

## **Planning Committee – 27 May 2015**

Present: - Councillors M Adkins, Bowrah, Brown, Coles, Mrs Floyd, Gage, Hall, Hill, Martin-Scott, Morrell, Nicholls, Townsend, Ms Webber, D Wedderkopp and Wren

Officers: - Bryn Kitching (Area Planning Manager), Matthew Bale (Area Planning Manager), John Burton (Major Applications Co-ordinator), Tim Burton (Assistant Director Planning and Environment), Roy Pinney (Legal Services Manager), Maria Casey (Planning and Litigation Solicitor) and Tracey Meadows (Democratic Services Officer)

Also present: Councillor Gaines in connection with application Nos. 49/15/0009 and 49/15/0021LB and Mrs A Elder, a Co-opted Member of the Standards Committee.

(The meeting commenced at 5.00 pm)

### **51. Appointment of Chairman**

Resolved that Councillor Bowrah be appointed Chairman of the Planning Committee for the remainder of the Municipal Year.

### **52. Appointment of Vice-Chairman**

Resolved that Councillor Coles be appointed Vice-Chairman of the Planning Committee for the remainder of the Municipal Year

### **53. Apologies/Substitutions**

Apologies: Councillors Mrs Reed and Watson

Substitutions: Councillor Hall for Councillor Mrs Reed  
Councillor Ms Webber for Councillor Watson

### **54. Minutes**

The minutes of the meeting of the Planning Committee held on the 29 April 2015 were taken and read and were signed.

### **55. Declarations of Interest**

Councillors Coles and D Wedderkopp declared personal interests as Members of Somerset County Council. Councillor Morrell declared that he knew the applicant for application No. 05/14/0014 but felt that he had not 'fettered his discretion'. Councillor Wren declared a personal interest as he was Clerk to Milverton Parish Council.

### **56. Applications for Planning Permission**

The Committee received the report of the Area Planning Manager on applications for planning permission and it was **resolved** that they be dealt with as follows:-

- (1) That **planning permission be granted** for the under-mentioned developments:-

**27/15/0007**

**Erection of two storey extension to link farm house, swimming pool building and barn and conversion works to provide holiday accommodation with ancillary facilities at Allerford Farm, Norton Fitzwarren, Oake (amended scheme to 27/14/0010)**

### **Conditions**

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The development hereby permitted shall be carried out in accordance with the following plans:-
- (A2) DrNo Y21/1N Proposed Ground Floor Plans;
  - (A3) DrNo Y21/2D First Floor Plan;
  - (A3) DrNo Y21/3C Second Floor Plan & Sections;
  - (A3) DrNo Y21/4G SE & SW Elevations;
  - (A3) DrNo Y21/5E NE & NW Elevations;
  - (A3) DrNo Y21/6L Location Plan and Block Plan;
  - (A3) DrNo Y21/7F Landscaping & Existing Drainage Plan;
  - (A3) DrNo Y21/8 Existing Elevations 1;
  - (A3) DrNo Y21/9 Existing Elevations 2;
  - (A2) DrNo Y21/10 Existing Floor Plans;
  - (A3) DrNo Y21/11A Location Plan;
  - (A3) DrNo Y21/12C Block Plan;
  - (A3) DrNo Y21/14B Planting Scheme;
- (c) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority;
- (d) (i) Prior to its implementation, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to, and approved in writing by, the Local Planning Authority; (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning

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

- (e) The accommodation shall be occupied for holiday purposes only. The holiday accommodation shall not be occupied as a person's sole or main residence. The site operator or owner shall maintain an up to date register of the names of all owners/occupiers of individual rooms/units on the site and of their main home addresses, and the duration of their stay and shall make this information available at all reasonable time to the Local Planning Authority;
- (f) No part of the accommodation hereby permitted shall be occupied until space has been laid out within the site for the parking of motor vehicles in accordance with the approved plan DrNo Y21/12 Rev C and shall thereafter be maintained at all times;
- (g) None of the accommodation shall be occupied until the sewage disposal and surface water drainage works have been completed in accordance with the details hereby permitted, unless otherwise agreed in writing by the Local Planning Authority. Once implemented the drainage schemes shall thereafter be maintained at all times;
- (h) Prior to the commencement of any works hereby permitted, a full wildlife survey shall be undertaken by a qualified ecologist and a report submitted to, and approved in writing by, the Local Planning Authority. The survey and report shall include an identification of species present, an impact assessment of the approved development upon those species found and mitigation measures (to include timing of works) to be carried out in order to safeguard protected species in accordance with the law. Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise agreed in writing by the Local Planning Authority;
- (i) No development shall take place until the applicant has submitted to and had approved in writing by the Local Planning Authority a Flood Warning and Evacuation Plan (FEP). This Plan shall address and provide information on the matters:

#### During Demolition/Construction Process

- command and control (decision making process and communications to ensure activation of FEP);
- training and exercising of personnel on site (H& S records of to whom and when);
- flood warning procedures (in terms of receipt and transmission of information and to whom);

- site evacuation procedures and routes; and,
- provision for identified safe refuges (who goes there and resources to sustain them).

