

South Somerset District Council

Minutes of a meeting of the **Area North Committee** held at the **Council Chamber, The Council Offices, Brympton Way, Yeovil BA20 2HT (please note this revised venue and time) on Wednesday 17 December 2014.**

(1.30pm - 4.35 pm)

Present:

Members: Councillor Shane Pledger (Chairman)

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| Paul Thompson | David Norris |
| Pauline Clarke | Patrick Palmer |
| Graham Middleton | Sylvia Seal |
| Terry Mounter | Derek Yeomans |

Officers:

| | |
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| Charlotte Jones | Area Development Manager (North) |
| Adrian Noon | Area Lead (North/East) |
| Angela Cox | Democratic Services Manager |
| John Millar | Planning Officer |
| Alex Skidmore | Planning Officer |
| Lee Walton | Planning Officer |

NB: Where an executive or key decision is made, a reason will be noted immediately beneath the Committee's resolution.

123. Minutes (Agenda Item 1)

The minutes of the meeting held on 26 November 2014, copies of which had been circulated were taken as read and, having been approved as a correct record, were signed by the Chairman.

124. Apologies for absence (Agenda Item 2)

Apologies for absence were received from Councillors Roy Mills, Jo Roundell Greene and Sue Steele.

125. Declarations of Interest (Agenda Item 3)

Councillor Patrick Palmer declared a personal and pecuniary interest in Agenda Item 11: Planning application 14/04206/REM on land South of Coat Road, Martock as his family business provided crop spraying services on the land in question. He confirmed that he would take no part in the debate or voting on this application.

Councillor Patrick Palmer also declared a personal interest in Agenda Item 12: Planning application 14/04354/REM – Home Farm, Somerton, as a close family member lived nearby.

126. Date of next meeting (Agenda Item 4)

Members noted that the next meeting of Area North Committee was scheduled for Wednesday 28 January 2015 at the Millennium Hall, Seavington.

127. Public question time (Agenda Item 5)

There were no questions from members of the public present.

128. Chairman's announcements (Agenda Item 6)

There were no announcements from the Chairman.

129. Reports from members (Agenda Item 7)

Councillor Paul Thompson reported that Phase A of the Chapel Fields development in South Petherton had received two awards as Medium Development of the Year and the Judges Imperial Award from the Premier Guarantee Excellence Awards 2014.

130. Area North Committee Forward Plan (Agenda Item 8)

The Area Development Manager (North) advised that there were no additional reports to be added to the Area North Forward Plan and Members were content to note its contents.

RESOLVED: That the Area North Forward Plan be noted.

131. Planning Appeals (Agenda Item 9)

Members noted that there had been no recent planning appeals lodged, dismissed or allowed.

RESOLVED: That the report be noted.

132. Schedule of Planning Applications to be Determined By Committee (Agenda Item 10)

Members noted the schedule of planning applications to be determined at the meeting.

**133. Planning Application 14/04206/REM - Land South of Coat Road, Martock.
(Agenda Item 11)**

The Planning Officer introduced the application to Members and reminded them that outline permission had been granted in October 2013. He advised that the full details of the materials, drainage, archaeology and design of the outline permission were still to be agreed.

The Area Lead Planning Officer clarified that there were several amendments to the proposed conditions of approval and if requested, additional conditions could be added to fence the attenuation ponds, boundary and agree a management plan for the site development.

The Committee were then addressed by Mr R Powell (Chairman of Martock Parish Council), Mr Dowding, Mr A Clegg, Mr I Lewis and Mr T Egan in objection to the application. Their comments included:-

- The development is not in accord with the village's Sustainable Development Plan.
- 2.5 storey houses are not appropriate for Martock, especially those proposed to overlook the existing Hills Orchard development.
- The addition of pavements along Coat Road and North Street should be included within any condition of approval.
- The development includes a number of cul-de-sacs which could be used to extend into the adjacent field so there should be a condition to restrict this.
- Local Plan policy ST5 states that development design should integrate into the local surroundings but this development does not do that.
- The original Design and Access statement submitted with the outline application contained good ideas but this proposal does not.
- The developer should be asked to produce better design than this.
- The existing Cobdens Ryne can vary in depth from 10 to 12 ft and can rise by 6 to 8 ft during wet weather which could pose a problem for the proposed play area nearby.
- The proposed development has no local or Parish Council support.
- The developer should erect a 6ft fence to provide some privacy to existing properties.

