced on site.

Reason: As required by Section 92(2) of the Town and Country Planning Act 1990.

03. The development hereby permitted shall be carried out in accordance with the following approved plans drawings numbered CH2-GA001 Rev B and CH2-GA201 Rev A received 20/05/2016.

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

04. This permission shall not be exercised in addition to or in combination with the development granted under application 13/02964/FUL, and shall be treated as an alternative to that earlier permission.

Reason: To ensure an appropriate nature of development to accord with policy EQ2 of the South Somerset Local Plan.

05. Prior to the first occupation of the dwelling hereby permitted the access works detailed on drawing number CH-GA201 Rev A shall be carried out in its entirety and shall thereafter be permanently retained and maintained in this fashion, unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of highway safety to accord with policy TA5 of the South Somerset Local Plan.

NOTES:

01. *The applicant is advised that it is unlikely that a two-storey dwelling will be considered acceptable and that a dwelling of a more modest height should be considered at reserved matters stage to ensure that it does not appear overly dominant alongside the existing*

dwelling. It may be advisable to seek preapplication advise with the case officer (Alex Skidmore - tel 01935 462430 / alex.skidmore@southsomerset.gov.uk) prior to making a reserved matters application.

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

33. Planning Application 1601834FUL - Shearstone, Silver Street, East Lambrook (Agenda Item 16)

Proposal: Installation of a pitched roof to replace an existing flat roof and erect a rear extension (amended scheme).

The Planning Assistant presented the application as detailed in the agenda report. He highlighted to members the application was at committee solely due to the applicant's position within SSDC and not for any planning reason.

Ward member, Councillor Derek Yeomans, noted this was a simple application, and proposed approval of the application, as per the officer recommendation.

There being no further discussion it was seconded to approve the application, and on being put to the vote, the proposal was carried unanimously.

RESOLVED: That planning application 16/01834/FUL be APPROVED, as per the officer recommendation, subject to the following:

Justification:

01. The proposed roof extension and rear extension are of an appropriate design, detailing, and size and would have no adverse impact on visual or residential amenity, the historic environment, or highway safety. As such the proposal complies with policies SD1, SS1, EQ2, EQ3 and TA5 of the South Somerset Local Plan, and the provisions 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):

Site Plan of drawing number 15/1470/01, received 26 April 2016,
Drawing number 15/1470/02A, received 26 April 2016.

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

03. The development hereby permitted shall be constructed in the materials detailed on the application form, received 26 April 2016.

Reason: In the interests of visual amenity and the historic environment, in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028).

(Voting: Unanimous in favour)

34. Planning Application 15/05688/FUL - Lower Farm, Lambrook Road, West Lambrook. (Agenda Item 17)

Proposal: Removal of existing sheds and glasshouses, conversion of a stone barn to dwelling and the erection of three dwellinghouses.

The Planning Officer presented the application as detailed in the agenda, and also referred to the associated application for Listed Building Consent. He noted the primary reason for recommending refusal of the application was due to the location being remote from services.

Mr S Briggs, agent, noted there were a cluster of neighbouring villages nearby providing facilities. He referred to a recent appeal decision where the Inspector had suggested distance to facilities and sustainability within the Local Plan were too prescriptive. New families would add social benefit and viability to local facilities. Best practice had been followed with the application, design issues were acceptable and there were no longer objections from neighbours.

Ward member, Councillor Derek Yeomans, noted the unused glasshouses could fall into further disrepair and become unsightly and dangerous. He referred to the listed farmhouse and the two-starred listed building opposite the site. The proposal was a good design with good access. There was no longer any farmyard or agricultural business going on at the site, and Kingsbury Episcopi would hopefully soon have a proper purpose built shop. He proposed approval of the application.

During a short discussion members made comments in support of the application. It was noted the farmer was preparing to clear the site which would be an improvement and enhancement to the area.

As members were clearly minded to approve the application and on hearing comments made during discussion, the Planning Officer and Development Manager suggested wording for the justification and conditions that would be required. Conditions were recommended for:

- Time limit
- Approved plans
- Materials
- Floor levels
- Landscaping
- Parking/Highways conditions
- Approval of a phasing plan for demolition and development
- No occupation before demolition

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

RESOLVED: That planning application 15/05688/FUL be APPROVED, contrary to the officer recommendation, subject to the following:

Justification:

01. Notwithstanding the location of the site remote from services and facilities, the proposal represents a justified development that contributes positively towards the enhancement of the setting of a listed building and the immediate local environment, and the provision of new housing to support the requirement for an adequate 5-year housing land supply. The layout respects the character and appearance of the setting and causes no demonstrable harm to residential amenity or highway safety. In these respects the proposal accords with the aims of the NPPF and Policies SD1, EQ2 and EQ3 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. 15.045 numbers 004E, 005C, 006B, 007D, 008D, 009A.