#### During Occupation of Development

- occupant awareness of the likely frequency and duration of flood events;
  - safe access to and from the development;
  - subscription details to Environment Agency flood warning system, 'Flood Warning Direct';
- (j) The pool, sauna, gym, steam room, wet rooms, treatment rooms and dining area and associated facilities shall not be used other than by persons/guests resident at Allerford Farm;

(Notes to applicant:- (1) Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council had worked in a positive and pro-active way with the applicant and entered into pre-application discussions to enable the grant of planning permission; (2) Applicant was advised that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation; (3) Applicant was advised that any soakaways should be constructed in accordance with Building Research Digest 365 (September 1991); (4) Applicant's attention is drawn to the needs of the disabled in respect of new housing and the requirements under Part M of the Building Regulations).

#### **49/15/0009**

#### **Conversion of Coach House into dwelling at Tor House, 48 Ford Road, Wiveliscombe**

#### **Conditions**

- a) The development hereby permitted shall be begun within three years of the date of this permission;
- b) The development hereby permitted shall be carried out in accordance with the following approved plans:-
- (A1) DrNo 2406.04 Plan and Elevations as Existing. Site Layout and Location Plans;
  - (A1) DrNo 2406.05A Plans and Elevations as Proposed/ Privacy Diagram;
  - (A1) DrNo 2406.06A Site Layout as Proposed;
- c) Prior to commissioning, specific details of the following shall be submitted to, and approved in writing by, the Local Planning Authority, with such

approved details being strictly adhered to in the implementation of the approved works, unless any variation thereto is first agreed in writing by the Local Planning Authority: Metal railings; windows; doors; slates; stone paint and areas to be affected;

- d) All guttering, downpipes and rainwater goods shall be constructed of metal and painted black and thereafter maintained as such;
- e) The courtyard area allocated for parking on the submitted plan shall be properly consolidated, surfaced, drained and marked out before the use commences or the building(s) are occupied and shall not be used other than for the parking of vehicles in connection with the development hereby permitted;
- f) Prior to the commencement of any works hereby permitted, a full wildlife survey shall be undertaken by a qualified ecologist and a report submitted to, and approved in writing by, the Local Planning Authority. The survey and report shall include an identification of species present, an impact assessment of the approved development upon those species found and mitigation measures (to include timing of works) to be carried out in order to safeguard protected species in accordance with the law. Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise agreed in writing by the Local Planning Authority;
- g) The natural stone to be used in the construction of the steps to the west elevation of the building shall be a scrupulous match for the stone used in the existing building unless otherwise agreed in writing with the Local Planning Authority;

(Notes to applicant:- (1) Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council had worked in a positive and pro-active way with the applicant and entered into pre-application discussions to enable the grant of planning permission; (2) Applicant was advised that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.)

**49/15/0012/LB**

**Conversion of Coach House into dwelling at Tor House, 48 Ford Road, Wiveliscombe**

**Conditions**

- a) The development hereby permitted shall be begun within three years of the date of this permission;

- b) The development hereby permitted shall be carried out in accordance with the following approved plans:-
- (A1) DrNo 2406.04 Plan and Elevations as Existing. Site Layout and Location Plans;
  - (A1) DrNo 2406.05A Plans and Elevations as Proposed/ Privacy Diagram;
  - (A1) DrNo 2406.06A Site Layout as Proposed;
- c) Prior to commissioning, specific details of the following shall be submitted to, and approved in writing by, the Local Planning Authority, with such approved details being strictly adhered to in the implementation of the approved works, unless any variation thereto is first agreed in writing by the Local Planning Authority: Metal railings; rainwater goods; windows; doors; slates; stone paint and areas to be affected;
- d) The natural stone to be used in the construction of the steps to the west elevation of the building shall be a scrupulous match for the stone used in the existing building unless otherwise agreed in writing with the Local Planning Authority;

(Notes to applicant:- (1) Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council had worked in a positive and pro-active way with the applicant and entered into pre-application discussions to enable the grant of planning permission; (2) Applicant was advised that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation).

