

South Somerset District Council

Minutes of a meeting of the **Area West Committee** held at **The Guildhall, Chard** on **Wednesday 17 January 2018**.

(5.30 - 9.20 pm)

Present:

Members: Councillor Val Keitch (Chairman)

Jason Baker	Garry Shortland (until 6.40pm)
Amanda Broom	Angie Singleton
Dave Bulmer	Andrew Turpin
Paul Maxwell	Linda Vijeh
Sue Osborne	Martin Wale
Ric Pallister	

Officers:

Helen Rutter	Communities Lead
Jo Morris	Case Services Officer (Support Services)
Alex Parmley	Chief Executive
Louisa Brown	Area Lead Planner
Linda Hayden	Planning Officer

Also Present:

Insp. Tim Coombe	Avon and Somerset Police Constabulary
Sgt. Rob Jameson	Avon and Somerset Police Constabulary

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

95. To approve as a correct record the Minutes of the Previous Meeting held on 6th December 2017 (Agenda Item 1)

The minutes of the meeting held on 6th December 2017, copies of which had been circulated, were taken as read, and having been approved were signed as a correct record of the meeting.

96. Apologies for Absence (Agenda Item 2)

Apologies for absence were received from Councillors Marcus Barrett, Mike Best, Carol Goodall and Jenny Kenton.

97. Declarations of Interest (Agenda Item 3)

Councillor Angie Singleton declared a personal and prejudicial interest in Planning Application No. 17/03271/FUL, as one of the neighbouring objectors had been a friend

for many years and the applicant was also known to her. She indicated that she would make a statement prior to leaving the room.

Prior to consideration of the planning applications, Councillor Sue Osborne declared a personal interest in Planning Application No. 17/03908/OUT, as the ward member. She also declared a personal interest in Planning Application No. 17/03271/FUL, as the applicants were known to her.

98. Date and Venue for Next Meeting (Agenda Item 4)

Members noted that the next meeting of the Area West Committee would be held on Wednesday 21st February 2018 at 5.30pm at The Guildhall, Chard.

99. Public Question Time (Agenda Item 5)

Mr S Smith questioned what progress had been made on the Chard Regeneration Scheme over the last year?

The Chief Executive provided a brief history of the Chard Regeneration Scheme and explained that SSDC was currently working with partners to put together a comprehensive regeneration plan for Chard. It was hoped that a report would be submitted to the Area West Committee in the spring outlining a way forward.

Ms R Hall advised that she had moved to the area 18 months ago and was disappointed at the level of recycling. She asked if the Council was doing anything to help stop the use of products or increase the collection of plastics?

In response, the Leader of the Council, Cllr. Ric Pallister provided a comprehensive response about the constraints and difficulties of recycling various plastic containers.

Mr D Laughton addressed the Committee with the following question:

Would the committee like to discuss ways to attract more members of the public to these meetings? Could they be more welcoming and inclusive?

The Chairman advised that this topic would be considered through a cross Area Members Working Group as part of the Transformation process that is underway to revamp the way the Council works.

100. Chairman's Announcements (Agenda Item 6)

The Chairman made no announcements.

101. Promoting Community Safety in Area West - Police Performance and Neighbourhood Policing (Agenda Item 7)

Sgt. Rob Jameson and Insp. Tim Coombe from Avon and Somerset Constabulary were welcomed to the meeting. They gave a short presentation on local issues, crime trends and initiatives. Particular reference was made to the following:

- There was no intention to reduce the number of Beat Managers. The PCC had given commitment to neighbourhood policing;
- Insp. Sharon Bennett had recently been appointed as the new Temporary Chief Inspector;
- There were no criminal outcomes as a result of the tragic accident at Chard Carnival. A number of recommendations would be made to the Carnival Committees;
- The overall crime trend in Area West had increased over the last 12 months;
- The One Team continued to work positively with vulnerable individuals.

In response to questions from members, Sgt. Rob Jameson and Insp. Tim Coombe informed members about the following:

- The County Lines process for drug dealing;
- The rising levels of burglaries was an area that had been recognised to be tackled by the Chief Constable;
- The PCC have funded a One Team Co-ordinator post and part of their remit was to look at data sharing arrangements.

