

South Somerset District Council

**Minutes of a meeting of the Area East Committee held at the Meeting Room,
Churchfield Offices, Wincanton on Wednesday 13 August 2014.**

(9.00 am - 12.40 pm)

Present:

Members:

Nick Weeks Chairman
Mike Beech
John Calvert
Tony Capozzoli
Nick Colbert
Anna Groskop

Tim Inglefield
Lucy Wallace
William Wallace
Colin Winder

Officers:

Anne Herridge
Helen Rutter

Democratic Services Officer
Area Development Manager (East) / Assistant
Director (Communities)
Senior Legal Executive
Area Lead (West)
Revenues and Benefits Manager
Planning Officer

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

37. Apologies for absence (Agenda Item 1)

No apologies for absence were received.

38. To approve as a correct record the minutes of the previous meeting held on 9 July 2014 (Agenda Item 2)

The minutes of the AEC meeting held on 9th July 2014, copies of which had been circulated, were agreed and signed by the Chairman.

Cllr Colin Winder referred to the issue that he had raised in Minute 25b, as he was still very concerned that as far as he was aware no consent had been given to enable work to be carried out on the Listed Dolphin Hotel, Wincanton, the Conservation Officer was due to visit Wincanton shortly and he would liaise with Cllr Winder.

The majority of members felt that the process of alterations made to Listed Buildings needed clarity and it was suggested that further discussion could take place before AEC members Planning Tour on 12th September.

39. Declarations of Interest (Agenda Item 3)

Cllr Nick Colbert declared a DPI regarding Agenda Item 18 as he was the applicant of Planning Application 14/02094/FUL. He would leave the room prior to consideration of that application.

Cllrs Anna Groskop and William Wallace both declared that they were Somerset County Councillors although there were no items on the agenda pertinent to that.

Cllr Colin Winder advised that he was a member of Wincanton Town Council although again there were no items on the agenda pertinent to that.

40. Public Participation at Committees (Agenda Item 4)

- a) Mrs L Elson brought members attention to the numerous notices that had been put up on the grass verge opposite Anchor Hill Service Station and the potential damage to a tree because of several notices that had been nailed to its trunk.
 - b) Cllr Tony Capozzoli was pleased to report that a meeting had now been arranged to discuss Phase 2 of the cycle way at Yeovilton.
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41. Reports from Members Representing the District Council on Outside Organisations (Agenda Item 5)

There were no reports from members representing the District Council on outside bodies.

42. Feedback on Reports referred to the Regulation Committee (Agenda Item 6)

There had not been a meeting of the Regulation Committee recently.

43. Chairman Announcements (Agenda Item 7)

The Chairman advised members that Cllr Mike Beech had raised an issue relating to Item 3 in the agenda – **Declarations of Interest** - as the wording in the agenda had not been amended to take account of the change to the Code of Conduct made by SSDC at its meeting on 15th May 2014. This had now been updated and copies of the revised wording (that would be included in all future SSDC committee agendas) had been presented to Councillors.

The AE Planning Tour had been re-arranged for **Friday 12th September from 12.00 noon**, with a working lunch provided at Churchfield with discussion with Dave Norris (and possibly Paul Wheatley Principal Spatial Planner) before embarking on the bus.

Councillors to let the Democratic Services Officer know if they were able to attend the SSDC Xmas meal at the Northover Manor on **Wednesday 10th December**. If so a £10.00 deposit per person would be required as soon as possible.

Members were advised that as soon as the relevant SSDC policy had been written with reference to recording committee meetings Area East would then begin to record their meetings

Cllr Tim Inglefield felt that it would not be suitable to discuss issues regarding Henstridge Airfield at the start of the planning tour but a separate informal meeting should be arranged in the next couple of months.

44. Revenues and Benefits Annual Update (Agenda Item 8)

The Revenue and Benefits Manager presented the report as detailed in the agenda. He updated members on the work of the Revenue and Benefits Service during 2013/14 and the work plans for 2014/15.

