

South Somerset District Council

Minutes of a meeting of the Area East Committee held at the Council Offices, Churchfield, Wincanton. on Wednesday 11 July 2018.

(9.00 am - 1.35 pm)

Present:

Members: Councillor Nick Weeks (Chairman)

Hayward Burt	Henry Hobhouse
Tony Capozzoli	Mike Lewis
Nick Colbert	David Norris
Sarah Dyke	William Wallace
Anna Groskop	Colin Winder

Officers:

Helen Rutter	Communities Lead
Kelly Wheeler	Case Services Officer (Support Services)
Paula Goddard	Legal Specialist
Marc Dorfman	Senior Planning Adviser
Alex Skidmore	Planning Officer
Andrew Tucker	Conservation Officer

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

24. Minutes of Previous Meeting (Agenda Item 1)

The minutes of the previous meetings held on Wednesday 13th June, copies of which had been circulated, were agreed as a correct record and signed by the Chairman

25. Apologies for absence (Agenda Item 2)

An apology for absence was received from Councillor Mike Beech.

26. Declarations of Interest (Agenda Item 3)

Councillor Sarah Dyke declared an interest in agenda item 9 as she was the Programme Manager for the Heart of Wessex LEADER Programme.

Councillors William Wallace, Anna Groskop and Mike Lewis, members of SCC (Somerset County Council), would only declare an interest in any business on the agenda where there was a financial benefit or gain or advantage to SCC which would be at the cost or to the financial disadvantage to SSSC

27. Date of Next Meeting (Agenda Item 4)

Member noted that the date of the next scheduled meeting of the committee will be at the Council Offices, Churchfields, Wincanton on Wednesday 8th August at 9.00am.

28. Public Question Time (Agenda Item 5)

There were no questions from members of the public.

29. Chairman Announcements (Agenda Item 6)

The Chairman advised that he had met with the Lead Specialist (Planning) to discuss the outstanding enforcement issues in Area East.

The Vice-Chairman summarised the enforcement issues which were discussed at the meeting.

30. Reports from Members (Agenda Item 7)

Councillor Colin Winder queried the number of affordable homes which had recently been built in the area, however he was advised that the full details would be included on the District Executive agenda and would also be referred to the Full Council meeting.

Councillor Tony Capozzoli advised members that Yeovilton Parish Council were concerned over the amount of ragwort which was growing. Another member commented that there was a large amount on the verges alongside the A303. The Communities Lead agreed to contact the Environment Services Manager to highlight the concerns.

Another member advised that she had received several complaints over the time taken for planning applications to be considered, however she was advised that new planning officers were being recruited.

31. Milborne Port - Conservation Area Appraisal and Designation of extensions to Conservation Area (Agenda Item 8)

The Conservation Officer presented his report to members. He advised that the council had a duty to review the 88 conservation areas in South Somerset and that the Milborne Port Conservation Area was designated in 1988 and had never been reviewed.

He explained that there had been a good level of consultation and that some amendments had been made to the proposals following these responses.

He referred to the proposed changes on pages 7 and 8 and with the aid of a PowerPoint presentation, he summarised the proposed amendments.

Councillor Sarah Dyke, Ward Member, thanked the Conservation Officer for the teams' hard work and commented that she felt that this was positive and would enhance Milborne Port.

In response to her questions, the Conservation Officer confirmed that the proposed Conservation Area Appraisal was considered when comments were provided for the recent planning application and subsequent appeal in Milborne Port. He also confirmed that the Ven House gardens were already designated park and garden land.

In response to questions over the removal of the car park from the Conservation Area, he advised that it would not be appropriate to include within the Conservation Area to try to protect the car park from development, however he agreed that he would reconsider the historical importance of the car park area.

RESOLVED: that members, subject to the agreement of the Milborne Port Ward member and Area East Chairman once the historical importance of the car park had been reconsidered, agreed to;

- 1) Formally designate changes to the Milborne Port conservation area boundary.
- 2) Approve the Milborne Port Conservation Area Appraisal.
- 3) Advertise the changes to the designated area in accordance with the requirements of the Planning (Listed Building and Conservation Areas) Act 1990.

