

## **Kewstoke Parish Council**

Clerk to the Council: Colin Hill

84, Beach Road, Sand Bay,

Kewstoke BS22 9UQ

Tel: 01934 624430

[Email: colin.hill17@btinternet.com](mailto:colin.hill17@btinternet.com)

Chairman: Councillor Mr. T Horry

### **Minutes of the Kewstoke Parish Council Planning Committee held at the Kewstoke Village Hall on Tuesday 7<sup>th</sup> May 2013 commencing at the conclusion of the Parish Council Meeting Colin Hill Clerk**

**Present:** Councillors R Adams (Chairman), T Horry, K Harper, G Vearncombe  
R Pearson, C Thomas, N Whyte, D Jolley, J MacDonald and T Morris

Clerk Colin Hill

Cllr I Porter Unitary Member

Bethan Evans Press

2 members of the Public

#### **Public Participation**

None

#### **1. Opening of the Meeting**

Meeting opened at 8-50pm

#### **2. Apologies for absence**

Cllr C Bates,

#### **3. Declarations of Interests**

Cllr T Morris prejudicial interest in Planning application 13/P0607/F

#### **4. To Approve the Minutes of the Parish Planning Committee held on April 2nd 2013**

These were approved with no changes

#### **5. Matters Arising as a matter of report.**

None

#### **6. Update of Previous Applications**

**13/P/0259/F 22 Sand Road, Kewstoke**

**Applicant Mr & Mrs James**

Increase in roof height to provide first floor living accommodation, dormer windows and a rear conservatory

Withdrawn

**12/P/1302/P 40, Kewstoke Road, Kewstoke**

**Applicant Mr A Davidson**

Erection of a two storey side extension to each side and a single storey extension with a balcony at first floor level with external stair case

Approved

**12/P/2049/F Land of Elmsley Lane , Kewstoke**

**Applicant Mr T Simons**

Erection of an agricultural building (retrospective)

Granted

## **7. New Applications**

**13/P/0610/F Land at Manor Farm, Collum Lane, Kewstoke**

**Applicant Mr A Gunningham**

Erection of a temporary 50m high anemometer mast

The Council raises the issue of how long is a trial period? Its conclusion was that a calendar year should suffice to ascertain the necessary information.

**12/P/0649/LDE Karibu, and Stables on Adjoining Land to East, Lower Norton lane, Kewstoke**

**Certificate of lawfulness for existing use of annex adjoining Karabu as a separate residential unit and the use of the adjoining land as residential curtilage in association with the annexe**

**The following text was submitted to NSDC Planning Department relating to the above.**

The Parish Councils position is unchanged from its submissions of other applications on this site but particularly to 12/P/2134/LDE.

The Local Planning Authority in its report of the 6-02-13 clearly outlines the anomalies in this case. It is for the applicant to prove beyond doubt that the occupancy was more than the allotted period and it is not the responsibility of the LPA to do so.

In the Parishes opinion the applicant has failed to do so.

There appears to be some anomalies in the dates.

Mrs Cook,s tenancy (with no short term agreement) ran from 17/8/2010 to 28/3/2011

Michaela Holloway's (with no tenancy agreement) tenancy ran from 12-3-2011 to the 17/4/2011

**We can only assume that they shared the accommodation for 14 days as the dates clashed however there is no Tenancy Agreement to support either Mrs Cook or Ms Hollaways statements.**

**Added to this the report highlights the altering of a document from Wessex Water, the clear banding for Council Tax from August 2010 and the absence of Tenancy Agreements for two of the tenants draws suspicion on the whole accuracy of these documents.**

It is up to the applicant to get or have records of the Council Tax being paid right through all the tenancies by the tenants or in their absence Mr Bowen on their behalf.

There is a real concern by Members of the Parish that the applicant has misled the Authority on the original Annex proposal as from his evidence it could be concluded that he never ever intended the annex to be used for other than commercial rented premises. It is therefore the opinion of the Council that the records recording the occupancy must be absolutely accurate and the Councils opinion is they are not.

As far as the stables are concerned the Local Authority were informed of possible residential use well ahead of the statutory time for a LDE application, and an Enforcement Officer visited. The stables are outside the village fence and were granted for personal use. It has now become apparent that this was a rental

/commercial application.

Mr Bowen states that he actually had a tenant, indicating living in the Annex, who wanted to use the stables. The original application for stables was in 2005 but they were eventually built to the right planning specification in 2009. The reason for the delay was Mr Bowen building the stables totally to the wrong specifications and it took the intervention of the LPA to make him change the building back to stables. As far as the stables are concerned the applications and the granting of the application was for personal use and that, in itself, outside the village fence, was the justifiable reason for consent. In the opinion of the Parish Council, never was any other use, could, or would, have been considered and certainly not residential storage or residential use.

The stables could not effectively been suitable for residential use before late 2009 therefore cannot qualify for a 4 year LDE.

Councillors are of the opinion that had the applications been submitted for the commercial use they are being used for, they would not have been approved and therefore both premises should be used for their original application use.

**13/P/0578/F 82, Beach Road, Kewstoke**

**Applicant Mrs Webber**

Erection of a single storey rear extension

No Comments

**13/P/0607/F 5, Cedarn Court, Manor Gardens, Kewstoke**

**Applicant Mr and Mrs Leddy**

Erection of a single storey front extension

No Comments

**Other Planning Issues**

**Appeal Reference**

**APP/DO12/D/13/2195501 98 Beach Road, Kewstoke**

**Applicant Mr P Crane**

Extend roof to create first floor living space..Create dormer window to rear elevation and a dormer window and balcony to front elevation

**9.Enforcement**

None

**10. Correspondence**

None

**11. Date of next Meeting Monday 3<sup>rd</sup> June 2013**