In response to several questions the Revenue and Benefits Manager replied that:

- He would ask the Housing Team, who organise the Housing Fairs, if in the future a housing fair could be held at a venue within area East;
- He would investigate the suggestion of other ways to raise awareness of Business Rate Relief and he would look to do more to make businesses aware of the help available to them;
- He would report back to Cllr Groskop once he had information regarding a village hall that wished to reclaim its business rates;
- The total rate relief given to businesses within Area East was almost £7.4 million: £3.2 million of that was mandatory charity relief; £156,000 was top up charity relief; £92,000 was mandatory rural rate relief; £36,000 top up rural rate relief; £40,000 discretionary rate relief; £24,500 mandatory sports relief and approximately £3.6 million small business rate relief.
- Council Tax collection figures had been down slightly in 2013/14 when compared to previous years but that was due to a challenging year and the changes that had been implemented. Members should also be mindful that collection did not stop at the end of the financial year and the team continues to collect previous year arrears;
- An Empty Homes Officer was in place and the rules regarding Council Tax charges on long term empty/unoccupied properties and the claiming of New Homes Bonus had been properly applied. There were different rules for different circumstances;
- He recognised that there were a lot of different levels of need, his service did try to get the right balance, he was aware that often elderly people did not use the internet as much as younger people, but by others using the internet for making claims or notifying changes in their circumstances that officer time was freed up to help those who required direct help.

The Chairman thanked the Revenue and Benefits Manager for the comprehensive report.

45. Wincanton Transport and Services Hub Update (Agenda Item 9)

It was agreed to defer this agenda item until next month as the Neighbourhood Development Officer was ill.

46. Heart of Wessex Rail Partnership Update (Executive Decision) (Agenda Item 10)

The ADM gave a summary of the work undertaken by the Heart of Wessex Rail Partnership during 2013/14 as detailed in the agenda report. She also asked AEC members to consider a partnership contribution for 2014/15 of £2,000 from Members discretionary budget.

The majority of members were in favour and wished to support the Partnership. The following points were raised:

- Railway holts should be brought back into use and perhaps used as request stops, but unlikely to occur as it may slow up the timetables
- Thanks should be conveyed to Catherine Phillips, from the Heart of Wessex Rail Partnership who had helped with the production of the Castle Cary leaflet used whilst the road was closed due to repairs to the railway bridge
- Members should remember that the Heart of Wessex Rail Partnership was not the same organisation as the Heart of Wessex Local Action Group, although this work would complement each other

It was proposed and seconded to approve the recommendation, and on being put to the vote, it was unanimously carried in favour.

RESOLVED: That members

- 1) Noted the work undertaken by the Partnership in 2013/14 and that a similar report would be presented to Area South Committee.
- 2) Approved a funding contribution of £2,000.00 from Members discretionary budget for 2014/15.
Reason: To consider a partnership contribution for 2014/15

(Voting: Unanimous in Favour)

47. Area East Committee Forward Plan (Agenda Item 11)

The ADM advised members that the report on the Balsam Centre on the agenda for September would give an overview of activities at the centre and approve financial contributions for the financial year. The Wincanton Transport and Services Hub update would also be on the agenda for the meeting in September.

NOTED

48. Date of Next Meeting (Agenda Item 12)

Members noted the next scheduled meeting of the Area East Committee will be at the Council Offices, Churchfield, Wincanton on Wednesday 10th September 2014 at 9.00am.

49. Items for information (Agenda Item 13)

NOTED

50. Schedule of Planning Applications to be Determined by Committee (Agenda Item 14)

Cllr Nick Colbert reiterated his declaration regarding a DPI as he was the applicant of Planning Application 14/02094/FUL. He would leave the room prior to consideration of that application.

NOTED

51. Planning Application: 14/01055/OUT - Land At Court Lane, Milborne Port. (Agenda Item 15)

The Planning Officer presented the application on behalf of his colleague; he provided members with an update from the Education Department confirming that they had not made a request at this moment in time, to secure a contribution towards education from the S106 obligation, and an explanation of how the Education Department calculated the future needs of education provision.

With the aid of a power point presentation the officer showed the site, proposed plans and photos of the access points. He confirmed that the recommendation was to approve the application.