In response to questions from Members, the Area Lead Planning Officer advised that:-

- The method of construction of the properties was not specified as planning permission was primarily concerned with the final appearance.
- Screening opinion said an environmental assessment of the site was not necessary.
- Negotiation with the Councils Engineer was ongoing regarding the formal drainage strategy.

Ward Councillor, Graham Middleton, advised that 2 ½ storey houses were not a consistent local roofstyle in the village. He regretted the box style design of the houses and the lack of safety railings around the attenuation ponds. He also felt that the road improvements along Coat Road and North Street should be included within the application. He said that he had not supported the outline application and could not support this either.

During discussion of the application, Members felt that the design of the site was very different from that proposed at the outline application stage and the original Design and Access statement had not been carried forward into the final plans. Concern was also expressed at the 2.5 story high properties overlooking existing houses in Hills Orchard and the incomplete conditions of approval.

It was proposed and seconded to defer the application for further negotiation with the developer on design and to agree the conditions, however, following further debate, this proposal was withdrawn and replaced with a proposal to refuse the application. This was put to the vote and was carried (voting: unanimous in favour)

RESOLVED: That planning application 14/04206/REM be REFUSED permission for the following reasons.

The proposed design of the houses and the inclusion of 2 1/2 storey elements is out of character and incongruous with the established development pattern and character of Martock. As such the proposal is contrary to saved policies ST5 and ST6 of the South Somerset Local Plan 2006 and the provisions of chapter 7 of the National Planning Policy Framework.

Informative

The applicant is advised that inadequate detail has been provided to satisfactorily agree the discharge of conditions 4, 5, 6, 7 and 9 of outline approval 13/02747/OUT.

(Voting: unanimous in favour)

134. Planning Application 14/04354/REM - Home Farm, West End, Somerton. (Agenda Item 12)

The Area Lead Planning Officer introduced the application to Members and drew their attention to the following updates:-

- Concern had been raised by a local veterinarian practice that dogs in their kennels could be considered a nuisance, however, Environmental Health officers said this could be resolved and so did not amount to an objection.
- 4 further representations from local residents including one from a planning consultant regarding boundary treatment and the difference in levels at the site.

The Area Lead Planning Officer advised that although the stone boundary wall to the site was in a poor state of repair, it would fall under the Party Wall Act. Similarly, the 2m close boarded fence proposed for the Southern boundary would also fall under the Party Wall Act. It was also proposed to add a condition to remove the permitted development rights in the garden area of Plot 7 to protect the privacy of the neighbouring property and he mentioned minor amendments to Condition 3 to reflect updated plans received.

The Committee were then addressed by Mr A Bunn, Ms S Burton and Mrs M Palmer in objection to the application. Their comments included:-

- A close boarded fence was not a long term solution to overlooking issues.

- Could the hours of working during development be restricted?
- Although no building was to be sited behind Southview, future owners may apply for planning permission therefore permitted development rights should be removed from this area.
- Clarification on the grading levels of part of the site were sought.
- The party walls bounding the site should be made safe before development commenced.
- It was inappropriate to plant trees which could in the future undermine the boundary walls.

The Committee were also addressed by Mr M Frost, Agent for the applicant. He stated that the principle of development was already established and they had worked hard to provide a development acceptable to the neighbours, which included the removal of one dwelling and a garage and a change to boundary treatments to maintain privacy. He said his clients could repoint and make safe the boundary wall prior to commencement of work and asked that this be made a condition of approval rather than refuse or defer the application.

One of the Ward Councillors, Pauline Clarke, advised that the site had been a major issue for some years and the principle of development was welcome. However, the neighbour concerns must be addressed by conditions relating to working hours during the development and the stabilisation of the boundary wall beforehand. She also questioned how the access gate be only used to maintain the wooden fence.

In response to questions from Members, the Area Lead Planning Officer advised that:-

- The hours of operation during development and drainage from the site were part of the conditions of approval of the outline planning permission.
- Amended drawings had been submitted which showed the different levels to be graded down at the South East of the site.
- If requested, then a condition could be included to stabilise, repair and safeguard the retained site boundary walls.
- The proposed landscaping was garden planting and there was no reason to assume they would be allowed to overgrow and affect the boundary wall.

During discussion of the application, Members agreed that the boundary walls should be repaired by the developer and the permitted development rights removed from the garden and garages on plot 7. With this agreed, it was proposed and seconded to approve the application, and, on being put to the vote, this was carried (voting: unanimous in favour)

RESOLVED: That planning application 14/04354/REM be APPROVED as per the officer recommendation with the following amended conditions.

