

CURRY MALLET PARISH COUNCIL

EXTRA ORDINARY MEETING of the PARISH COUNCIL

Minutes of the meeting of Curry Mallet Parish Council
held on Monday June 22nd 2015 at in Curry Mallet and Beercrocombe Village Hall,

to consider

Planning Application 15/02218/FUL

Change of use of land at Crimson Orchard, Top Road, Curry Mallet TA3 6AW to provide 2 additional travellers pitches comprising 2 mobile homes, 2 touring caravans and associated hardstanding.

Present: Mr LW Frazer (Chairman), GK Townrow, RJ Allard, P McKeown, Mrs A J Clarke

In attendance 24 members of the public – as detailed in the attendance sheet

- 14 Curry Mallet
- 2 Beercrocombe
- 4 Hatch Beauchamp
- 1 Fivehead
- 3 Rock Hill (Wrantage ward of North Curry Parish)

Absent – D R Beck

1207 Introduction

Mr Frazer welcomed members and attendees to the meeting; Parish Councillors were introduced to attendees. It was noted that the applicant or their agent / representatives were not at the meeting. Mr Frazer outlined the purpose of the meeting and reminded attendees of the planning guidance.

Under the relevant planning legislation, a parish council is a statutory consultee in the planning application assessment process and it is for the Council to decide if it wishes to offer any of the following Observations

1. No objection
2. Raise objections – clarifying the planning reasons for the objection
3. Raise no objections in principle but highlight matters of detail that need further clarification or are requiring of suitable safeguards (called conditions).

Although the District Council is obliged to consider the Parish Council's comments, they are no weightier than any other consultee. However, by restricting comments to material planning considerations (i.e., National and local planning policy, highway issues, residential amenity issues such as noise and disturbance, visual impact and landscaping), a Parish Council can seek to ensure that it influences the District Council decision, for it is the local planning authority (officers or elected members) and not the Parish Council, that decide whether planning permission should be granted or refused.

1208 Public Consultation

Points noted from the public were that

- In 2007, during consideration of the original Crimson Orchard application, concerns had been highlighted locally regarding incremental expansion of the site and that assurances

were then given by the applicants that they agreed to be bound by any conditions restricting occupancy, in perpetuity, to the immediate family. These undertakings now appeared to have been broken. At the time, in 2007, the site was considered unsuitable for further development.

- The application, as submitted in June 2007, included representation by the applicants that they would be rendered homeless following eviction from the Slough Green travellers' site in West Hatch (Taunton Deane). It was now stated that this envisaged homelessness had not been valid since the applicants had already been granted permission for a site in Hatch Beauchamp. This discrepancy in circumstance appeared to constitute a misrepresentation by the applicant.
- The site was outside any major development; this reason, cited in 2007 by Taunton Deane District Council to Major Hill, an adjacent landowner with an application for a bungalow on his land, had led to the application's refusal. Nothing in planning policy has changed since that time; this site remained outside any major development such that journeys for schooling, work or social purposes were necessarily lengthy.
- The current application did not state how the applicants qualify as travellers if they had been resident on the Crimson Orchard site since 2007.
- South Somerset District Council had already exceeded its quota of travellers' sites.
- There had been no verification as to whether other pitches were available on nearby sites within South Somerset or Taunton Deane jurisdictions.
- This application was in open countryside and outside areas designated within the SSDC Local Development Plan – adopted in March 2015.
- Comment was made that PPS paragraph 3 stated that developments must not dominate the local settlements; this site was close to only 2 other dwellings and so any expansion would make it larger than the local community which presently existed there.
- The first application in 2007 had been for a single pitch, then in 2011 barns were added and now further pitches and touring vans; further applications were to be anticipated.
- Members were furnished with a map of travellers sites in Somerset. This illustrated the concentration in the local area and supported the contention that it was becoming overburdened with traveller sites.
- Both James Carson and Beka Davis had businesses registered at Crimson Orchard and that work to build lorry trailers had been carried out there. This local business activity appeared at variance with the Gypsy Handbook statement that “a traveller by nature travels around the country looking for work”, not travels around to go to work.
- It was asserted that raw sewage was running into Lime Wood (ST32/014) which has rare trees, and that this breach of Environmental Health regulations had been reported to the local authority; a composting toilet had been built with permission at the site.
- The land had restrictive covenants that would be lost if this application were to be successful as the current permission was specific to those presently resident and the covenants would be revoked once others moved onto the site.
- A previous application in 2011 included these self-same additional pitches and, despite this part of the application being withdrawn in March 2011, the hardstanding work was undertaken in May 2011. There was communicated to Lee Walton the then SSDC Planning Officer.
- The application would have a negative impact on the area. Tourism was an important part of the local community and Mr Hill's neighbouring camp-site business had 500 caravan nights and 26 weeks of holiday cottage bookings in 2014. Adverse publicity regarding an adjacent large travellers' site could be detrimental to his business.

On a show of hands, public attendees were unanimously opposed to the application.

1209 Parish Councillors' Comments

Mr McKeown endorsed all that had been said and expressed concern regarding creeping expansion of the site. Mrs Clarke agreed with all that had been said.

Mr Townrow noted that since 2007 he had attended each of the Council's three meetings concerning applications relating to this site. At the Council's meeting held on 30 July 2007, the applicants who were present were asked specifically if they were prepared to be conditioned re occupancy; they said that they were and this was duly minuted.

The postulated Slough Green eviction had been discussed at the Area North meeting in January 2007, generating some scepticism.

The applicants' traveller status was presently irrelevant insofar that SSDC had previously accepted this status in their January 2008 grant of permission with conditions (including restrictions on occupancy).

In February 2011 a further submission for additional barns and pitches had been made; subsequently the pitches were withdrawn from the application although the hardstanding work was completed later. This 2015 application appears to be identical to those elements which were withdrawn in 2011.

Mr Allard stated that applications should be in accordance with the Local Plan and with policies, - HD7 for avoiding contamination of ground.

FS2 for developments in rural settings

TA5 taking account of transport infrastructure and the needs of occupants – this site being accessed by a narrow and winding public road.

EQ2 that the development should enhance the area whilst maintaining its distinctness.

In his view, this application would result in an over development of the site and have a detrimental effect on the local environment. He was also concerned that this application, if granted, would override the original planning conditions and restrictions.

Mr Frazer regretted that the applicants had not seen fit to attend this public meeting and to hear the views of the local community.

1210 Council Vote

It was proposed by Mr Allard, with amendment by Mr Townrow, and seconded by Mrs Clarke that the Council objected to the application on the grounds that it contradicted the Local Plan and that, if granted, the site and existing restrictions would be difficult to manage".

This proposal was unanimously carried

1211 Closing Comments

In closing the meeting Mr Frazer stated that, were the application to be referred to the SSDC Area North Committee, it would be at a public meeting at which anyone could attend and ask to speak (for up to 3 minutes). If such a Committee consideration of the application were held, he confirmed that the Parish Council would be represented and would speak.

He thanked attendees for their time.

The meeting closed at 20:25.