Mr Philip Davis and Mrs Katherine Davis both spoke in objection to the application on behalf of themselves and 27 households. They were both pleased that several members of the committee had visited the site to see the Highway and access issues for themselves. They considered that there were other more suitable pieces of land in the area with better access than the proposed site. They understood that land had been included in the application that was not owned by the developer, there was also an incorrectly drawn red line indicating the Highway boundary. Applications on the site had previously been refused and reference was made to the Milborne Port, 2000 Local Plan which stated no further development should take place without highway improvements. There had been a 15% increase in new houses in Milborne Port over the past 8 years with no highway improvements and was much more than suggested in the emerging Local Plan.

Mr M Williams, the agent, spoke in support of the application. He said that Milborne Port was classed as a Rural Centre in the emerging Local Plan, if members had been minded to, they could have objected to the amount of proposed development during the Local Plan consultation process. He considered the site to be sustainable for this low density housing, there had been no objections from the statutory consultees: Highways had advised that they considered the small development would not have a severe impact on the existing road network. There had not been any planning applications refused on this

particular site, the time scale for determining this application had now been exceeded therefore he urged AEC members to make a decision.

Ward Member Cllr Lucy Wallace spoke in objection to the proposal, she was disappointed that an officer from Highways was not in attendance at the meeting to respond to various queries members had about the road network in the vicinity of the proposed site, she had written to request an officer attend the meeting but had not received a response. She reiterated that Milborne Port did not want or need any more housing, she was also concerned that any run-off from the new development would make matters worse for the development at the bottom of the hill. She also made reference to the question regarding ownership of the land.

In response to a query the agent could confirm that the correct certificate had been completed regarding ownership of the site.

As County Councillor for Blackmoor Vale, which included Milborne Port, Cllr William Wallace said that he regularly received numerous complaints about the traffic issues in the vicinity and had never received a response from relevant County Council officers when these issues had been reported. Cllr Wallace felt that the application would spoil the character and distinctiveness of the locality as well as a strain on the current road network.

During discussion varying views were expressed including:

- There did not appear to be a housing need in Milborne Port;
- There was not much retail on offer within the centre of Milborne Port;
- Court Lane could not accommodate any extra traffic, there was also a lack of passing places on the narrow road;
- Any new occupiers would need to travel outside of the area for employment;
- Lower graded agricultural land should be considered for development rather than this site of higher quality land;
- Wessex Water should assess the site prior to the approval of any planning permission;
- If the application was refused an appeal would more than likely be lodged as there were houses surrounding the proposed site and it could be classed as infill;
- Concerned that a new development in the area had recently suffered from flooding although Wessex Water had assessed the site prior to that development;
- Could not understand why a previous application in the vicinity had been refused due to an unsustainable location, yet this application was considered sustainable;
- When members had visited the site, several considered that there would be an impact on the view from the north, and were worried about possible flooding to the lower properties;

- Members were apprehensive about Highways making their opinion from data going back as far back as 2012 and before the Bellway Housing development had been completed. Clear evidence was required from Highways to demonstrate the proposed development would not cause an adverse Highway impact;
- Reference was made to a recent planning appeal when the Planning Inspector had agreed with the AEC refusal on Highways grounds although Highways had recommended approval;
- Milborne Port could eventually become unsustainable if too many houses were built and local services and utilities exhausted.

In response to queries the Area Lead West replied that:

- The application was well past the set target date and an appeal could be made against non-determination;
- Economic activity referred to in the report meant that jobs would be created by the construction industry during the building of the houses;
- Wessex Water would have to liaise with the Environment Agency regarding drainage etc the developer would need to mitigate the matter.

In conclusion, the Area Lead West confirmed that members must weigh up the merits of the application - housing need as opposed to the concerns as outlined. It was unfortunate that a Highway Officer was not in attendance in order to answer member's queries.

A proposal was made and seconded to refuse the application and numerous reasons were suggested.

The meeting was adjourned for several minutes whilst officers gathered together the reasons given for refusal in order to ensure that all relevant reasons were included.

On reconvening the Senior Legal Executive read out the list of reasons for refusal, Members confirmed that they were content that all of their suggested reasons had been included.