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) materials (including the provision of samples where appropriate) to be used for external walls and roofs; these details shall be supported by a sample panel of natural stone indicating coursing and pointing which shall be made available on site prior to commencement;
 - b) full design details and material and external finish to be used for all windows, all external doors, lintels, entrance gates, boarding and openings;
 - c) details of all eaves and fascia board detailing, guttering, downpipes and other rainwater goods; and
 - d) details of the surface material for the parking and turning area;
 - e) details of all boundary treatments; and
 - f) details of the finished floor level of the buildings.

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. No development hereby permitted shall 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, and the treatment of all areas of land vacated by buildings to be demolished. 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. The scheme shall be generally in accordance with the submitted plan ref.15.045.004E, and once implemented shall be retained and maintained.

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

05. The Development hereby permitted shall not be commenced until parking spaces (including garages) for the proposed dwellings and a properly consolidated and surfaced turning space for vehicles as shown on the submitted drawing ref. 15.045.004E have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety and to accord with the NPPF and Policies TA5 and TA6 of the South Somerset Local Plan.

06. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before commencement and thereafter maintained at all times.

Reason: In the interests of highway safety and to accord with the NPPF and Policies TA5 and TA6 of the South Somerset Local Plan.

07. The proposed internal layout, including shared surfaces and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by

a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

Reason: In the interests of highway safety and to accord with the NPPF and Policies TA5 and TA6 of the South Somerset Local Plan.

08. No development hereby permitted shall be commenced unless a phasing plan for the development, including demolition of all agricultural structures required to give effect to the complete layout shown on the submitted plan ref. 15.045.004E, has been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter proceed fully in accordance with the approved phasing plan.

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

09. No dwelling hereby approved shall be occupied unless all the agricultural buildings on the site (indicated shaded grey on the submitted drawing ref. 15.045.010A) have been demolished and all resulting materials from the demolition cleared from the site, in accordance with details of demolition and restoration of the ground which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of residential amenity and to safeguard the character and appearance of the area in accordance with the NPPF and Policies EQ2 and EQ3 of the South Somerset Local Plan.

(Voting: Unanimous in favour)

35. Planning Application 15/05689/LBC - Lower Farm, Lambrook Road, West Lambrook. (Agenda Item 18)

Proposal: Removal of existing sheds and glasshouses, conversion of a stone barn to dwelling and the erection of three dwellinghouses.

This application was presented and discussed in conjunction with the previous application 15/05688/FUL and comments made on that application also refer to this application.

The Planning Officer explained that the officer recommendation in the agenda report had been based on the recommendation for the full application. However as members had approved the full application, contrary to the officer recommendation, the justification for approving this listed building consent would in essence be the reverse of the reason for refusal shown in the agenda report.

The Planning Officer advised if members were minded to approve there should be conditions for approved plans, time limit and materials.

There was no discussion and it was proposed to approve the application for the reason and conditions as suggested by the Planning Officer. On being put to the vote, the proposal was carried unanimously.

RESOLVED: That the application for Listed Building Consent 15/05689/LBC be GRANTED, contrary to the officer recommendation, subject to the following:

Justification:

01. The proposal represents justified works to a listed building that respect the unique architectural and historical character and appearance of the listed building in accordance with the aims of the NPPF and Policy EQ3 of the South Somerset Local Plan.

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 works hereby permitted shall be carried out in accordance with the following approved plans: the drawings ref. 15.045 numbers 004E, 005C, 006B, 009A.

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

03. No works hereby permitted shall be carried out 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 external walls and roofs; these details shall be supported by a sample panel (indicating coursing and pointing) of any new stonework and of areas to be repointed, which shall be made available on site prior to commencement;
 - b) details of the mortar mix;
 - c) design details and material and external finish to be used for all windows, doors, boarding and openings, including rooflights;
 - d) details of new lintels and surrounds of window and door openings;
 - e) details of all eaves/fascia board detailing, abutments, flues, guttering, downpipes, and other rainwater goods;
 - g) details of colours of all finishes;
 - h) details of the new stone boundary wall.

The details shall approved drawings to an appropriate scale as necessary. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the character and appearance of the listed building and to accord with the NPPF saved Policy EQ3 of the South Somerset Local Plan.

