

## South Somerset District Council

**Minutes** of a meeting of the **Area North Committee** held at the **Village Hall, New Road, Norton Sub Hamdon TA14 6SF** on **Wednesday 25 February 2015**.

(2.05 pm - 6.30 pm)

**Present:**

**Members:** Councillor Shane Pledger (Chairman) (to 6.00pm)

Pauline Clarke	Patrick Palmer
Graham Middleton	Sylvia Seal (from 3.05pm)
Roy Mills (to 6.10pm)	Barry Walker
Terry Mounter	Derek Yeomans
David Norris	

**Officers:**

Charlotte Jones	Area Development Manager (North)
Justine Parton	TIC Operations Supervisor
Adrian Noon	Area Lead (North/East)
Sarah Hickey	Locum Planning Solicitor
Alex Skidmore	Planning Officer
Stephen Baimbridge	Planning / Enforcement Assistant
Becky Sanders	Democratic Services Officer

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

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### 156. Minutes (Agenda Item 1)

The minutes of the meeting held on 28 January 2015, copies of which had been circulated were taken as read and, having been approved as a correct record, were signed by the Chairman.

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### 157. Apologies for absence (Agenda Item 2)

Apologies for absence were received from Councillors Jo Roundell Greene, Sue Steele and Paul Thompson.

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### 158. Declarations of Interest (Agenda Item 3)

Councillor Roy Mills declared a personal and prejudicial interest in planning application 14/05427/FUL – agenda item 18, as the applicant was a personal friend.

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### 159. Date of next meeting (Agenda Item 4)

Members noted that the next meeting of Area North Committee was scheduled for Wednesday 25 March 2015 and the venue would be confirmed at a later date.

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**160. Public question time (Agenda Item 5)**

There were no questions from members of the public present.

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**161. Chairman's announcements (Agenda Item 6)**

In the absence of the Vice Chairman, the Chairman proposed that Councillor Derek Yeomans be appointed to act as Vice Chairman for the meeting and members were in agreement with this.

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**162. Reports from members (Agenda Item 7)**

Councillor Patrick Palmer reported that negotiations continued regarding a flood bund near Long Load bridge.

Councillor Pauline Clarke, as appointed member to Strode College Community Education Committee, commented she had advised the college that if they wanted attendance from an SSDC member they would need to consider changing the day or time of their meetings as they always clashed with Area North Committee.

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**163. Flood and Water Management (Agenda Item 8)**

Steve Webster, Service Manager for Flood and Water Management at Somerset County Council (SCC) provided members with a presentation about flood risk management and the role of SCC as Lead Local Flood Authority (LLFA). The presentation included an overview about:

- Responsibilities of the LLFA
- Risk management authorities as defined by the Flood and Water Management Act, and the roles of each authority
- Responsibilities of riparian and property owners
- A summary of flood risk management – the bodies and types of watercourses
- Potential changes, as yet to be confirmed by government, for flood risk management from 6 April 2015

Responses by the Service Manager to questions from members included:

- With reference to riparian owners there are enforcement powers available, which were transferred to the LLFA in 2012, and timeframes for action varied depending on the circumstance
- Depending on the nature of a watercourse, consent, and possibly planning permission, would be required for culverting.
- Retrospective consents are not issued
- Future management of SUDs was a concern and the issue was acknowledged

- Groundwater issues are difficult to deal with and could often only be dealt with when the water reached the surface, but generally springs were within the remit of the LLFA
- The Somerset Rivers Authority was a mechanism to increase funding for flood management and a means of co-ordinating the different bodies

At the end of the discussion, the Chairman thanked the Service Manager for attending and providing an informative presentation.

**RESOLVED:** That the presentation be noted.

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**164. Presentation - Discover South Somerset - additional marketing to support flood affected businesses (Agenda Item 9)**

The Tourist Information Centres Operations Supervisor provided members with a presentation about tourism marketing for areas affected by the flooding of 2013/2014. Her presentation included information about:

- Public perception of flooding
- Why extra marketing was needed
- Consultation that had taken place
- Proposed initiatives
- An overview of the advertising campaign including a need for more promotional images
- Press trips
- Work to achieved over the next few weeks with regarding to publicity and websites

During a brief discussion members raised several comments and suggestions including that more reference could probably be made to sport and sporting achievements in the area. The Area Development Manager (North), in response to a comment made, noted that there were issues around ownership of photographs and images when commissioning, as well as cost.