It was then proposed and seconded to refuse the application contrary to the officer's recommendation for the following reasons:

- The proposed development would fail to respect the form, character, setting and distinctiveness of the locality and would result in unacceptable material harm to the character and quality of the local landscape;
- Insufficient submitted evidence to demonstrate that the proposed development would not cause an adverse Highway impact in respect of the ability of the local highway network to satisfactorily absorb the increase of Highway traffic demonstrated by the proposal;

- The proposed development would result in a loss of high quality agricultural land. it was not considered to be a sustainable form of development due to poor public transport, a lack of available jobs which would increase the future needs of residents to travel further afield for employment and service facilities; and would not adequately mitigate against the risk of surface water, foul drainage and flooding.

On being put to the vote the motion was carried by 8 votes in favour: 1 against and 1 abstention.

RESOLVED: That Planning Application 14/01055/OUT be refused contrary to the officers recommendation: for the following reasons:

The proposed development would fail to respect the form, character, setting and distinctiveness of the locality and would result in unacceptable material harm to the character and quality of the local landscape, contrary to the saved policies EC3, ST5, ST6 of the South Somerset Local Plan 2006.

Insufficient submitted evidence to demonstrate that the proposed development would not cause an adverse Highway impact in respect of the ability of the local highway network to satisfactorily absorb the increase of Highway traffic demonstrated by the proposal. Contrary to ST5 of the South Somerset local plan.

The proposed development would result in a loss of high quality agricultural land contrary to Paragraph 112 of National Planning Policy Framework.

The proposed development is not considered to be a sustainable form of development due to poor public transport and a lack of available jobs which would increase the future needs of residents to travel further afield by private means of travel for employment and service facilities, contrary to paragraph 17 (core Principles) of the NPPF

The proposed development does not adequately mitigate against the risk of surface water and foul drainage flooding, contrary to Chapter 10 of the NPPF.

(The wording to be fine-tuned with the Ward Member and Chairman of AEC)

(Voting: 8 in favour: 1 against and 1 abstention)

52. Planning Application 14/02481/OUT - Land adjoining Longhazel, Sparkford, Yeovil. (Agenda Item 16)

On behalf of his colleague the Planning Officer presented the report as detailed in full in the agenda. With the aid of a power point presentation he showed the site, and proposed plans. He confirmed that the officer's recommendation was to approve the application.

Mrs J Montgomery the Agent addressed the committee and urged members to approve the application as per the officer's recommendation.

Ward Member Cllr Mike Lewis also agreed with the recommendation, but he suggested that Condition 04 should include wording in order to remedy the foul smell from foul and surface water drainage in the area.

The Area Lead West explained that the suggested additional wording to condition 04 could not be included but could be included in an informative note.

It was proposed and seconded to approve the application as per the officer's recommendation plus an informative regarding the foul smell.

On being put to the vote the motion was carried unanimously in favour.

RESOLVED: That Planning Application 14/02481/OUT be approved as per the officer recommendation.

Sparkford by reason of its size and provision of services and facilities is considered a sustainable location in principle for appropriate development. The erection of a dwelling on this site, immediately adjacent to the settlement limit would respect the character of the locality with no demonstrable harm to residential amenity or highway safety. As such the proposal complies with policies ST2, ST6 and ST5 of the South Somerset Local Plan (Adopted April 2006) and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in accordance with the block and location plans 14110-2 received 04 June 2014.

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

02. Details of the access, appearance, landscaping, layout and scale (herein after called the "reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

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

03. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development shall begin no later than 3 years from the date of this permission or not later than 2 years from the approval of the last "reserved matters" to be approved.

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

04. Before the development hereby permitted is commenced, foul and surface water drainage details to serve the development, shall be submitted to and approved in writing by the Local Planning Authority and such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and

maintained thereafter.

Reason: In the interests of local amenities in accordance with policies ST5 and ST6 of the South Somerset Local Plan.

Informative Note regarding the foul smell of the drainage.
(Voting Unanimous in favour)

53. Planning Application 14/02523/OUT - Land At Roselands, Lily Lane, Templecombe. (Agenda Item 17)

The Planning Officer presented the application and explained that this application had been referred to AEC members to allow the issues to be fully debated because the site was outside the development area. With the aid of a power point presentation the officer showed the site and relevant plans and photographs. He confirmed that his recommendation was to approve the application as Templecombe was considered sustainable and there would be no significant visual impact.