Justification

The proposed dwellings are of an appropriate scale and appearance with layout and landscaping that would safeguard the setting of the listed building and the amenities and character of area without detriment to residential amenity. As such the proposal complies with the saved policies of the South Somerset Local Plan and the policies contained within the National planning Policy Framework.

CONDITIONS:

01. Prior to the commencement of each dwelling hereby approved particulars of following shall be submitted to and approved in writing by the Local Planning Authority;

- a) details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
- b) a sample panel, to be prepared for inspection on site, to show the mortar mix and coursing of the external walls;
- c) details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
- d) details of all hardstanding and boundary treatments
- e) details of the rainwater goods and eaves and fascia details and treatment.

Once approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area and setting of the listed building in accordance with saved policies ST5, ST6 and EH5 of the South Somerset Local Plan.

02. The landscape planting shown on the drawings hereby approved as amended by the revised boundary treatments drawing 3429/PL/031 C received 09/12/14 shall be carried out in the first planting season following the commencement of the development hereby approved. . For a period of five years after the completion of the planting scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition to the satisfaction of The Local Planning Authority 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.

Reason: In the interests of visual amenity in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan.

03. The development hereby permitted shall be carried out generally in accordance with the following approved plans (except where directed otherwise by the conditions above):

- 3429/010 B – Plot 1 – Plans, Section and Elevations
- 3429/011 A – Plot 2 – Plans, Section and Elevations
- 3429/012 B – Plots 3 & 4 – Plans, Section and Elevations

- 3429/013 B – Plot 5 – Plans, Section and Elevations
- 3429/014 B – Plots 6 & 7 – Plans, Section and Elevations
- 3429/015 A – Plot 8 – Plans, Section and Elevations
- 3429/016 A – Plot 9 – Plans, Section and Elevations
- 3429/017 A – Plot 10 – Plans, Section and Elevations
- 3429/018 B – Plot 11 – Plans, Section and Elevations
- 3429/019 A – Garage Types – Plans and Elevations
- 3429/020 C – Proposed Street Scenes
- 3429/021 A – Proposed Site Section
- 3429/PL/030 E – Proposed Site Plan
- 3429/PL/031 C – Proposed Boundary Treatment
- 3429/PL/034 C – Proposed Levels
- 6009/1c – Soft Landscaping Scheme

Reason: To clarify the development hereby approved as the proposal has been amended.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no garden buildings, structures or other enclosures, including fences, other than those shown on the drawings hereby approved, shall be undertaken or constructed within the garden of the dwelling identified as Plot 7.

Reason: In the interests of visual and residential amenity in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan.

5. No development hereby approved shall be commenced until such time as a scheme to stabilise, repair and safeguard the retained site boundary walls, as indicated on drawing 3429/PL/031 C, has been submitted to and approved in writing by the local planning authority. Once approved such scheme shall be fully implemented as part to the development hereby approved and wall shall be maintained at all times thereafter.

Reason: In the interests of visual and residential amenity in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan.

Informative

The approval of these reserved matters maybe take as confirmation that condition 11 (levels) of the outline permission dated 29/08/014, ref. 12/01501/OUT has been discharged through the agreement of the

above drawings.

(Voting: unanimous in favour)

135. Planning Application 14/04180/FUL - The Old Quarry Yard, Badgers Cross, Somerton. (Agenda Item 13)

The Planning Officer introduced the application to Members and advised that since writing her report, Somerset County Council, as the Mineral and Waste Authority had responded and raised no objection to the application as the area proposed for development within the former quarry site had already been extracted. She said although there were policy concerns as the site was not in the direction indicated for growth in the emerging Local Plan, the Economic Development unit said there was a need in the area and so it was concluded that the economic benefits outweighed the location concerns.

The Committee were then addressed by Mr S Travers, Agent for the applicant. He advised that since one building had been refurbished on the site, the owner had been approached by several businesses looking for premises in the Somerton area. He further noted that the emerging Local Plan said the 5 hectares of employment land was needed in Somerton, which was confirmed by the Council's Economic Development unit and by the requests to the applicant.

One of the Ward Councillors, David Norris, reminded the Committee that the previous application at the site had been referred to the Ombudsman. He felt this was the wrong site for industrial development even though the Highway Authority had withdrawn their objections.