(Voting: Unanimous in favour)

36. Planning Application 16/01012/FUL - 18 East Street, Martock. (Agenda Item 19)

Proposal: Demolition of attached lean-to on side elevation of dwelling and demolition of all timber buildings at the rear of the site; the erection of two dwellings and the formation of an access driveway, parking and turning.

The Planning Officer presented the application as detailed in the agenda. He updated members that one of the nine letters of objection referred to in the report had multiple signatures and effectively meant there were 20 objectors to the proposal. He also referred to another letter which had been circulated direct to members in which the letter author took issue with some aspects of the officer report.

It was noted the access proposal had recently been amended to make wider. Also originally chalet bungalows had been proposed but these had now been changed to ordinary bungalows due to concerns about height.

Members were then addressed by Mr D Warner, Mr R Martin and Mr F Dowding in objection to the application, their comments included:

- Neighbouring properties would directly overlook the site and lights from cars travelling up the driveway at night will shine into the rooms.
- Boundary hedge is species rich.
- Fear the cul-de-sac of Eastfields will become a through road.
- Highway safety concerns regarding the access.
- Access is at a narrow point in the road and visual splay is limited.
- Feel the specified history of the site is a slightly incorrect.
- East Street is described as a cul-de-sac but it has 80 houses and a 30mph zone.
- Proposal is over-development in a conservation area, with several listed buildings nearby.
- Right development but in the wrong place.

Ms H Lazenby, agent, noted they were aware of continuing objections. In terms of heritage impact the site was located on the edge of the conservation area, and the new dwellings would be behind the existing dwelling and so have minimal visual impact. The planning application had been supported by a professional traffic assessment and in all aspects was considered acceptable in highway terms. She noted the existing sheds could be brought back into agricultural use at any time without permission, and she did not feel there was any reason to refuse the application on policy grounds.

Ward member, Councillor Neil Bloomfield, referred to the traffic assessment and noted the access would not be wide enough for a fire engine and so sprinkler systems were proposed to be installed. If a bin store for all the properties was to be located at the roadside it would not enhance the street scene or the conservation area. He did not support the application, felt it was garden grabbing and the access was not acceptable.

Ward member, Councillor Graham Middleton, accepted that the new dwellings would be minimally visible. However he expressed concern that access would be by a single driveway via the narrowest part of East Street, where there is also much on street parking making access and visibility difficult. He felt the site was not suitable for two dwellings with the associated vehicle movements.

During discussion mixed views were raised. Some members expressed concern about the access and highway safety, whilst others noted that the existing sheds could be brought back into use at any time and generate additional traffic movements.

The Locum Planning Solicitor advised members that if they were minded to refuse the application on highway safety grounds then local knowledge would have to be the support for a reason to refuse.

It was first proposed to refuse the application, contrary to the officer recommendation, on the grounds that:

- The scale, layout and design would be harmful to residential amenity
- Access, width and visibility inadequate and so harmful to highway safety

On being put to the vote the proposal was not carried. (5 in favour of refusing the application, 6 against with 1 abstention).

It was then proposed to approve the application, as per the officer recommendation, and on being to the vote was carried, 6 in favour, 5 against with 1 abstention.

RESOLVED: That planning application 16/01012/FUL be APPROVED, as per the officer recommendation, subject to the following:

Justification:

01. The proposal, by reason of its scale, design and materials, respects the character and appearance of the area and causes no demonstrable harm to residential amenity. The proposed use of the existing access for purposes of the new development is not considered to have a severe impact on highway safety. The proposal is considered to accord with the aims of the NPPF and Policies SD1, SS1, TA5, TA6, EQ2 and EQ3 of the South Somerset Local Plan.

Subject to the following conditions:

01. The development hereby permitted shall be carried out in accordance with the following approved plans: the drawings ref. 6515 numbers 02A, 03A and 04A.

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

02. 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) materials (including the provision of samples where appropriate) to be used for external walls and roofs; these details shall be supported by a sample panel of natural stone

- indicating coursing and pointing which shall be made available on site prior to commencement;
- b) full design details and material and external finish to be used for all windows, all external doors, lintels, entrance gates, boarding and openings;
 - c) details of all eaves and fascia board detailing, guttering, downpipes and other rainwater goods;
 - d) details of the surface material for the parking and turning area;
 - e) details of all boundary treatments; and
 - f) details of the design and layout of the area demarcated on the submitted site plan for a refuse collection area.

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.