The agent Mr Carpendale urged members to approve the application which he considered was an infill plot, was a walkable distance to the facilities and would cause no harm to highway users.

Ward Member Cllr Tim Inglefield questioned why the application was for AEC members to consider. He proposed that the application be approved as per the officer's recommendation.

In response the Area Lead West explained that the Development Control Manager had requested that planning applications outside the development area be considered by area committees. He also confirmed that matters such as parking issues would be covered at a later stage of the planning process should this application be approved.

During a short discussion members expressed their support for the application and it was proposed and seconded to approve the application as per the officers recommendation.

On being put to the vote the motion was unanimously carried in favour.

RESOLVED: That Planning Application 14/02523/OUT be approved as per the officers recommendation.

01. The proposal, by reason of its location, represents appropriate infill closely associated with a sustainable location that does not foster growth in the need to travel and is therefore sustainable in accordance with the aims of objectives of policy ST3 of the South Somerset Local Plan (Adopted April 2006).

SUBJECT TO THE FOLLOWING:

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: To accord with the provisions of Article 4 of the Town and Country

Planning (Development Management Procedure) Order 2010.

02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

03. Approval of the details of the appearance of the building(s), the landscaping of the site, Layout and Scale (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To accord with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2010.

04. The development hereby permitted shall be carried out in accordance with the following approved plans: 14094-3 and 14094-4 received 5 June 29014.

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

05. Any entrance gates erected shall be hung to open inwards, shall be set back a minimum distance of 4m from the carriageway edge and shall thereafter be maintained in that condition at all times.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan.

06. The driveway between the edge of the carriageway and the first 4m into the site shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details, which shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall thereafter be maintained at all times.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan.

07. At the proposed access there shall be no obstruction to visibility greater than 300mm above adjoining road level within the visibility splays shown on the submitted plan drawing no. 14094-3. Such visibility splays shall be provided prior to commencement of the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan.

08. No development shall commence, before details of the proposed finished ground floor level of the dwellings hereby permitted, in relation to the natural and finished ground levels of the site have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with any details as may be agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain adequate control over proposed floor levels, in the interests of neighbour amenity, further to policy ST5 of the South Somerset Local Plan.

(Voting Unanimous in favour)

54. Planning Application 14/02094/FUL - Land to rear of 35 Bowden Road, Templecombe. (Agenda Item 18)

Cllr Nick Colbert left the room during consideration of this item.

The Planning Officer presented the application on behalf of his colleague and with the aid of a power point presentation showed the site and plans of the proposed dwelling. Previous concerns on this site had now been addressed and the officer confirmed that the recommendation was to approve the application as detailed in full in the agenda.

The agent, Janet Montgomery addressed the committee and explained that this application was a much simpler form than the previous applications and was not overbearing nor did it overlook any other properties

Ward Member, Cllr William Wallace was content with the application now that the proposed dwelling would only be one and half storeys high and he proposed that the application be approved.

Ward Member Cllr Tim Inglefield reiterated the above comments although he was concerned about there not being enough space to turn a car, the only option was to reverse on to the highway however he seconded the proposal that the application be approved.

A short discussion ensued about the parking issue but in general members expressed their support for the application.

On being put to the vote, the motion was carried unanimously in favour to approve the application.

RESOLVED: That Planning Application 14/02094/FUL be approved as per the officers recommendation.

Templecombe by reason of its size and provision of services and facilities is considered a sustainable location in principle for appropriate development. The erection of a dwelling on this site would respect the character of the locality, with no demonstrable harm to residential amenity, or highway safety. As such the proposal complies with policies ST6 and ST5 of the South Somerset Local Plan (Adopted April 2006) and the aims and objectives 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: 14066-1A received 17 June 2014.

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

03. No work shall be carried out on site until particulars of the following have been submitted to and approved in writing by the Local Planning Authority:

- a. details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
- b. details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
- c.. details of all hardstanding and boundaries
- d. details of the rainwater goods and eaves and fascia details and treatment.

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

Reason: To safeguard the character and appearance of the area in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan.