(Voting: 9 in support and 1 abstention)

32. Annual Progress Report - Heart of Wessex LEADER Programme (Agenda Item 9)

The Communities Lead presented highlights from the report. To date 12 awards had been made to businesses in Area East approaching £600,000. This had generated a total investment in excess of £1,500,000 and created or secured many local jobs. The Programme Manager clarified that grants were only paid upon proof of expenditure.

Following the brief discussion, concerning the potential of a future follow on scheme, members agreed to note the report.

RESOLVED: that members noted the report.

33. Area East Committee Forward Plan (Agenda Item 10)

Members noted the Area East Forward Plan.

The Communities Lead confirmed that, at present, there are only planning application reports included within the August agenda.

In response to a question she also confirmed that a Wincanton Regeneration Progress report would be included on the September agenda. A further report or workshop would be held in August or September to firm up Area priorities with the Locality Services Manager and the Lead Specialist Strategic Planning, Strategy and Commissioning.

Members expressed a wish to discuss current and future planning service delivery. The Communities Lead advised that this was best dealt with outside the formal agenda. Dates would depend on the availability of relevant planning staff. In the meantime officers were available in the normal way to answer member enquiries.

It was also noted that workshop on the Economic Development Strategy would be held after Committee in September with the Lead Specialist Economic Development.

RESOLVED: that members noted the Area East Forward Plan.

34. Planning Appeals (For Information Only) (Agenda Item 11)

Members noted the planning appeals which had been received.

35. Schedule of Planning Applications to be Determined by Committee (Agenda Item 12)

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

36. 18/00942/FUL - Land and Garages off Mill Street, Wincanton (Agenda Item 13)

Application Proposal: Demolition of single storey extension at 35 Mill Street and two thirds of a garage block along with stone boundary walls. Erection of 3 no. dwellings.

(Councillor Colin Winder declared a personal interest as he lives near to the site)

The Planning Officer presented his report to members with the aid of a PowerPoint presentation. He explained that the application was for the erection of three dwellings and pointed out that the application site was situated on a sloping site. He explained that the proposal included two parking spaces at the front for each of the three dwellings and that they would each have small gardens.

Members were shown images of the site and plans to show the proposed dwellings on the presentation.

The Planning Officer explained that he had concerns over the residential amenity for the neighbouring properties and the impact that the proposal would have on the conservation area. He also felt that the proposed garden area for the future owners would be very small.

The applicant addressed the committee. He advised members that the proposal would be in keeping with the area and that the front elevation would be finished with natural stone to match the existing properties. He felt that the garden sizes were adequate and pointed out that residents may not wish to have large garden. He explained that the land behind the application site was within his ownership and advised that the gardens could be extended if this was important.

Councillor Colin Winder, the Ward Member, explained that this was an important street in Wincanton as it was one of the oldest streets in the town. However, he advised that this site had been allocated as development land for many years and hoped that the land would be developed. He felt that more consultation could have resulted in a more positive proposal; however felt that he could not support a refusal of the application.

Councillor Nick Colbert, also Ward Member, explained that he did not like the design of the properties and suggested that the proposed parking arrangements could be dangerous. He was keen to see the natural stone on the site being re-used. He suggested that the application should be deferred to allow the dwellings to be pulled forward and the parking arrangements to be re-configured.

During the discussion, several members commented that they would be keen to see the application deferred to allow the parking spaces to be moved to the rear of the site. The Senior Planning Advisor clarified that should the application site extend outside of the

application 'red line' site, that the amendment would require a new planning application and would take several weeks to consider.

It was subsequently seconded that the planning application should be deferred to allow the applicant time to amend the application to improve the streetscene and to move the parking spaces to the rear of the site, whilst remaining within the application 'red line' site if possible.