03. The area allocated for parking and turning, including garages, on the submitted plan ref. 6515-02A shall be kept clear of obstruction at all times and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety and to accord with the NPPF and Policy TA5 and TA6 of the South Somerset Local Plan.

04. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be made before the development hereby permitted is occupied and maintained thereafter at all times.

Reason: In the interests of highway safety and to accord with the NPPF and Policy TA5 of the South Somerset Local Plan.

05. The area demarcated on the submitted plan ref. 6515-02A as a 'refuse collection area' shall be laid out and established prior to the occupation of the development hereby permitted, and shall be permanently maintained and retained for the purposes of refuse storage thereafter in perpetuity.

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

06. The development hereby permitted shall not be commenced (including any ground works or site clearance) until a survey to determine presence/absence of slow worms, plus if present, a mitigation plan or method statement detailing measures to avoid harm to slow worms, has been submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved details and timing of the mitigation plan / method statement, unless otherwise

approved in writing by the local planning authority.

Reason: For the protection and conservation of priority species in accordance with policy EQ4 of the South Somerset Local Plan, NPPF and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

Informatives:

01. The Wildlife and Countryside Act 1981 makes it an offence to disturb a nest of any wild bird whilst it is in use or in the process of being built. Clearance of trees, scrub, ivy, bramble or other dense vegetation, and demolition of, or works to buildings, could cause disturbance to nesting birds, and it is advisable to carry out such works outside of the main nesting season of 1st March to 31st August inclusive, unless a prior check by a competent person has confirmed the absence of nesting birds

(Voting: 6 in favour, 5 against, 1 abstention)

37. Planning Application 15/04736/FUL - The Limes, High Street, Curry Rivel. (Agenda Item 20)

Proposal: Erection of a dwelling, car port and revised alterations to existing access and driveway.

The Planning Officer presented the application as detailed in the agenda. He noted the main reason for the recommendation of refusal was the issue of the access and the impact on the listed building.

Mr M Powell, applicant, noted The Limes was a large building, and being listed, was difficult to adapt for their future needs. They had taken advice from officers and were disappointed that the application was recommended for refusal. Widening of the access would be an improvement and he highlighted they already had permission to widen the access but they wished to revise the design.

Mr C Miller, agent, noted there had been lengthy negotiations and all issues had been resolved apart from the visual impact of the access. He noted the that the wings of the opening were now proposed to be set further back so that gates could be installed, and cars could pull off the road while opening the gates. Much of the wall was already in a bad state and would need repairing and preserving in the future.

Ward member, Councillor Tiffany Osborne, commented that the proposed new dwelling respected the character of the area, and the new build was not the reason for the officer recommendation of refusal. She noted the roadside wall was already in a decaying state, and changing the entrance would be more in keeping and visually pleasing than the existing access. The current access has very poor visibility and proposal would comply with requirements of the Highway Authority.

During a short discussion most members expressed support for the application. Some felt the existing access was dangerous and noted the wall was in a poor, and possibly

unstable state. Other members expressed concern about the impact of the proposal on the listed house and wall.

At the conclusion of debate it was proposed to approve the application, contrary to the officer recommendation, as it was felt the proposal would not significantly affect the listed building.

On hearing the comments made and as members were minded to approve the application, the Planning Officer suggested conditions would be required for:

- Time limit
- Materials
- Landscaping
- Access to be fully constructed before occupation of new dwelling
- Consolidation of surface
- Condition and repair survey for the wall

The proposal to approve, subject to the conditions as suggested by the Planning Officer, was put to the vote and was carried 8 in favour, 2 against, 1 abstention.

RESOLVED: That planning application 15/04736/FUL be APPROVED, contrary to the officer recommendation, subject to the following:

Justification:

The proposal represents a sustainable development that contributes positively towards the enhancement of the setting of a listed building without causing any demonstrable harm to the heritage asset, while making a positive contribution to the provision of new housing. The design and layout respects the character and appearance of the setting and causes no demonstrable harm to residential amenity or 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. P.2E and P.3B received on 18 April 2016; the house plans numbered P.1, P.3, P.4, P.5, P.6, P.7, P.8, P.9 and P.10; and the garage plans and elevations, Scales 1:100 and 1:50 received on 21 October 2016.

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) materials (including the provision of samples where appropriate) to be used for external walls and roofs;
- b) full design details and material and external finish to be used for all windows, all external doors, lintels, entrance gates, boarding and openings;
- c) details of all eaves and fascia board detailing, guttering, downpipes and other rainwater goods;
- d) details of the surface material for the parking and turning area;
- e) details of all boundary treatments; and
- f) details of the finished floor level of the building.

