

## Planning Committee – 4 January 2017

Present: - Councillor Bowrah (Chairman)  
Councillor Mrs Hill (Vice-Chairman)  
Councillor M Adkins, Booth, Brown, Gage, Hall, Nicholls, Sully,  
Townsend, Watson, Wedderkopp and Wren

Officers: - Matthew Bale (Area Planning Manager), Gareth Clifford (Principal Planning Officer), Julie Moore (Monkton Heathfield Project Team Leader), Martin Evans (Shape Partnership Services) and Tracey Meadows (Democratic Services Officer)

Also present: Councillors Cavill in connection with application No. 48/16/0071.  
Councillor Henley in connection with application Nos.10/16/0023 and 10/16/0010. Councillors Coles and Berry. Mrs A Elder, Chairman of the Standards Advisory Committee.

(The meeting commenced at 5 pm)

### 1. Apologies/Substitutions

Apologies: Councillors Martin-Scott, Morrell and Mrs Reed

Substitutions: Councillor Sully for Councillor Martin-Scott  
Councillor Hall for Councillor Mrs Reed

### 2. Declarations of Interest

Councillors M Adkins and Wedderkopp declared personal interests as Members of Somerset County Council. Councillor Mrs Hill declared personal interests as a trustee to Hestercombe House and Gardens, a trustee to the Somerset Building Preservation Trust and as a Director of Apple FM. Councillor Townsend declared personal interests as Vice-Chairman of Kingston St Mary Parish Council and Chairman of the Kingston St Mary Village Hall Association. Councillor Nicholls declared a personal interest as a member of the Fire Brigade Union. Councillor Wren declared a personal interest as he was Clerk to Milverton Parish Council. Councillor Bowrah declared that he had received correspondence from the agent for application No. 10/16/0010. He declared that he had not 'fettered his discretion'.

### 3. 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:-

**48/16/0071**

**Variation of Condition No 01 (Approved Plans) and Condition No 05 (Time limits for boundary treatments/cycleway/footpaths) of application 48/15/0027 on land to the East of Bridgwater Road, Monkton Heathfield**

**Conditions**

(a) The development hereby permitted shall be carried out in accordance with the following approved plans:-

- BR101 rev D Location and Block Plan;
- 30814\_LL(90)01 rev K proposed site plan;
- AP(00)03 Ground Floor Plan;
- AP(00)04 Elevations Sheet 1/2;
- AP(00)05 Elevations Sheet 2/2;
- AP(00)07 Sections;
- AP(00)20 Rev A Site Sections;
- 30814\_LL(90)04 rev C Fences and Gates;
- 30814\_LL(90)06 rev H Landscape Materials plan1/2;
- 30814\_LP(00)07 Rev C Landscape Materials Plan 2/2;
- 30814\_Y(90)\_01\_P2 Planting schedule;
- 30814\_LP(00)02 Rev C Proposed Boundary fence;
- 30814\_LP(90)003 Rev G Boundary Treatment Plan;
- 39814\_LL(90)102 rev C Monkton Heathfield Primary School;
- 30814\_LP(00)008 Rev A Sprinkler Tank and Bin Store Enclosure;
- 2152 PO3 section 38 - Cyclepath and Footway;
- 2151 - Cyclepath and Footway long sections;
- C-01 Rev P6 Drainage Strategy 1/2;
- C-02 Rev P6 Drainage Strategy 2/2;
- (A1) DrNo30814\_LL (90) 01 Rev K Proposed Site Plan;
- (A1) DrNo 30814 LL (90) 003 Rev J Boundary Treatment Plan;
- (A2) LS13661-1-1 Car Park Lighting Details;
- (A0)FES M108/E001 Lighting Layout;
- (A0)FES M108/E006 External Lighting Layout;

(b) (i) The landscaping/planting scheme shown on the submitted plans 30814\_LL(90)06 rev H Landscape Materials plan1/2 and 30814\_LP(00)07 Rev C Landscape Materials Plan 2/2 shall be completely carried out within the first available planting season from the date of commencement of the development; (ii) For a period of five years after the completion of the 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 other appropriate trees or shrubs as may be approved in writing by the Local Planning Authority;

- (c) Once constructed the approved footpath/cycleway, including all boundary treatments and lighting, shall be maintained in accordance with the approved details at all times;
- (d) There shall be no obstruction to visibility greater than 600mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43m either side of the access. Such visibility shall be fully provided before the development hereby permitted is occupied and shall thereafter be maintained at all times;
- (e) The area allocated for turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted;
- (f) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting that Order, with or without modifications, no vehicular access gates shall be erected at any time unless they are set back a minimum distance of 5m behind the highway boundary and hung so as to open inwards only;
- (g) Within nine months of the date of the commencement of the use of the school, a School Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority. Such Travel Plan shall include soft and hard measures to promote sustainable travel as well as targets and safeguards by which to measure the success of the plan. There shall be a timetable for implementation of the measures and for the monitoring of travel habits. Once approved, the agreed measures shall be implemented in accordance with the agreed timetable and thereafter maintained as such;
- (h) Notwithstanding the provisions of the Use Classes Order 1987 (as amended) the community facilities shall be available for use by the general public and at no time shall be used solely for education purposes in connection with the adjacent primary school;
- (i) The agreed drainage strategy shall be fully implemented and operational and shall thereafter be maintained as such;
- (j) The new boundary fences shown on the approved plan numbers 30814\_(90)003 rev J and 30814\_(90)04 rev C once erected on site in strict accordance with the approved details and shall thereafter be maintained as such;
- (k) Within one month of the date of this permission a maintenance schedule for the fence shall be submitted to, and approved in writing by, the Local Planning Authority and the fence shall thereafter be maintained in strict accordance with the approved schedule;

