

**SOUTH STOKE PARISH COUNCIL**  
**Minutes of the Planning Meeting held on 18<sup>th</sup> February 2019 at 7:00 p.m.**  
**in the Parish Hall**

**Present:** Mr. G. Davis (Clerk)  
Mr. P. Dawson  
Mrs. S. Dustin

Mr. R. Hayward  
Mrs. J. John  
Mr. C. Winpenny (Chairman)

**Apologies for Absence:** None

**Also Present:** 12 Members of the Public.

**Applicants for the application below:** Guiseppe Melillo, Lee M'clure

**Objectors to the application below:** Pam Nix, Tim Laney, Phillip Legard, Sue Dawson, Dom Moorhouse, Janet Carter, George Carter, Lucia Bagott, Mark Bagott, Kathleen Marshall

**1. 266 19/00145/FUL – Parcel 8120, Old School Hill, South Stoke, Bath - Erection of two detached dwellings.**

The Chair opened the meeting explaining to all present that it was a meeting to discuss the single agenda item. He then asked all members of the Council to introduce themselves to the members of the public present. He then asked the members of the public to introduce themselves to everyone present.

Cllr. Jenny John declared her potential interest in the matter as a former neighbour. The meeting agreed that this was not a material consideration.

The public present were then asked to make their presentations to the Council.

**Guiseppe Melillo** addressed the meeting on behalf of the applicants. He explained they were self-builders and had done this before in Trowbridge. He said they wished to do this again, so they were close to the facilities the location offered and to be part of the community. Consequently, their build and materials would be of a high standard. He responded to the worries over access and disturbance during construction by saying that delivery to site would be collected and delivered in small loads, and that all contractors would be required to park on site only. He then went on to highlight the improvements to the site and those taken from the South Stoke Conservation Area Appraisal, that the development would bring. This includes creation of a recreational area at the bottom of the site that would be transferred to the ownership of the village once complete. He hoped that this would help to garner support for the proposals.

A number of the Objectors then made their points to the meeting:

**Phillip Legard** stated that he objected because this was a development within the Conservation Area, which is Outside the Housing Development Boundary, and within the Greenbelt and Cotswold Area of Outstanding Natural Beauty. All of these important features should be preserved.

**Dom Moorhouse** said he thought the claim of Self Build was questionable and was only being used in an attempt to lower the planning threshold. He pointed out that the application referred to 'Two Market Houses' and not 'Self-Build'. He suggested it would have been better if the applicants had contacted the community beforehand.

**Tim Laney** pointed out that the access was part adopted highway and part not, and that it was a Public Right of Way along its length, and vehicular access was not appropriate. Furthermore, it narrowed to an enclosed walled route.

**Pam Nix** added that the route was too narrow to comply with Building Regulations for Fire Access, requiring any appliance to be parked further than 21 metres from the proposed properties.

**Sue Dawson** further highlighted that it was unlawful to drive a motor vehicle on a footpath.

**267 The Chair** then set out the major policy issues with the application.

The site is located within the South Stoke Conservation Area, and the Greenbelt and Cotswold Area of Outstanding Natural Beauty. As it is outside the Housing Development Boundary the proposal cannot be regarded as the limited infill allowed within the HDB.

The Chair then established that the site is not brownfield as it is clearly ruled out as such within the NPPF.

Therefore, this is clearly development within the Greenbelt and so by definition harmful unless Very Special Circumstances can be shown to exist which would outweigh the Harm caused.

A possible interpretation is that the Conservation Area Improvements could provide Very Special Circumstances. He therefore advised the Council that the Planning Authority had stated that only site-specific improvements could be considered in this context and as a consequence the offer to fund further general improvements to the Conservation Area may not be considered as part of this application and should be disregarded.

He highlighted that Self Build, particularly on part 2 of the register, as in this case, has little significant planning policy consideration, and cannot be regarded as a Very Special Circumstance.

The Chair then asked each of the Councillors for their views on these policy specific points. Each councillor concurred with this analysis.

**268** The Chair therefore put the following Resolution to the Council:

South Stoke Parish Council OBJECTS to this planning application as it represents development within the Greenbelt, South Stoke Conservation Area and Cotswold AONB, and is outside the Housing Development Boundary. NO Very Special Circumstances have been put forward or identified that would in any way justify the defined harm caused by such a development.

The Parish Council therefore asks the Planning Authority to REFUSE this Application.

If the Planning Officer were minded to approve this application, then we ask that it is referred to the Development Management Committee for consideration, as it is so significantly at odds with major planning policy.

**The resolution was carried unanimously.**

**269** The Chair then asked the Council to consider the Design and Access of the application in order that a full consultation response can be made in anticipation of the wider audience that might need this. Those comments are presented here and will form the submission to the Planning Authority with the resolution and text from 268 above.

The Parish Council considers the scale and massing of the two buildings to be excessive for the site, particularly in the context of the neighbouring buildings and therefore represent a very significant overdevelopment of the site. The proposed houses are arranged over no less than six floors or levels and will obscure many of the existing views into and out of the village. It is this openness and these views that make this such an important site within the Green belt, and the natural beauty of the location make it particularly unsuitable for building.

The Parish Council in studying the full application finds it lacking in sufficient detail, and containing significant inconsistencies, such that the application itself might be considered to be incomplete and invalid. That page 5 of the application is left blank is a very significant omission.

It means there is no indication of how foul sewage and surface water will be dealt with, and the site sits above a significant water course.

That Biodiversity and Geological conservation has NOT been considered. Given the potential light spillage from the proposed development's fenestration which we consider to be excessive, an ecological survey taking account of bat population and movement is essential. The proposed level of excavation needed for the buildings makes a Geological survey of the site essential.

Furthermore, an arboriculture survey is required to assess which of the trees and shrubs being proposed for removal require consideration under the protections of the Conservation Area. Particularly as, again we find, section 15 of the application form to be blank.

Existing use has not been correctly identified, but variously claimed as Brownfield, or former allotments in the Design and Access statement. We completely reject the notion of Brownfield, and this is completely supported within the NPPF. The former use is that of a Kitchen Garden to one of the houses in the village, and not public allotments as stated in the Application.

The Design and Access statement also suggests the removal of the electricity pole on the site boundary. However, this structure incorporates a sub-station for the village, and no detailed response or plans from Western Power Distribution are available on which to judge the feasibility or impact of such works. Since an alternative sub station would be needed, a further planning application would be necessary to properly consider this.

We consider the specification of materials to be wholly inadequate for buildings within a Conservation Area, highlighted by the statement that one house will have slate roofing and the other clay tile.

The applicants have also made much of the Self Build aspect proposed, however the application clearly identifies this as Market Housing and not self-build. The applicants themselves are owners of a development company, and although it appears to certify their ownership of the land 21 days before the application, we have reason to believe this is not the case.

Finally, the significant issue of access, both during and after construction, is a matter of great concern to us and all the nearby residents. The proposed access route is a Public Right of Way over which no-one can recall any vehicular access other than possible occasional use by agricultural vehicles. It is a narrow, steep and unsafe route for a vehicle, particularly for any pedestrian present at the same time. The narrowness of the route as it passes the neighbouring Ivy Cottages is such that we doubt that satisfactory access for emergency vehicles can be achieved so as to conform with Building Regulations. It would also mean that were construction to take place life might well become a misery for the residents of Ivy Cottages.

In conclusion we re-state our position of Objecting in Principle to this application as it is development within the Green Belt with no Very Special Circumstances to justify the harm caused.

The inadequate nature of the application only reinforces this as a wholly inappropriate development proposal.

The meeting closed at 21:44