The other Ward Councillor, Pauline Clarke, advised that the site was already considered brownfield and the applicant had sympathetically converted the existing area of the site. She said there was an unmet need for industrial land in the town and she supported the application.

During discussion of the application, Members noted that the site had easy access to the A358 and A303 without driving through the town and so was ideally placed for an industrial park. It would also provide local employment. It was proposed and seconded to approve the application, and, on being put to the vote, this was carried (voting: 8 in favour, 0 against, 1 abstention)

RESOLVED: That planning application 14/04180/FUL be APPROVED as per the officer recommendation.

Justification

The provision of additional employment space at this former quarry site raises no substantive environmental, highway safety, visual or residential amenity concerns and would make a much needed contribution towards the Council's need. As such the proposal complies with the saved policies of the South Somerset local Plan and the provisions of the NPPF.

CONDITIONS

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans drawings numbered 3436/100, 3436/102 and 3436/101 received 12/09/2014.

Reason: For the avoidance of doubt and in the interests of proper planning.

03. The development hereby permitted shall not be used other than for those activities which fall within the definition of Class B1, Class B2 and Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: The local planning authority would not have been prepared to grant planning permission but for the need for additional employment land to accord with the aims and objectives of the NPPF and Policy ST3 of the South Somerset Local Plan.

04. The development hereby permitted shall not be commenced unless particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of visual amenity to accord with Policy ST6 of the South Somerset Local Plan.

05. No external lighting or illuminated signage shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The lighting assessment shall consider the Institute of Engineers lighting zone. The lighting approved shall be installed and shall thereafter be maintained in perpetuity in accordance with the approved details.

Reason: To minimise light pollution and safeguard the rural amenities of the area in accordance with Policies ST6 and EP3 of the South Somerset Local Plan.

06. The development hereby permitted shall not be commenced unless either;

a) An investigation of the site for landfill gas has been carried out, to the satisfaction of the local planning authority, to ascertain whether gas protection measures are required. Where gas protection measures are required details of such measures shall be

submitted to and approved in writing by the local planning authority and shall be carried out in full accordance with the approved details prior to the development being first brought into use and shall be permanently maintained and retained thereafter unless otherwise agreed in writing by the local planning authority; or

b) Where an investigation of the site for the presence of landfill gas is not to be carried out details of precautionary gas protection measures shall be submitted to and agreed in writing by the local planning authority. Such protection measures shall be carried out in full accordance with the approved details prior to the development first being brought into use, and shall be permanently maintained and retained thereafter unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard against pollution in accordance with Policies ST5 and EP5 of the South Somerset Local Plan.

07. In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, submitted to and agreed in writing by the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Guiding Principles for Land Contamination'.

Reason: To safeguard against pollution in accordance with Policies ST5 and EP5 of the South Somerset Local Plan.

08. Before the development hereby permitted is commenced surface water drainage details to serve the development, including for all areas of hardstanding and any other impermeable areas, shall be submitted to and approved in writing by the Local Planning Authority. Such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To prevent the risk of flooding and ensure future maintenance of the surface water drainage system in accordance with the NPPF.

09. The development hereby permitted shall not be commenced unless details of the internal ground floor levels of the building have been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with these details.

Reason: In the interest of visual and residential amenity to accord with Policy ST6 of the South Somerset Local Plan.

10. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the

Local Planning Authority a scheme of landscaping, which shall be informed by the landscaping schemes agreed as part of planning consent 10/02027/FUL, and which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity in accordance with Policies ST5 and ST6 of the South Somerset Local Plan.

11. The development hereby permitted shall not be commenced unless a scheme for acoustic insulation of the building has been submitted to and agreed in writing by the local planning authority. The agreed details shall be implemented in full and shall be retained and maintained in this fashion in perpetuity.

Reason: In the interest of residential amenity and the amenities of the area to accord with Policies ST5 and ST6 of the South Somerset Local Plan.

12. There shall be no obstruction to visibility greater than 900 millimetres above adjoining road level forward of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to the extremities of the site frontage. Such visibility shall be fully provided before works commence on the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interest of highway safety to accord with Policy ST5 of the South Somerset Local Plan.

13. The area allocated for parking and turning on the submitted plan, drawing number 3436 101, shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interest of highway safety to accord with Policy ST5 of the South Somerset Local Plan.