On being put to the vote, this was carried unanimously.

RESOLVED: that planning application 18/00942/FUL be **deferred** to allow officers' time to seek amendments to the scheme by way of pulling the proposed development forward to the front building line to present a strong street frontage and minimise the amenity impact for neighbouring properties and to provide alternative off street parking.

(Voting: unanimous)

37. 18/00943/FUL - 35 Mill Street, Wincanton (Agenda Item 14)

Application Proposal: The erection of a rear single storey kitchen extension

(Councillor Colin Winder declared a personal interest as he lives near to the site)

The Planning Officer presented his report to members with the aid of a PowerPoint presentation. He explained that the application was for the erection of a rear single storey extension.

The applicant addressed the committee. He advised that the extension will provide a larger courtyard area and will tidy up the area as the extension will be constructed of natural stone rather than the existing brick.

Councillor Nick Colbert, Ward Member, agreed that the excavation works proposed would provide a small courtyard area and offered his support.

Councillor Colin Winder, also Ward Member felt that the proposed extension would tidy the area up and would provide a storage area for bins.

It was proposed that the application be approved, however this was not seconded. Another member commented that it would be sensible to defer the application as some of the amenity space had been borrowed from the scheme which had previously been deferred by the Committee.

It was proposed and seconded that the application be deferred to allow the application to be considered at the same meeting as planning application 18/00942/FUL.

On being put to the vote, this was carried unanimously.

RESOLVED: that planning application 18/00943/FUL be **deferred** to allow officers' to seek amendments to the scheme in association with application 18/00942/FUL to provide appropriate access, appropriate plot to street bin access, off street parking, and private amenity space.

(Voting: unanimous)

38. 18/00650/OUT - Knights Templar Court Nursing Home, Throop Road, Templecombe (Agenda Item 15)

Application Proposal: Demolition of the existing buildings and the erection of 19 no. dwellings with associated access and parking (outline application)

The Planning Officer presented his report to members with the aid of a PowerPoint presentation. He advised members that the application had been two-starred in line with the scheme of delegation and would be referred to the Regulation Committee should the application be refused.

He informed members that the application was an outline application to consider the access and principle and clarified that all other matters such as design would be considered at the later reserved matters application.

He explained that the application for was 19 dwellings, situated on the north eastern edge of the village. He pointed out that the land was situated lower than surrounding land which meant that the land wasn't easily viewed from the wider area. He also drew attention to areas of trees and hedging which could provide screening.

Using the PowerPoint presentation, he showed members an indicative layout and explained that was for illustrative purposes only and that this would not be the agreed layout. He also commented that he had concerns over the layout which was detailed and confirmed that he had passed these concerns to the applicant.

Photographs of the site and existing buildings were shown to member, as well as photographs to show the closest neighbouring property.

The Planning Officer clarified that there were policies which supported new care homes; however there was no policies which mention the retaining of existing care homes. He further clarified that the highways authority had taken into account the existing use in their decision not to raise an objection to the application.

The Planning Officer advised members that the scheme would include 3 affordable housing units, would be CIL liable and, as an update to the tabled report, that the applicant would also need to make a £110,400 contribution towards primary education.

A local resident spoke in objection to the application. He advised members that Throop Road was a busy road which was used by many businesses and farms which were situated along the road. He explained that many of the residents of the care home did not have cars and that the proposed dwellings would bring a large increase in traffic which could be dangerous. He also raised concern over the sewage pipes and pumps as well additional surface water which would flow downhill to neighbouring properties. He added that the proposal did not create any new jobs and did not bring services or facilities to the village.

The agent addressed the Committee. He explained that the application was an outline application and that all matters other than access would be considered at a later date. He

informed members that Templecombe was a large village, with good transport links. He also pointed out that South Somerset D.C did not have a five-year land supply.

He explained to members that the care home had been closed for over a year and confirmed that drainage could be secured by way of a planning condition. He also confirmed that adequate parking would be provided and mentioned that the highways authority had not raised an objection.