At the end of the discussion members congratulated the team on the excellent Discover brochure, and thanked the officer for her presentation.

**RESOLVED:** That the presentation be noted.

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**165. Area North - Business Flood Recovery & Future Resilience (Agenda Item 10)**

The Area Development Manager (North) gave an overview of the situation faced by some businesses affected by the flooding of 2013/14, and noted it took time to visit businesses and understand ways they could improve marketing of their business.

She highlighted that the impact of the flooding was now being compounded by ongoing highway maintenance works and road closures, some of which were for multiple weeks or months at a time. For example the main road through Ilford Bridges was shut for 3-4

weeks, and the main road through Aller to Othery was due to be closed for a further 10 or so weeks.

In response to a comment raised, the Area Development Manager (North) commented that:

- much signage, especially that regarding road closures, needed local knowledge.
- The money would be ring-fenced

At the end of the brief discussion members were content to support the carrying forward of £20,000 from the Area North budget into 2015-16 specifically for additional local business support work in Area North.

**RESOLVED:** That the proposal to request a carry forward of £20,000 from the Area North budget into 2015-16 specifically for additional local business support work in Area North be noted and supported.

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#### **166. Area North Committee Forward Plan (Agenda Item 11)**

The Area Development Manager (North) advised that the Section 106 Monitoring report would now be made post elections, and reminded members that the officer could provide individual updates on request.

**RESOLVED:** That the Area North Committee Forward Plan be noted.

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#### **167. Planning Appeals (Agenda Item 12)**

Members noted the report that detailed recent planning appeals that have been lodged, dismissed or allowed.

**RESOLVED:** That the report be noted.

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#### **168. Schedule of Planning Applications to be Determined By Committee (Agenda Item 13)**

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

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#### **169. Planning application 14/03154/FUL - Land north of Stanchester Way, Curry Rivel. (Agenda Item 14)**

***Proposal: Residential development of 30 dwellings.***

The Area Lead introduced the report, advising that since the application had been deferred in January 2015, further information had been submitted by the applicants, which had been circulated to consultees. He referred to the comments of the SSDC Engineer which acknowledged the calculations would be a betterment of the current

drainage situation but had also suggested that silt traps would be beneficial before water reached the attenuation pond.

It was noted further letters from residents had been received reiterating comments already raised. He summarised the points in the representations including closure and lack of local amenities. He noted that reference had been made to an attenuation pond at Farm Drive in Somerton not being maintained, however he noted lack of maintenance at a different site was not a reason to refuse this application. It was noted the parish council had been unable to meet during the latest consultation period, but they had been encouraged to formulate comments by other means. He acknowledged there were clearly concerns locally regarding drainage but the opinion of consultees was that drainage could be catered for adequately at the site

The Committee were then addressed by Mr R Crowley (on behalf of Curry Rivel Parish Council), Mrs A Higson, Mr S Wild, Mr J Youé, Mr K Wilce, Mr G Higson, Mrs W Collins and Mrs T Drake, who all spoke in objection to the application, Their comments included:

- Concern about the amount of maintenance required for the attenuation pond / drainage system, the associated costs and who would pick up the bill?
- Don't understand the justification for the development as minimal benefits to building on the land.
- Emerging Local Plan states only modest development for Curry Rivel, is 30 houses really modest.
- Local amenities like the Post Office and fuel garage are due to close in the near future.
- Disappointed at scale and density of the development, houses have small gardens and are not in keeping with a rural setting. Will contribute little visually. Dwellings appear to be of an urban town design.
- 1 in 100 year flooding seems to be used as basis for calculations, but the flooding events shown in the presentation have happened over the last three years.
- Developer has made no secret that this is just phase 1 of development in this area and has made reference to future phases.
- A phase 2 would probably be for a further 30 houses. Proposal seems to be against policy and feel there should be a legal agreement for no further development.
- There needs to be funding for changes to the road network and to improve safety at Stanchester Way if development goes ahead.
- Still concerned about drainage and the attenuation pond, who will actually own it and be responsible for it? Consider the pond at Farm Drive in Somerton to have totally failed.
- Some documentation about SUDs in general suggested attenuation ponds only had a life of 25 years and degradation of construction materials may shorten that lifespan.
- Main reason for objecting to the proposal is due to flooding following heavy rainfall.