04. Before the development hereby permitted is commenced, foul and surface water drainage details to serve the development, shall be submitted to and approved in writing by the Local Planning Authority and such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: In the interests of local amenities in accordance with policies St5 and ST6 of the South Somerset Local Plan.

05. Before the dwelling hereby permitted is first occupied, the access over the first 5m of its length shall be properly consolidated and surfaced (not loose stone or gravel) details of which shall have been submitted to and approved in writing by the Local Planning Authority, before works are carried out on the access.

Reason: In the interests of highway safety and in accordance with policy ST5 of the South Somerset Local Plan.

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

Reason: In the interests of highway safety and in accordance with policy ST5 of the South Somerset Local Plan.

07. The area allocated for parking on the submitted plan, drawing no. 14066-1A received 17 June 2014, shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles used in connection with the

development hereby permitted.

Reason: In the interests of highway safety and in accordance with policy ST5 of the South Somerset Local Plan.

08. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no entrance gates shall be hung at the vehicular access hereby approved.

Reason: In the interests of highway safety and in accordance with policy ST5 of the South Somerset Local Plan.

09. Before any of the development hereby permitted is commenced details of the finished floor levels of the dwelling to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority. Such level shall be relative to an ordnance datum or such other fixed feature as may be agreed in writing by the Local Planning Authority.

Reason: In the interests of visual and residential amenity, in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan 2006.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed in the building, without the prior express grant of planning permission.

Reason: In the interests of residential amenity and in accordance with policies ST5 and ST6 of the South Somerset Local Plan.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to this building without the prior express grant of planning permission.

Reason: In the interests of visual amenity and in accordance with policies ST5 and ST6 of the South Somerset Local Plan.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no outbuildings erected in the curtilage of this building without the prior express grant of planning permission.

Reason: In the interests of visual amenity and in accordance with policies ST5 and ST6 of the South Somerset Local Plan.

(Voting: Unanimous in favour)

55. Planning Application 14/01631/FUL - Truffles Brasserie, 95 High Street, Bruton. (Agenda Item 19)

The Planning Officer presented the application as detailed in the agenda report, he explained that the officers recommendation to approve the application was contrary to the Highway Authority's comments in relation to an A class road. Highways were concerned that the height of the canopy may hinder pedestrians.

With the aid of a power point presentation the officer showed photos of the site and plans of the proposed awning.

Mr N Crombie spoke in objection to the application; he did not think the photos shown in the presentation were up to date and did not depict the High Street as it was now. Mr Crombie did not think officers should ignore the advice from Highways, he felt the awning would be intrusive and could set a precedent in the conservation area and consequently would harm visual amenity

Ward Member Cllr Anna Groskop explained that the building had been used as a restaurant since 1984; she considered that it was safer to walk on the opposite side of the road and did not think the awning would cause a problem. The applicant had amended his plans in order to comply with officers.

A short discussion ensued where several members felt that local businesses should be supported. Confirmation was given that the applicant was required to pay a licence in order to use the pavement.

It was confirmed that the awning would be folded away when not in use and would be 1.2 metres in depth; it would just cover the chairs as shown on the pavement.

It was proposed and seconded to approve the application as per the officer's recommendation.

On being put to the vote the motion was carried by 9 votes in favour and 1 abstention.

RESOLVED: That planning Application 14/01631/FUL be approved as per the officers recommendation.

Subject to the following.

Justification

The proposal, by reason of its size, scale and materials, respects the character of the conservation area and causes no demonstrable harm to residential amenity in accordance with the aims and objectives of policies EH1, ST5 and ST6 of the South Somerset Local Plan (Adopted April 2006).

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 materials to be used in the construction of the external surfaces of the development hereby permitted shall be those as identified within the planning application and no other materials unless the Local Planning Authority gives written

consent to any variation.

Reason: In the interests of visual amenity to accord with policy ST6 of the South Somerset Local Plan (Adopted April 2006).

03. The development hereby permitted shall be carried out in accordance with the following approved plans: Details received on 08 April 2014 and amended drawing number 1134/002/R1 received by email from the applicant on 12 June 2014.

Reason: For the avoidance of doubt and in the interests of proper planning.
(Voting 9 in favour; 1 abstention)

.....
Chairman

.....
Date