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. No development hereby permitted shall 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. 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: To safeguard the character and appearance of the area, and to accord with Policy EQ2 of the South Somerset Local Plan.

05. The amended means of access to the site, including the stone walling, gates and surfacing, shall be fully completed in accordance with the layout shown on the submitted plan ref. P.2E prior to the occupation of the dwellinghouse hereby permitted.

Reason: To ensure that a safe means of access is provided for use by the two resulting dwellinghouses in accordance with the aims of the NPPF and Policy TA5 of the South Somerset Local Plan.

06. No development hereby permitted shall be carried out unless a condition survey of the stone boundary wall along the southern boundary of the site has been undertaken and the results, together with a programme of remedial works arising from the survey, have been submitted to and approved in writing by Local Planning Authority. The approved programme of works shall be carried out in full unless otherwise agreed in writing.

Reason: To safeguard the character and appearance of the area, and of the listed building in accordance with the aims of the NPPF and saved Policy EQ3 of the South Somerset Local Plan.

07. The areas allocated for parking and turning on the submitted plan ref. P.2E shall be fully implemented and surfaced prior to occupation of the development hereby approved, and shall thereafter be kept clear of obstruction at all times and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety and to accord with Policies TA5 and TA6 of the South Somerset Local Plan.

08. The dwellinghouse hereby approved shall not be occupied unless the proposed access, over at least the first 6m of its length, as measured from the nearside edge of the adjoining carriageway, has been 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, and shall be maintained as such at all times.

Reason: In the interests of highway safety, and to accord with Policy TA5 of the South Somerset Local Plan.

(Voting: 8 in favour, 2 against, 1 abstention)

38. Planning Application 15/04737/LBC - The Limes, High Street, Curry Rivel. (Agenda Item 21)

Proposal: Erection of a dwelling, car port and revised alterations to existing access and driveway.

This application was presented and discussed in conjunction with the previous application 15/04736/FUL and comments made on that application also refer to this application.

The Planning Officer explained that the officer recommendation in the agenda report had been based on the recommendation for the full application. However as members had approved the full application, contrary to the officer recommendation, the justification for approving this listed building consent would in essence be the reverse of the reason for refusal shown in the agenda report.

The Planning Officer advised if members were minded to approve there should be conditions for:

- Time limit
- Plans
- Details of boundary walls and gate piers
- Details of gates
- Completion of works
- Condition survey of the wall

There was no further discussion and it was proposed to approve the application for the reason, and subject to the conditions, as suggested by the Planning Officer. On being put to the vote, the proposal was carried 9 in favour, 1 against and 1 abstention.

RESOLVED: That the application for Listed Building Consent 15/04737/LBC be GRANTED, contrary to the officer recommendation, subject to the following:

Justification:

The proposal represents justified works to a listed building that respect the unique architectural and historical character and appearance of the listed building in accordance with the aims of the NPPF and Policy EQ3 of the South Somerset Local Plan.

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 works hereby permitted shall be carried out in accordance with the following approved plans: the drawings ref. P.2E and P.3B received on 18 April 2016.

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

03. No work hereby permitted shall be carried out unless full details of the boundary wall and gate piers, including
 - a) the detailed design of the wall, its thickness, dimensions and coping;
 - b) the materials, coursing and bonding;
 - c) the mortar profile, colour, and texture along with a written detail of the mortar mix; have been provided in writing and supported with a sample panel to be provided at a time to be agreed in writing. The work shall be carried out in accordance with the agreed details, and the sample panel shall remain available for inspection throughout the duration of the work.

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

04. No works hereby permitted shall be carried out unless full details, including drawings at an appropriate scale, of the new gates to be erected have been submitted to and approved in writing by the Local Planning Authority. Such details, once approved, shall not be altered unless with the written agreement of the Local Planning Authority.

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

05. The works hereby granted consent shall be completed in all respects within 1 year of the commencement of the works hereby approved, unless otherwise agreed in writing. Written notice of the date of the commencement of the approved works shall be given to the Local Planning Authority.

Reason: To ensure that the works hereby approved are completed and/or not left in a partially completed state for a protracted period detracting from the character and appearance of the listed building.

06. No works hereby permitted shall be carried out unless a condition survey of the stone boundary wall along the southern boundary of the site has been undertaken and the results, together with a programme of remedial works arising from the survey, have been submitted to and approved in writing by Local Planning Authority. The approved programme of works shall be carried out in full unless otherwise agreed in writing.

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

(Voting: 9 in favour, 1 against, 1 abstention)

.....
Chairman