In response to a members question, the Planning Officer clarified that only three affordable units were required as the existing floor space needed to be considered and that in line with policy, only 50% of the normal 35% level of affordable housing could be sought. He clarified that this equated three homes plus an additional small financial contribution. He also confirmed that the drainage issues could be covered in a planning condition.

Councillor Hayward Burt, the Ward Member, spoke in objection to the application. He explained to the Committee that 108 new homes had recently been approved in Templecombe and pointed out that the village was a rural settlement. He explained that he had concerns over the capacity of the existing doctor's surgeries and for road safety, especially as the nearby Thales business would soon be expanding. He explained that the application fails policy SS2 as the scheme does not enhance the services in the village and that additional affordable units should be included within the proposal.

During the discussion, some members commented that the road was not suitable and that it would be useful to have Wessex Water's view on whether the sewage system would cope. Another member raised concerns over the lack of transport links and the inadequate access to the site. It was suggested that should the application be approved, that a condition should be included to ensure that the sewage pipes and drains could cope with the additional capacity as well as strengthening the surface water condition to prevent flooding.

It was proposed that the application be approved as per the officer report, however this was not seconded.

It was subsequently proposed and seconded that the planning application should be refused as the application failed on policies SS2 and TA5 of the SSDC Local Plan.

On being put to the vote, this was carried 9 votes in support, with 1 against.

RESOLVED: that members were minded to refuse planning application 18/00650/OUT, which was 2-starred in line with the councils scheme of delegation, and agreed to refer the application to the regulation committee for determination for the following reasons:

- (1) The proposal fails to address the requirements of the Templecombe settlement and would add to pressures on local services. As such it is contrary to policy SS2 of the adopted South Somerset Local Plan.
- (2) The proposal fails to provide pedestrian and cycle access and would compromise the safety of the local road network .As such it is contrary to policy TA5 (ii) and (iii) of the adopted South Somerset Local Plan including, should the scheme eventually be approved, strengthened conditions on water capacity; sewage management and anti - flooding.

(Voting: 9 in support, 1 against)

39. 18/01071/S73 - Land Rear Of 18 To 24 Westcombe, Templecombe
(Agenda Item 16)**

Application Proposal: Section 73A application to vary condition 2 (approved plans) of planning approval 09/03037/FUL to allow for revised plans to replace on plot 1 a single storey dwelling with a two storey dwelling

(Councillor Nick Colbert declared a personal interest as he owns a property near to the site)

The Planning Officer presented her report to members with the aid of a PowerPoint presentation. She advised members that the application had been two-starred in line with the scheme of delegation and would be referred to the Regulation Committee should the application be refused.

She explained to members that a similar application, to amend plots 2 and 3 from bungalows to houses, had been considered by the Committee in March. She advised that this earlier application had been refused and that this new application to change a bungalow to a house related to plot 1.

She explained that since considering the earlier application, no new issues had been raised.

Using the PowerPoint presentation, she provided images of the site and a plan to show the layout and location of bungalows and houses on the site.

She commented that there would be an impact to neighbours, however felt that this would not result in demonstrable harm to the adjoining neighbours and advised that sufficient parking had been proposed. She was therefore recommending that the application be approved.

In response to a member's question, the senior planning advisor, explained the reasons why the application had been two-starred in line with the council's scheme of delegation.

Councillor William Wallace, Ward Member, noted that the parking issues had been addressed, however explained to the Committee that there were letters of objection and that the proposal will result in a loss of sunlight and will affect the outlook for the neighbouring properties. He felt that the application was unacceptable due to the overlooking and the impact that this would have on the neighbouring bungalows.

Councillor Hayward Burt, also Ward Member, agreed with the comments of Councillor William Wallace and commented that this proposal would make the site unbalanced.

During the discussion, members commented that bungalows sell quickly and are in demand.

It was proposed that the application be approved as per the officer report, however this was not seconded.