14. No raw materials, products of any description, scrap or waste materials whatsoever shall be stored in the open on any part of the subject land without the prior written consent of the local planning authority.

Reason: To safeguard the amenities of the area to accord with Policies ST5 and ST6 of the South Somerset Local Plan.

15. No manufacturing, fabrication or other industrial process shall take place outside the confines of the building on the site.

Reason: In the interests of maintaining the residential amenity of the area, in accordance with Policy ST6 of the South Somerset Local Plan.

16. There shall be no burning of any produce or material whatsoever on the site other than in a properly installed incinerator within a building.

Reason: In the interests of the local amenities of the area, in accordance with Policy ST6 of the South Somerset Local Plan.

(Voting: 8 in favour, 0 against, 1 abstention)

136. Planning Application 14/03432/FUL - Land at Buttle Close, Shepton Beauchamp. (Agenda Item 14)

The Planning Officer introduced the application to Members and reminded them the application had been deferred at Committee in October 2014 for further negotiation on the position of the garage, which had been achieved. The applicants had also taken the opportunity to raise the floor levels to ensure there were no surface water issues and he proposed amendments to conditions 2, 4 and 5 to accord with the amended plans, the removal of reference to 'construction hours' in condition 6 and the addition of conditions 8 and 9 to agree the boundary details to the South of the site and also to remove permitted development rights.

Ward Councillor, Paul Thompson, proposed that the application be approved and this was seconded. On being put to the vote, this was carried (voting: unanimous in favour).

RESOLVED: That planning application 14/03432/FUL be APPROVED as per the officer recommendation.

Justification

The proposed development, by reason of its size, scale and materials, respects and relate to the character of the area and causes no unacceptable harm to residential amenity, highway safety or ecology, in accordance with the aims and objectives of saved policies ST5, ST6 and EC8 of the South Somerset Local Plan 2006 and the provisions of chapters 4, 6, 7, 11 and the core planning principles of the National Planning Policy Framework.

CONDITIONS:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town

and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans: '14/1439/01 A' and '14/1439/02 A', received 18th November 2014.

Reason: For the avoidance of doubt as to the development authorised and in the interests of proper planning.

03. No development shall be carried out on site unless particulars of materials (including the provision of samples) to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity, in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan 2006 and the provisions of chapter 7 of the National Planning Policy Framework.

04. The finished floor levels of the dwelling hereby permitted shall be carried out in accordance with the details submitted on drawing no. '14/1439/02 A'. Such approved details, shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual and residential amenity, in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan 2006 and the provisions of chapter 7 and the core planning principles of the National Planning Policy Framework.

05. The area allocated for parking and turning on the approved plan, drawing no. '14/1439/02 A', 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.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan and the provisions of chapter 4 of the National Planning Policy Framework.

06. The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice, pollution prevention measures and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason: To safeguard residential amenity and highway safety, in accordance with saved policies ST5, ST6 and EP6 of the South Somerset Local Plan and the provisions of chapter 4 and the core

planning principles of the National Planning Policy Framework.

07. Construction works and deliveries to the site shall not take place outside of the hours of 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays. No construction work or deliveries to the site shall take place on Sundays or Public/Bank Holidays.

Reason: To safeguard residential amenity, in accordance with saved policies ST6 and EP6 of the South Somerset Local Plan and the core planning principles of the National Planning Policy Framework.

08. Details of all boundary treatments shall be submitted to and approved in writing by Local Planning Authority. The approved boundary treatments shall be installed prior to the dwelling hereby approved first being occupied.

Reason: In the interests of residential amenity, in accordance with saved policy ST6 of the South Somerset Local Plan 2006 and the core planning principles of the National Planning Policy Framework.

09. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwelling hereby approved and no outbuildings shall be provided within its curtilage without the prior express grant of planning permission.

Reason: In the interests of residential amenity, in accordance with saved policy ST6 of the South Somerset Local Plan 2006 and the core planning principles of the National Planning Policy Framework.

(Voting: unanimous in favour)

137. Planning Application 14/04751/S73 - Land North of Tengore Lane, Long Sutton. (Agenda Item 15)

The Planning Officer introduced the application to Members and reminded them that the application for solar panels had been allowed at appeal. The applicant now sought to vary two conditions to maximise the use of the site for the full 25 years by agreeing the operation date be from June 2015 and to provide external lighting to the building for health and safety reasons. It was felt there would be no great harm in agreeing these amendments and the recommendation was to approve.