The Chairman thanked Sgt. Jameson and Insp. Tim Coombe for attending the meeting and providing an informative update.

102. Report to Area West Committee - Police and Crime Commissioners Panel (Agenda Item 8)

Councillor Martin Wale introduced his report updating members on the Police and Crime Commissioners Panel.

RESOLVED: That the report be noted.

103. Area West - Reports from Members on Outside Bodies (Agenda Item 9)

Members noted the update report on Chard & District Museum submitted by Councillor Amanda Broom.

104. Area West Committee - Forward Plan (Agenda Item 10)

The Communities Lead advised that members would receive a grant application from Ilminster Warehouse Theatre at the February meeting.

Members noted that the report on the Welfare Advice Work in South Somerset would be an information report only.

The Communities Lead advised members that there were less annual service reports on the Forward Plan due to the Transformation Project. In response to a member comment, she informed members that there was a Working Group looking in detail at Forward Plans for Area Committees.

Members noted that the next meeting of the Chard Regeneration Board was scheduled to be held in February and hoped to see an update report at the March meeting.

RESOLVED: That the Area West Committee Forward Plan be noted as attached to the agenda report.

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

Members noted the schedule of planning applications to be determined as outlined in the agenda.

106. Planning Application: 17/03597/REM - Eastfield House, East Street, North Perrott (Agenda Item 12)

Application Proposal: The erection of 1 No. dwelling

The Planning Officer introduced the report and summarised the details of the application. She advised that the proposed dwelling would use the existing access to Eastfield House and a new access would be created for Eastfield House under permitted development. She explained that amended plans had been received which removed the garage from the proposal. She updated members with the comments of the Landscape Officer who felt that the layout was more simplified with the removal of the garage and considered it to be an improvement. Members were informed that the Parish Council objection remained and that two further letters of objection had been received concerning the design of the property and landscaping. The Planning Officer's recommendation was for approval subject to conditions.

In response to questions from members, the Planning Officer confirmed the following:

- A sample of the colour to be used for the render;
- The Village Design Statement was printed in 2013. It was not an adopted document and therefore carried very limited weight. The application should mainly be assessed against the NPPF and EQ2 and EQ3;
- The principle of the development, agreed during the outline application, was a delegated decision and no objections were received to the principle of development;
- The garages would remain part of the site outlined in blue and would be for use by Eastfield House;
- There was no garage for the new dwelling. Three parking spaces would be provided which met standard requirements;
- The proposed dwelling would be set back 30 metres from the access.

The Committee was addressed by J Hoskyns representing North Perrott Parish Council. He explained that the design of the building was of such high importance in the village and that the Parish Council objected to the style and visual impact of the design. The design would however be more acceptable located on the other side of Eastfield House away from the Conservation Area and naturally hidden from public view. They wished to see a building that reflected the neighbouring properties in the conservation area either to the west or north.

J Hall, an objector to the application referred to the North Perrott Village Design Statement and commented that the development would detract from the appeal of the village to tourists.

The Applicant, J Burton explained why he had chosen the design for the proposed bungalow and his preference for a modern, honest and eco-friendly design which would be low cost and quick to build. He had chosen a bungalow with a flat roof to keep the profile low and advised that following advice of the Planning Officer the colour of the render had been changed to nearly match the colour of the neighbouring property. The bungalow would be screened by a wall and new planting.

The Agent, H Ferdinand advised that the applicants currently lived in Eastfield House, wished to remain in the village and that no other suitable properties had come onto the market. They wished to build a modern bungalow to meet their needs and appreciated modern design. The neighbouring property located in the Conservation Area was some distance away and there was no visual connection between the two properties. The new bungalow would cause no demonstrable harm to the character and appearance of the Conservation Area or the setting of the listed building. There were no good planning reasons to refuse the application.

Ward Member, Cllr. Ric Pallister commented that the Council should be supporting new properties and that overall he didn't have a problem with the design of the building. Despite the bungalow being close to the Conservation Area he noted that the Conservation Officer had no issues with the application and did not feel that the building compromised the Conservation Area.