- (l) The proposed flame retardant acoustic fence shall be constructed in accordance with the details hereby permitted within one month of the date of this permission and shall be maintained as such thereafter. Any damaged or defective fence panels shall be replaced within two weeks of identification with fence panels of the same specification in all respects;
- (m) The lighting schemes contained within plan numbers LS13661-1-1; FES M108/E00; FES M108/E006 shall be implemented on site and thereafter maintained in strict accordance with the approved plans and hours of illumination as specified within the hours of illumination document dated 10 May 2016. No other lighting shall be installed without the prior approval of the Local Planning Authority;
- (n) The land to the rear of the primary school, including the playing field and sports pitches, shall not be used between the hours of 18:00 and 08:00 at any time;

(Notes to applicant:- (1) Applicant was advised that the acoustic fence should be erected adjacent to a Somerset County Council (SCC) footpath/ cycleway and as such the full details of the foundations for the fence/posts should be submitted to the SCC Highway Authority prior to their provision on site. The SCC Highway Authority should be notified of the intention to erect the fence and be given an opportunity to view the "planting" of the fence posts; (2) Applicant was advised that a School Travel Plan will be required to be submitted and approved by October 2017. This will allow time for the actual travel plans to be monitored and established so that an appropriate School Travel Plan can be created.)

### **10/16/0023**

#### **Change of use of land and barn from agricultural to holistic retreat, erection of side extension to the barn, siting of 6 No. tents/shepherd huts and parking at Satori, Oatens Lane, Churchstanton**

- (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-
- (A4) Bell Tent Dimensions;
  - (A4) Shepherd Hut detail;
  - (A3) Location Plan;
  - (A4) Site Block Plan;
  - (A4) Earth Closet detail;
  - (A3) Barn Plan - Proposed Floor Plan;
  
  - (A1) DrNo SATORI-001 Existing and Proposed Elevations;
- (c) No tent erection 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) The area allocated for parking and turning on the submitted Design and Access Statement shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted;
- (e) The development hereby permitted shall not be commenced until details of a strategy to protect wildlife has been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall be based on the advice of Blackdown Environmental' s Preliminary Ecological Appraisal dated June 2016 and include:- Details of protective measures to include method statements to avoid impacts on protected species during all stages of development; Details of the timing of works to avoid periods of work when the species could be harmed by disturbance; A grassland and hedgerow Management plan; and Details of any lighting;

Once approved the works shall be implemented in accordance with the approved details and timing of the works unless otherwise approved in writing by the Local Planning Authority;

- (f) The tents/shepherd's huts shall be occupied for holiday purposes only;  
  
The tents/shepherd's huts 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 tents/shepherd's huts 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;
- (g) Should the business use cease the tents, shepherds huts and toilet structures shall be removed from the site;
- (h) Details of the means to prevent light spill from the barn shall be submitted to, and approved in writing by, the Local Planning Authority and shall thereafter be complied with. There shall be no external lighting or additional structures or engineering works without the further permission of the Local Planning Authority;
- (i) The permission hereby approved shall be for the maximum of six units and up to 12 bed spaces at any one time;
- (j) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting the 2015 Order with or without modification), no development of the types described in Schedule 2 Part 4 and 5 of the

2015 Order other than that expressly authorised by this permission shall be carried out without the further grant of planning permission;

- (k) No solid fuel generators shall operate from the site without planning permission having first been sought and granted;
- (l) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting the 2015 Order with or without modification), no development of the types described in Schedule 2 Part 3 Class Q of the 2015 Order other than that expressly authorised by this permission shall be carried out on the site without the further grant of planning permission;
- (m) There shall be no public electricity connection to the shepherd's huts or tents;

(Note to applicant:- Applicant was advised the 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:-

**10/16/0010**

**Change of use of holiday chalets to residential dwelling houses at Willow Lodge and Bracken Lodge, Pay Plantation, Stapley**

#### **Reason**

The proposed development would result in two large detached dwellings in an isolated and sensitive rural location, dependent on the private car and would lead to formal domestic curtilage and paraphernalia which would harm the character of the Blackdown Hills Area of Outstanding Natural Beauty (AONB) contrary to Policy PD1/B of the Blackdown Hills AONB Management Plan 2014-19 and CP1 and CP6 of the Core Strategy. In addition insufficient evidence to show that the sequential approach to alternative uses set out in Policy DM2 has been fully tested has been provided to comply with the sequential test of DM2 as well as justifying why a holiday use cannot be retained given that in arguing for a third holiday unit two years ago it was claimed that the existing units were in such demand that an additional unit was required.

#### **4. Appeals**

Reported that three appeal decisions and one decision had been received details of which were submitted.

**Resolved** that the report be noted.

(The meeting ended at 7.15 pm)