Mr S Collier, agent, commented that the applicant understood concerns raised by locals but as consultees had mentioned, previous flooding incidents had not been caused by this development. He explained briefly how the pond/attenuation scheme would work and that it would provide a 20% betterment to the current greenfield site. It was noted the culvert lower down was the responsibility of Somerset County Council. Reference was made to policy SS2 and that officers were satisfied this was a suitable site.

Ward member, Councillor Terry Mounter, noted that we had stick to policy. He found it hard to understand why the reason for refusal stated in the officer report for planning application 14/04863/OUT (a planning application to be considered later on the agenda), did not also apply to this application. As a civil engineer by trade, he had looked carefully at the attenuation details and disputed the capacity stated and felt it was less. Referring to his calculations and figures he felt the measures proposed were inadequate. It was noted that SCC Highways had a budget for 2015-16 to address the existing flooding situation. He commented it was accepted there needed to be robust reasons for refusal but felt it we could not support our own policy why have it. He proposed refusal of the application by reason of contrary to saved policies ST3, 5 and 6, failure to respect the reviews of local residents and inaccuracies about figures for attenuation.

During discussion, varying views were expressed, with several members expressing concern about future maintenance of the attenuation system. Comments included:

- Information provided by experts indicated drainage measures proposed were adequate.
- Application deferred twice to get more information
- Acknowledge concerns about future maintenance of the pond
- Think design is bad and not satisfactory, uninspired design and doesn't have very much character,
- If it goes to appeal the officers will need some good reasoning to defend. If at appeal it's possible a lot of the concerns raised by objectors might be discounted.
- Have listened carefully to comments raised by objectors who have backed up their comments with reasoning and facts.
- Who will be funding the maintenance of the attenuation scheme and where are the guarantees?
- Aware of Farm Drive in Somerton situation and cannot support the application if a similar situation may arise
- Feel proposal is overdevelopment and no guarantees that the affordable housing will be for local people.
- With the impending loss of village facilities, struggling to see the sustainability – feel losing more than gaining.
- Attenuation ponds if designed correctly required little maintenance

Responses made by the Area Lead and Principal Engineer to comments made included:

- The attenuation pond was designed to have a permanent wet pool, but the pond was likely to be predominantly empty most of the year
- Government was changing policy and saying management companies are an acceptable way forward regarding maintenance.
- Lack of certainty about future maintenance is difficult to take to appeal.
- A management company would probably put a charge on each property
- Ward member's proposal for refusal should also consider policies SD1, SS2 and EQ2 of the emerging Local Plan, which is recommended to be agreed in just over a week (from the committee meeting)
- Difficult to refuse application on technical grounds, as the application had been deferred twice for more information and consultees had indicated drainage proposals were OK

The Locum Planning Solicitor clarified that detail for maintenance of the attenuation scheme was conditioned.

As it had already been proposed and seconded to refuse the application, the in depth wording of the reasons for refusal was discussed. The proposal put forward to the vote was to refuse the application for the following reasons:

- 1 Siting design and lack of private amenity space represents an unwelcome and unwanted extension of development into the open, rural edge of the village which fails to respect the established character and appearance of the settlement and immediate setting, As such the proposal is contrary to saved policies ST3, ST5 and ST6 of the South Somerset Local Plan (2006), emerging policies SD1, SS2 and EQ2 of the South Somerset Local Plan 2006-2028 and the policies contained within the NPPF.
- 2 It has not been demonstrated that the proposed drainage arrangements would adequately address the surface water flows that would result from the development. As such the proposal is contrary to saved policy EU4 of the South Somerset Local Plan (2006), policy EQ1 of the South Somerset Local Plan 2006-2028 and the policies contained within the National Planning Policy Framework.