In response to further questions, the Planning Officer confirmed that the bungalow would not be easily viewable from a higher ground level.

During the discussion, members in support of the application made the following points:

- There were no planning reasons to refuse the application;
- The Conservation Officer supported the application;
- The site was away from the village core and not situated within the Conservation Area;
- There was a reasonable distance from the proposed building to the Conservation Area;
- The building would not be situated in a visible location.

At the close of the debate it was proposed and seconded to approve the application as per the Planning Officer's recommendation as outlined in the agenda. On being put to the vote the proposal was agreed by 9 votes in favour and 2 against.

RESOLVED: That Planning Application No. 17/03597/REM be **APPROVED** for the following reason:

01. The proposal provides for an appropriate scale of development that, by reason of appearance, landscaping, layout, scale, and use of existing access would not cause significant harm to the adjacent Conservation Area, the setting of a listed building, visual amenity, residential amenity or highway safety and would facilitate the development approved at outline stage. As such the proposal accords with policies EQ2, EQ3, TA5 and TA6, of the South Somerset Local Plan 2006 - 2028 and the provisions of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in accordance with the following approved plans (except where directed otherwise by the conditions below)
Drawing no. 01 Revision B received 11 December 2017
Drawing no. 03 Revision C received 11 December 2017
Drawing no. 04 Revision B received 11 December 2017
Drawing no. 05 Revision B received 11 December 2017

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

02. The external render of the dwelling hereby approved shall be Alsecco Creative Colour System 1024, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the appearance of the Conservation Area and the setting of a listed building to accord with Policies EQ2 and EQ3 of the South Somerset Local Plan (Adopted March 2015).

03. The new natural stone wall, at the access point, hereby approved shall will be built from materials and in a style to match the north boundary wall ie. it will match in terms of the existing materials in colour texture, bonding and mortar, as indicated on drawing no. 05 Revision B, unless otherwise agreed in writing by the Local planning Authority.

Reason: In the interests of visual amenity and to safeguard the appearance of the Conservation Area and the setting of a listed building to accord with Policies EQ2 and EQ3 of the South Somerset Local Plan (Adopted March 2015).

04. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or other openings other than those expressly authorised by this permission shall be constructed within the dwellinghouse hereby approved without the prior express grant of planning permission.

Reason: In the interests of visual amenity and to safeguard the appearance of the Conservation Area and the setting of a listed building to accord with Policies EQ2 and EQ3 of the South Somerset Local Plan (Adopted March 2015).

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwelling hereby approved without the prior express grant of planning permission.

Reason: In the interests of visual amenity and to safeguard the appearance of the Conservation Area and the setting of a listed building to accord with Policies EQ2 and EQ3 of the South Somerset Local Plan (Adopted March 2015).

06. The area allocated for parking on the submitted plan, drawing number 4 revision B, shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety further to policy TA6 of the South Somerset Local Plan 2006-2028.

07. Prior to commencement of works in connection with the dwelling hereby approved the access onto Eastfield Lane to serve Eastfield House, shown within the blue site line on drawing no. 01 Revision B, shall be fully implemented and only used in connection with Eastfield House.

Reason: In the interests of highway safety further to policy TA5 of the South Somerset Local Plan 2006-2028.

08. The existing access onto East Street shall only be used in connection with the dwelling hereby approved.

Reason: In the interests of highway safety further to policy TA5 of the South Somerset Local Plan 2006-2028.

09. The scheme of landscaping as shown on approved drawings nos. 04 Revision B and 03 revision C shall be carried out in the first planting and seeding season following the first use of the dwelling hereby approved 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: In the interests of visual amenity and to safeguard the appearance of the Conservation Area and the setting of a listed building to accord with Policies EQ2 and EQ3 of the South Somerset Local Plan (Adopted March 2015).