The Committee were then addressed by Mr J Jamieson, the applicant, who said the amendments to the conditions would allow better control of the scheme and he confirmed the external lighting would be a manually operated 30watt LED light with no other lighting on the site.

Ward Councillor, Shane Pledger, confirmed his support for the amendments and it was proposed and seconded to approve the application. On being put to the vote, this was carried (voting: unanimous in favour).

RESOLVED: That planning application 14/04751/S73 be APPROVED as per the officer recommendation.

Justification

The proposal is considered reasonable, accepting the change in date for the commencement of the 25 year period that offers certainty, while the flexibility by the additional wording to permit further consideration of proposals to use external lighting would not by this change, at this time, adversely affect landscape character, in accordance with the aims and objectives of Policy EC3 and ST6 of the South Somerset Local Plan 2006, and the NPPF.

CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of three years from 24.06.2014.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Site design (dated 24-07-2013); 2V Racking System Rev2 (02/07/2012); Security fence (TGC/PV001 Rev A2); Double gates (TGC/PV002 Rev A1); Inverter cabin (TGC/PV003 Rev A2); Comms building (TGC/PV009/01 Rev A1); Switchgear housing (TGC/PV010 Rev A3); Schnieider switchgear (GSC0015-01).

Reason: To avoid any ambiguity as to what is approved.

3. The solar panels and associated structures and equipment, hereby permitted, shall be for a limited period of 25 years to commence from the 30 June 2015. At the end of this period or upon cessation of their use for generating electricity, whichever is the sooner, all associated structures and equipment shall be fully removed from the application site and the site cleared. Within 3 months of clearance the land shall be restored to its former agricultural condition in accordance with a scheme of works which shall first have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To avoid any ambiguity as to what is approved.

4. Details of the colour scheme for fencing and buildings was submitted under 14/04618/DOC, validated 23 October 2014 and approved under cover of the email ref: 14/04618/DOC dated 4 November 2014 discharging the condition having been undertaken on site for planning permission 13/03053/FUL. Having been carried out the details shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the character and appearance of the area in accordance with Policy EC3 and ST6 of the South Somerset Local

Plan, 2006, and the NPPF.

5. The development hereby permitted shall be undertaken in accordance with the Landscape and Ecological Plan submitted under 14/04618/DOC, validated 23 October 2014, and approved under cover of the email ref: 14/04618/DOC dated 4 November 2014, discharging the condition having been undertaken on site for planning permission 13/03053/FUL.

Reason: In the interests of landscape character and local ecology further to Policy EC3 and EC7 of the South Somerset Local Plan, 2006 and the NPPF.

6. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the land or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of landscape character further to EC3 of the South Somerset Local Plan, 2006 and the NPPF.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no external lighting erected or otherwise installed on the site unless the details are agreed in writing with the local planning authority. Any agreed external lighting will thereafter be constructed and retained in accordance with the agreed details.

Reason: In the interests of character and appearance further to Policy EC3 of the South Somerset Local Plan, 2006 and the NPPF.

8. The access shall be properly consolidated and surfaced (not loose stone or gravel), and drained over the first 5m of its length, so as to avoid any loose material or water from discharging onto the adjoining public highway.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan 2006 and the NPPF.

9. Before works commence on site, there shall be no obstruction to visibility greater than 900mm above the adjoining road level forward of a line drawn 2.4m back and 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. The above area shall be kept clear of all obstructions above 900mm in height thereafter.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan 2006 and the NPPF.

10. Any entrance gates erected shall be hung to open inwards and shall be set back a minimum distance of 5m from the carriageway edge.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan 2006 and the NPPF.

11. The development hereby permitted shall be undertaken in accordance with the CCTV scheme submitted under 14/04618/DOC, validated 23 October 2014, and approved under cover of the email ref: 14/04618/DOC dated 4 November 2014, discharging the condition having been undertaken on site in accordance with planning permission 13/03053/FUL. The CCTV system shall thereafter be retained in accordance with the agreed scheme.

Reason: In the interests of landscape character and appearance further to policy EC3 and ST6 of the South Somerset Local Plan 2006 and the NPPF.

12. Notwithstanding the details on any of the approved drawings the height of the solar panels, once installed shall be no more than 2.6m above natural ground level.

Reason: In the interests of character and appearance further to policy EC3 and ST6 of the South Somerset Local Plan and the NPPF.

(Voting: unanimous in favour)

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Chairman