**57. Erection of a car port to front of Cobwebs, 18 Great Mead, Bishop's Hull (retention of works already undertaken) (05/15/0014)**

**Resolved** that this application be deferred to enable the Area Planning Manager to negotiate with the applicant as to whether the colour of the car port could be changed so that it did not stand out so much.

**58. E/0074/41/14 – Alleged unauthorised use of property known as Tower View as a holiday let with breach of agricultural tie at Grove Farm, Tolland**

Reported that it had come to the attention of the Council that Tower View – an agricultural workers' dwelling to the north of Grove Farm, Tolland – was being used as a holiday let in breach of planning control.

The owner of the property was initially contacted during 2014 who had informed the Council that the use of the premises as an agricultural workers dwelling would cease at the end of that year.

A Planning Contravention Notice (PCN) was served on the owner in January 2015 to establish the situation relating to the premises. The completed PCN had confirmed that Tower View had last been used as an agricultural workers dwelling in November 2013 and that a holiday let use had commenced from Easter 2014.

A planning application to regularise the situation had been submitted but this had been refused under delegated powers on 1 April 2015.

**Resolved** that:-

- (1) An enforcement notice be served requiring the cessation on the use of Tower View as a holiday let;
- (2) Any enforcement notice served should have a three month compliance period;
- (3) Subject to being satisfied with the evidence, the Solicitor to the Council be authorised to take prosecution action should the notice not be complied with.

## **59. Appeals**

Reported that one appeal was received details of which were submitted.

**Resolved** that the report be noted.

(The meeting ended at 6.40 p.m.)

## Planning Committee – 3 June 2015

Present: - Councillors Bowrah (Chairman)  
Councillor Coles (Vice-Chairman)  
Councillors Mrs J Adkins, M Adkins, Brown, Gage, Hill, Morrell,  
Nicholls, Mrs Reed, Townsend, Wedderkopp and Wren

Officers: - Matthew Bale (Area Planning Manager), Tim Burton (Assistant Director  
- Planning and Environment), Roy Pinney (Legal Services Manager)  
and Tracey Meadows (Democratic Services Officer)

Also present: Councillors Hall, Mrs Blatchford, Habgood, Berry and Mrs A Elder, a  
Co-opted Member of the Standards Committee.

(The meeting commenced at 5.00 pm)

### 60. Apology/Substitution

Apology: Councillor Martin-Scott

Substitution: Councillor Mrs J Adkins for Councillor Martin-Scott

### 61. Declarations of Interest

Councillors M Adkins, Coles and D Wedderkopp declared personal interests as Members of Somerset County Council. Councillor Nicholls declared a personal interest as he was Clerk to Comeytrowe Parish Council. Councillor Townsend declared personal interests as he was Vice-Chairman to Kingston St Mary Parish Council and Chairman to the Kingston St Mary Village Hall Association. Councillor Wren declared a personal interest as he was Clerk to Milverton Parish Council. Councillors Bowrah and Coles declared that they had received emails from objectors in respect of application No 05/15/0011.

### 62. Applications for Planning Permission

The Committee received the report of the Area Planning Manager on applications for planning permission and it was **resolved** that they be dealt with as follows:-

(1) That **planning permission be granted** for the under-mentioned development:-

#### **20/15/0005**

**Change of use from agricultural to equestrian use of 2 No. fields to the south west and 1 No. barn and variation/extension to days and times of operations at Hobby Horse Riding Centre, Pickney Farm, Kingston St Mary (part retention of works undertaken)**

#### **Conditions**



- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The development hereby permitted shall be carried out in accordance with the following plans:-
- (A4) DrNo 2015024 001 Location Plan;
  - (A4) DrNo 2015024 Site Plan;
- (c) The riding stables hereby permitted shall not be operated outside of the following times:-

Tuesday 10:00 - 18:00  
Thursday 10:00 - 18:30  
Friday 10:00 - 18:00  
Saturday 09:30 - 18:00  
Sunday 10:00 - 16:00

(Note to applicant:- Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council had worked in a positive and pro-active way and had imposed planning conditions to enable the grant of planning permission.)

- (2) That **planning permission be refused** for the under-mentioned development:-

**49/15/0009**

**Conversion of Coach House into dwelling at Tor House, 48 Ford Road, Wiveliscombe**

### **Reason**

The proposed development is considered to be poorly designed. The design and layout pays little regard to the context and topography of the site and creates unacceptable relationships between existing and proposed development.

These significant and demonstrable harms outweigh the benefits of granting planning permission when considered against the National Planning Policy Framework when taken as a whole and is therefore not considered to be sustainable development.

(The meeting ended at 7.40 p.m.)