(Voting: 9 in favour, 2 against)

107. Planning Application 17/02693/FUL - Land At Bullring Farm Knowle Lane Misterton (Agenda Item 13)

Application Proposal: Alterations to widen access with associated landscaping

The Area Lead Planner explained that the application related to works that started in 2014 to widen and excavate the existing access on to Knowle Lane, Misterton. The application proposed the permanent retention of the works with improvements to the visibility, surfacing and landscaping. With the aid of photographs, the Area Lead Planner illustrated how the access had been cut into the site and the bank cleared out to create a more level access. In terms of updates, she noted that members had received further information including a number of photographs from the objectors to the site. She explained that a position had now been reached where the application was an acceptable compromise that addressed both highway and landscaping issues. The application was supported by a highway assessment and the visibility splays were acceptable. The applicant had worked with the Landscape Officer to achieve an acceptable landscape scheme. The Area Lead Planner recommended approval of the application.

In response to questions from members, the Area Lead Planner confirmed the following:

- The approval in 2015 was to allow the scrap metal to be cleared. There were issues with land ownership and sale of land so unfortunately that was not achieved. There had always been an access to the site in this location although only lightly used. It was preferable for the applicants to have an improved access instead of having to travel 300 metres up the lane and then 300 metres back down into the site;
- The works that required planning permission were the engineering works that had taken place to make the access larger. In terms of the need it should be taken into account that it was an existing access and the application was not for a new access;
- If the applicant did not comply with the imposed conditions, a breach of condition would need to be looked at and there would be no flexibility with regard to going forward with enforcement;
- The improved access would enable an access with appropriate visibility and appropriate servicing to serve the barns. The previous access would not have been suitable for any large farm traffic and needed improvement to serve the farm buildings.

The Committee was addressed by M Bellamy in support of the application. He commented that the access was an existing vehicular access. Reference was made to vehicles speeds being no greater than 30mph and the proposed visibility splays being in accordance with a 30mph zone. He noted that the surface of the access would be significantly improved and the drainage proposals across the entrance would mitigate any increase in surface water run off. The application improved an existing access, was of benefit to highway safety and there were no objections from the Highway Authority.

The Applicant's Agent, C Alers-Hankey commented that the Council's Landscape Officer raised no objections to the proposals on the basis that landscape impact would be limited. The upgraded entrance and driveway provided an appropriate and more direct means of access to the site rather than vehicles having to travel a significant distance further along Knowle Lane.

The Ward Member, Cllr. Angie Singleton referred in detail to the history of the site and the previous applications. She commented that the original access was low key with very little visual impact compared to the unauthorised works that had taken place and the entrance was only ever intended for pedestrian use only. The farmland had been served by the existing access for many decades and no case for any need for a second vehicular access had been submitted. She noted that the previously agreed schemes had not been implemented and the scrap remained on the site. She objected to the

application on the grounds that the removal of the hedgerow, bank and trees to create a second vehicular access for which there was no commercial or agricultural need would have a negative landscape impact and was detrimental to the local character and distinctiveness of Knowle Lane and was against Policy EQ2. She also supported the concerns of local residents over the speed of traffic along Knowle Lane and the potential for flooding in the area.

During discussion, members made the following comments in objection to the application:

- The lane was not appropriate for big farm buildings;
- Inappropriate vehicular access for which no long term demonstrable need had been demonstrated;
- Supported restoration of the site in accordance with the permission granted in 2015 and felt that enforcement action should be taken;
- Support for the restoration of the two schemes agreed in 2016;
- Support for a planting scheme;
- Support for restoration of the site by 31st July 2018.

It was proposed and seconded to refuse the application for the following reasons:

- Negative landscape impact that adversely impacts upon the distinctiveness of Knowle Lane;
- Contrary to Policy EQ2

It was agreed that the final wording for refusal would be agreed in consultation with the Area Lead Planner, Chairman and the Ward Members.

The Area Lead Planner advised that the reinstatement of works would form part of the enforcement action and would therefore be attached as an informative to the planning decision.

On being put to the vote the proposal to refusal the application was unanimously agreed.