It was proposed and seconded that the members were minded to refuse the planning application and refer the planning application to the regulation committee for determination as members felt that the proposed alterations to plot 1 would have an unacceptable impact on the residential amenity of the neighbouring properties.

On being put to the vote, this was carried 6 in support, 3 against and 1 abstention.

RESOLVED: that members were minded to refuse planning application 18/01071/S73A and to refer to the regulation committee for the following reason:

01. The proposed alterations to plot 1 would, by reason of their resultant height, size, and position, result in an unacceptable impact on the residential amenity of the occupiers of neighbouring properties by way of overlooking and the resultant loss in privacy, contrary to policy EQ2 of the South Somerset Local Plan (2006-2028) and the policies contained within the National Planning Policy Framework.

(Voting: 6 in support, 3 against and 1 abstention)

40. 17/03797/FUL - The Chestnuts, Queen Street, Keinton Mandeville (Agenda Item 17)

Application Proposal: Demolition of existing dwelling and outbuildings and erection of replacement 2.5 storey dwelling with associated detached garage

The Planning Officer presented her report to members. Using a PowerPoint presentation, she provided image of the building to be demolished and showed the location of the listed bee house which was situated in the grounds of the adjacent school. She further advised that the application had been amended to relocate the position of the proposed garage. She confirmed that the boundary wall would remain.

She explained that since the report had been published, she has received an additional letter of objection from a neighbour to the site who hoped that the house would be restored and extended rather than demolished.

The Planning Officer advised that she had carefully weighed up the importance of the dwelling and the heritage issues. She advised that the cottage was set back from the highway and barely visible from the road. She explained that she did not feel that the building had significant importance and therefore felt that permission could not be withheld. She clarified that the issues around the listed bee house had been addressed and found the design of the new dwelling to be acceptable and therefore she recommended that the application be approved.

A representative of the Parish Council addressed the Committee. He advised that the Parish Council had originally supported this application as the applicant had said that the house was in a poor state of repair. The PC now recommended that the application be refused as the Conservation Officer had suggested that there was no need to demolish the building. He hoped that the building would be retained. He also felt that it would be inappropriate to approve a balcony which overlooked a school playground.

Two members of the public spoke in objection to the application. Their comments included:

- Local residents valued this period property, which was in the centre of the village. It is an attractive and unusual house which sits neatly on the plot.
- The Conservation Officer recommended that the application be refused and described the building as an undesignated heritage asset.
- The proposal was close to the bee house, which was one of only 2 in Somerset.
- The 'Save British Heritage' had objected to the application.
- The structural engineers report was unconvincing and the building could be extended.
- The replacement building will overshadow and overlook the school and would be out of character.

The agent addressed the Committee. He explained that the Victorian dwelling had no statutory designation and was not listed or within a Conservation Area. He explained that previously a large porch had been added and since removed and that a side and rear extension had been added. He advised that local stone would be used and did not believe that the siting of the bee house would be impacted. He further added that the streetscene would not be impacted as the building was set back from the road.

The Applicant addressed the Committee. She explained that it was an exciting opportunity to develop the site which she felt would enhance the village. She advised members that she had attended the Parish Council meeting and that support was given to the scheme at this meeting.

A representative of the agent addressed the Committee. He explained that he had worked closely with the planning department and had amended the application twice. He advised members that immediate properties had rendered finishes and that screening could be added to the balcony to provide additional privacy to the school.

Councillor David Norris asked the Committee to consider how much they valued the heritage of the building. He advised that although the building wasn't listed, it had historical merit. He commented that it was regrettable that the council did not have a list of designated heritage assets. He commented that the building was intact and had a nice attention to detail, highlighting that the original roof remained. He hoped that the application would be refused as the local residents valued the building.

During the discussion, some members commented that the building was set back from the road and could not easily be viewed.

The Planning Officer confirmed that the listed bee house was outside of the ownership boundary of The Chestnuts.

It was proposed that the application be approved, as per the officer recommendation.