RESOLVED: That Planning Application No. 17/02693/FUL be **REFUSED** subject to the final wording being agreed in consultation with the Area Lead Planner, Chairman and Ward Members for the following reason:

The works to the access including removal of the bank, hedgerow, trees and vegetation result in a negative landscape impact that adversely impacts upon the distinctiveness of this rural lane. The proposal is therefore contrary to Policy EQ2 of the South Somerset Local Plan 2006-2028.

Informative:

The applicant is advised that the Area West Committee expect to see the restoration of the site in full accordance with approval 15/03379/FUL. Enforcement action will be pursued to achieve this aim.

(Voting: unanimous in favour)

108. Planning Application: 17/03908/OUT - Land Os 7216 Part Church Street Winsham (Agenda Item 14)

Application Proposal: The erection of a dwellinghouse and detached double garage

The Area Lead Planner introduced the report and summarised the details of the application. She informed members that outline permission was granted in 2016 for a single dwelling on the site and that this application was for the erection of a further dwelling and detached double garage to be sited to the west of the dwelling approved in 2016. She informed members that there had been concerns locally with regard to the use of the access and advised that the access had been assessed in relation to safety and was recommending approval of the application subject to conditions.

In response to a member question, the Area Lead Planner confirmed that as County Highways had provided a response on the application the SSDC Highway Consultant was not consulted.

The Committee was addressed by A Simkins in objection to the application. He raised concerns over the access and the traffic levels along the B3162 and felt that the entrance even with conditions would cause a traffic hazard.

M Bellamy speaking in support of the application commented that the combined vehicle movement as a result of an additional dwelling would be minimal. He noted that the location of the entrance, surface and drainage had all previously been approved and that there were no highway objections.

The Committee was then addressed by G Frecknall. He explained that his parents were the applicants and that their circumstances had changed since the approval of the previous application and that he and his brother wished to return to the village and would occupy the dwellings.

The Applicant's Agent, C Alers-Hankey commented that as the Council was unable to demonstrate a five year supply of deliverable housing land the proposal should be deemed acceptable. She noted that there were no objections from the Landscape Officer or the County Highway Authority.

Ward Member, Cllr Sue Osborne referred to concerns raised from local residents over the potential for further dwellings using the access. Concerns had also been raised with regard to visitors parking on Court Street creating potential parking issues.

During the discussion on the application, members felt that the impact of the development was not severe; a precedent had already been set, and were therefore content to support the Officer's recommendation to approve the application.

It was proposed and seconded to approve the application subject to conditions as per the Planning Officer's recommendation. On being put to the vote the proposal was carried by 10 votes in favour and 1 against.

RESOLVED: That Planning Application No. 17/03908/OUT be **APPROVED** for the following reason:

01. Notwithstanding the objections from local residents and the

Parish Council, 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 and EQ2 of the South Somerset Local Plan (2006-2028) and the core planning principles of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

01. Details of the scale and appearance of the building(s) and the landscaping of the site (hereinafter 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.

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 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.

03. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No.'s 2271-PL-03 and 2271-PL-04.

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

04. Before the development hereby permitted is commenced, a properly consolidated and surfaced access shall be constructed (not loose stone or gravel) details of which shall have been submitted to and approved in writing by the Local Planning Authority. The access shall be constructed in accordance with the agreed design and shall be maintained in the agreed form thereafter at all times.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

05. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level forward of a line drawn 2.4 metres back and parallel to the nearside carriageway edge over the entire site frontage. Such visibility shall be fully

provided before works commence on the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

06. The gradient of the proposed access shall not be steeper than 1 in 8 and shall be maintained at that gradient thereafter at all times.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

07. 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 the site is first brought into use and thereafter maintained at all times.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

08. The development hereby permitted shall not be occupied until 4 parking spaces for the dwelling and a properly consolidated and surfaced turning space for vehicles 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 in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

09. Before commencement of the pedestrian path from the site to Court Street details of the pedestrian path (including proposed surfacing, lighting and lock/security measures) shall be submitted to and approved in writing by the Local Planning Authority. The path shall be fully implemented in accordance with the approved details before occupation of the dwelling hereby approved. Once constructed the pedestrian route shall be made available and maintained at all times in accordance with the details agreed.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the use of any existing garage, or garage hereby permitted, as part of this development shall not be used other than for the parking of domestic vehicles and not further ancillary residential accommodation, business use or any other purpose whatsoever.

Reason: In the interests of highway safety and in accordance with Policy TA5 of the South Somerset Local Plan (2006-2028).

11. The dwelling hereby permitted shall not exceed 1.5 stories in height.

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

12. The landscaping details to be submitted as part of the reserved matters shall fully comply with the advice and guidance contained within the Landscape Statement dated September 2017 prepared by Clark Landscape Design and the landscaping details and planting shown on Drawing No. 2271-PL-04.

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

Informatives:

01. Please be advised that subsequent full or reserved matters approval by South Somerset District Council will attract a liability payment under the Community Infrastructure Levy. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice.

You are required to complete and return Form 1 Assumption of Liability as soon as possible and to avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place. Please complete and return Form 6 Commencement Notice.

You are advised to visit our website for further details <https://www.southsomerset.gov.uk/cil> or email cil@southsomerset.gov.uk

02. The application site is within 250 metres of a suspected landfill site. The applicant/developers attention is drawn to the fact that there is the potential for production and migration of

landfill gas. You are reminded that the responsibility for safe development rest with the owner and/or developer. Accordingly, the applicant/developer is advised to seek independent expert advice regarding the possibility of the presence, or future presence, of gas and whether any precautionary measures are necessary. The Council's Environmental Health Service will make available to you, free of charge, any information data that it has in relation to the land to which the application applies. For further information please contact Tim Cox.

03. The applicant is advised that the landscaping plan submitted as part of the reserved matters should include the recommendations of the Landscape Statement and Arboricultural Impact Assessment prepared by Clark Landscape Design that accompany this outline application. It is also suggested that the plan includes proposals for the maintenance of the leylandii boundary hedge.

(Voting: 10 in favour, 1 against)

109. Planning Application: 17/03271/FUL - 3 Church Path Crewkerne TA18 7HX (Agenda Item 15)

Application Proposal: Demolition of existing dwelling and erection of replacement dwellinghouse

The Area Lead Planner introduced the report and summarised the application. She advised that the plans had been amended to delete the first floor rear terrace and balcony. She was of the opinion that the scheme was well designed and had taken into account the sensitive nature of the site with traditional materials proposed. Her recommendation was for approval of the application subject to conditions.

In response to a member question, the Area Lead Planner advised that the church authorities had not been consulted on the application as the church did not share a boundary with the application site.

The Committee was addressed by Mr Butt on behalf of the Applicants. He felt that the relationship with 1 Church Path was now acceptable and the issue of overlooking had been addressed with the submission of amended plans. The proposal did not impact on the streetscene and views were limited due to vegetation. The property was a well-designed house that preserved the character and appearance of the Conservation Area.

Having earlier declared a personal and a prejudicial interest in the application, Councillor Angie Singleton made a statement prior to leaving the room. She was of the view that there were no reasons to demolish a perfectly habitable bungalow. She commented that although the original design of the balcony had been removed the issue of overlooking still remained. She also referred to a neighbouring property wishing to build an underground property which would not be supported due to light pollution and was of the opinion that a two storey house would have a similar affect. She felt that the proposal would cause harm to the Conservation Area and setting. In summary she objected to the

application on the grounds of the detrimental impact on the neighbouring property, light pollution and contrary to policies EQ3 and the NPPF.

A member speaking against the application felt that the existing bungalow was perfectly habitable and that the proposal would compromise the views of the Conservation Area particularly the church. Those members who spoke in support of the application felt that the church would not be affected and that the level of overlooking was not unreasonable for the town centre.

In response to a member question, the Planning Officer advised that Permitted Development Rights were already restricted as the application was located within a Conservation Area.

It was proposed and seconded to approve the application subject to conditions as per the Planning Officer's recommendation as outlined in the agenda report. The proposal to approve the application subject to conditions was carried by 9 votes in favour and 1 against.