It was subsequently proposed and seconded that the application be refused however no vote was taken.

Member continued to discuss the balcony and whether screen would be necessary.

The substantive proposal to approve the application was seconded, subject to an additional condition to include screening to the balcony. On being put to the vote, this was carried 5 votes in support, 3 against with 2 abstentions.

RESOLVED: that planning application 17/03797/FUL be **approved** as per the officer recommendation, subject to an additional condition to ensure that screening is added to the balcony.

For the following reason:

01. The development, by reason of its siting, scale, layout, design and materials, respects the local context and local distinctiveness as well as the setting of the adjacent bee house and is not considered to give rise to any substantive visual amenity, residential amenity, ecological, highway safety or other environmental concerns, nor is the existing dwelling considered to be of such interest or to make a significant contribution to character and interest of the local area that it warrants retention as a non-designated heritage asset. The proposal thereby accords with the aims and objectives of policies SD1, TA5, TA6, EQ2, EQ3 and EQ4 of the South Somerset Local Plan as well as the provisions of the National Planning Policy Framework.

Subject to the following conditions:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans drawings numbered F1406_001, F1406_101e, F1406_100d and F1406_102b.

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

03. No works shall be carried out 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 details of the new natural stonework walls, including the materials, coursing, bonding, mortar profile, colour and texture, to be provided in the form of a sample panel to be made available on site;
 - c) material and external finish to be used for all windows, external doors, lintels, entrance gates, boarding and openings;
 - c) details of all eaves/fascia board detailing, guttering and downpipes and other rainwater goods;
 - d) details of the surface material for the parking and turning area; and
 - e) details of all boundary treatment, to include the retention of the existing boundary walls.

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

04. The development hereby permitted shall not be commenced unless details of the internal ground floor levels of the dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The highest ridge of the

new dwelling hereby permitted shall be no greater in height than 1.0 metre above the ridge height of the existing dwelling on the site.

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

05. The development hereby permitted shall be carried out in complete accordance with the requirements and recommendations of the Ecological Construction Method Statement by Country Contracts.

Reason: For compliance with the Wildlife and Countryside Act 1981, and for the conservation of biodiversity in accordance with policy EQ4 of the South Somerset Local Plan and the NPPF.

06. Prior to commencement of the development, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, the submitted scheme of tree protection measures (as prepared by Hillside Trees Ltd, dated September 2017) shall be installed and made ready for inspection. The pre-commencement site meeting requirement shall be arranged to include the presence of the Council (01935 462670) at a mutually convenient time for all parties. The locations and suitability of the tree protection measures shall be inspected by the Council and confirmed in-writing by the Council to be satisfactory

prior to any commencement of the development. The approved tree protection requirements (inclusive of the specified arboricultural supervision) shall be implemented in their entirety for the duration of the construction of the development (inclusive of hard and soft landscaping measures) and the protective fencing and signage may only be moved or dismantled with the prior consent of the Council in-writing.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees) in accordance with policies EQ2 and EQ4 of the South Somerset Local Plan.

07. Prior to the development hereby approved being first brought into use the second floor window in the east elevation of the dwelling hereby permitted shall be fitted with obscure glass (and fixed closed) and shall be permanently retained and maintained in this fashion thereafter.

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

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 additional windows, including dormer windows, or other openings (including doors) shall be formed above ground floor level in the east elevation of the dwelling hereby permitted, without the prior express grant of planning permission.

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

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

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

10. Prior to the first occupation of the dwelling hereby approved, details of a privacy screen along the west side of the first floor terrace (which faces towards the school), shall be submitted to and agreed in writing by the Local Planning Authority. The privacy screen shall thereafter be installed in accordance with the agreed details before the dwelling is first occupied and shall be maintained as such in perpetuity.

Reason: To safeguard the amenities of the adjacent school in accordance policy EQ2 of the SSLP.

(Voting: 5 in support, 3 against and 2 abstentions)

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Chairman