RESOLVED: That Planning Application No. 17/03271/FUL be **APPROVED** for the following reason:

01. The proposed development is considered to be acceptable in this location, and due to its size, design and position, will preserve the character and appearance of the conservation area and will result in less than substantial harm to the area's heritage assets and the public benefits of the scheme outweigh the harm. The proposal will cause no demonstrable harm to residential amenity, highway safety or ecology. As such the scheme is considered to comply with policies SD1, SS1, EQ2, EQ3, EQ4, TA5 and TA6 of the South Somerset Local Plan 2006-2028 and the aims and objectives of the National Planning Policy Framework (2012).

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing No.'s
006_100_A_01
006_500_N_01
006_50_A_01
006_100_O_01
006_200_A_01
006_50_A_02 Rev C
006_50_A_02 Rev C
006_100_A_02 Rev A

006_100_A_41 Rev A
006_100_A_42 Rev A
006_100_A_61 Rev C

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

03. No building operations above damp proof course level of the dwelling and garage shall take place until details of the materials to be used in the construction of the external surfaces (doors/windows/stonework/render/brick/roof finish) of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Stonework details shall be supported by a sample panel that shall be made available for inspection on site. The development shall be carried out in accordance with the approved details.

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

04. Prior to the development hereby approved being first brought into use the first floor bathroom window in the north elevation shall be fitted with obscure glass (minimum level 3) and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the windows are installed. Thereafter, the windows shall be permanently retained and maintained in this fashion.

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

Informatives:

01. The Rights of Way Officer (SCC) advises:

Any proposed works must not encroach on to the width of the PROW.

The health and safety of the public using the PROW must be taken into consideration during works to carry out the proposed development. Somerset County Council (SCC) has maintenance responsibilities for the surface of a PROW, but only to a standard suitable for the public use. SCC will not be responsible for putting right any damage occurring to the surface of a PROW resulting from vehicular use during or after works to carry out the proposal. It should be noted that it is an offence to drive a vehicle along a public footpath, public bridleway or restricted byway unless the driver has lawful authority (private rights) to do so.

If it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from Somerset County Council Rights of Way Group:

- A PROW being made less convenient for continued public use.
- New furniture being needed along a PROW.
- Changes to the surface of a PROW being needed.
- Changes to the existing drainage arrangements associated with the PROW.

If the work involved in carrying out this proposed development would:

- make a PROW less convenient for continued public use; or
- create a hazard to users of a PROW,

then a temporary closure order will be necessary and a suitable alternative route must be provided. For more information, please visit Somerset County Council's Rights of Way pages to apply for a temporary closure: [http://www.somerset.gov.uk/environment-and-planning/rights-of-way/apply-for-a-temporary-closure-of-a-right-of-way/.](http://www.somerset.gov.uk/environment-and-planning/rights-of-way/apply-for-a-temporary-closure-of-a-right-of-way/)

02. Please be advised that approval of this application by South Somerset District Council will attract a liability payment under the Community Infrastructure Levy. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice.

You are required to complete and return Form 1 Assumption of Liability as soon as possible and to avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place. Please complete and return Form 6 Commencement Notice.

You are advised to visit our website for further details <https://www.southsomerset.gov.uk/cil> or email cil@southsomerset.gov.uk

03. There is a small possibility that bats could be using the existing roof void or parts of the roof structure for roosting (due to the close proximity to trees and open countryside). The presence of droppings (with a crumbly/powdery texture and similar size to mouse droppings) usually indicates use by bats. Loose or slightly raised tiles may have bats roosting underneath or be a roost access point. If you know or suspect the presence of bats you should seek further professional advice before commencing work, to help conserve a beneficial species and to ensure compliance with wildlife legislation. Bat Conservation Trust helpline: 0845 1300228.

Particular care and vigilance should be taken when roof tiles are removed (remove by hand and check underside for bats before stacking, particularly the ones over the gable ends and ridge tiles.) Fascias, barge boards, flashing and external cladding may also provide roost opportunities for bats and should be disturbed with care. As a further precaution, undertaking roof work during the

months of March to May, or September to November will avoid the main hibernation and breeding seasons when bats are most sensitive to disturbance.

(Voting: 9 in favour, 1 against)

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Chairman