On being put to the vote the proposal to refuse the application was carried 8 in favour, 0 against with 2 abstentions.

**RESOLVED:** That planning application 14/03154/FUL be REFUSED, contrary to the officer recommendation, for the following reasons:

Refused contrary to officer recommendation of the grounds that:-

1. The proposal by reason of its siting, design and lack of private amenity space represents an unwelcome and unwanted extension of development into the open, rural edge of the village which fails to respect the established character and appearance of the settlement and immediate setting. As such the proposal is contrary to saved policies ST3, ST5 and ST6 of the South Somerset Local Plan (2006), emerging policies SD1, SS2 and EQ2 of the South Somerset Local Plan 2006-2028 and the policies contained within the National Planning Policy Framework.
2. It has not been demonstrated that the proposed drainage arrangements would adequately address the surface water flows that would result from the development. As such the proposal is contrary to saved policy Eu4 of the South Somerset Local Plan (2006), policy EQ1 of the South Somerset Local Plan 2006-2028 and the policies contained within the National Planning Policy Framework

*(Voting: 8 in favour of refusal, 0 against, 2 abstentions)*

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**170. Planning application 14/05389/FUL - Land adjacent Moor House, Church Lane, Long Load. (Agenda Item 15)**

***Application proposal: The erection of a dwelling and formation of vehicular access.***

The Area Lead updated members that the officer report included two reasons for refusal. The second reason had been included by mistake, and if members were minded to accept the officer recommendation for refusal of the application, the second reason should be disregarded. He then went on to present the application as detailed in the agenda. It was noted that the application site was not immediately adjacent to the main form of the village. The applicant was citing a benefit of the development was the provision of allotments, but this was not considered to be an acceptable benefit in planning terms, and so the officer recommendation was for refusal.

Mr M English, addressed members as the representative for Long Load Parish Council, and his comments included that planning was not all about rules. The applicants had lived in the area for many years and were looking to downsize in retirement. Residents of the nearby caravan park would benefit from the gift of outside space for allotments. The parish council supported the proposal and wanted the benefit of the allotments. He acknowledged the drainage concerns raised by nearby residents.

Mr P Dance, agent, considered the application site to be adjacent to the main village and not in open countryside. He noted the allotments were wanted by the village and that drainage would be a matter for conditions. He invited members to approve the application.

Ward member, Councillor Patrick Palmer, commented that seeking planning permission on this site had been going on for a long time. Issue of the allotments had come to the fore, some might feel they are planning gain or others may consider differently. The site was a derelict plot and not an encroachment of agricultural land as stated in the report. He acknowledged the concerns of a neighbour regarding drainage.

Ward member, Councillor Graham Middleton, noted the plans had been discussed long and often by the parish council and they considered it was acceptable to build on the site. The fact the parish council would get something for the village was advantageous.

The Area Lead advised members that the provision of allotments by a Section 106 planning obligation was flawed, and that it might be more appropriate for a unilateral agreement.

During discussion most members indicated their support for the application. Comments made by members included:

- The proposal was not loss of agricultural land
- Supportive of approval but drainage must be conditioned
- Could the provision of allotments be made through a simple written agreement?
- Need to make sure allotments were tied up as legally as possible

In response to comments made, the Locum Planning Solicitor advised that Section 106 rules were in place for allotments. In legal terms the simplest way forward was for the applicant to enter a legal agreement directly with Long Load Parish Council and for the provision of allotments not to form part of any proposal to approve the application. The Chairman asked Mr English of Long Load Parish Council if he felt the applicant would be willing to enter an agreement as described by the Locum Planning Solicitor – his response was positive.

As members were minded to approve the application, the Area Lead suggested wording for justification would include the bringing forward of a smaller unit of accommodation and facilitating the provision of allotments, and as such complies with policy SS2 of the



emerging Local Plan. Conditions would be required for time limit, approved plans, materials and drainage.

It was proposed to approve the application, contrary to the officer recommendation, for the reason and conditions as suggested by the Area Lead. On being put to the vote, members voted unanimously in favour of approving the application.

**RESOLVED:** That planning application 14/05389/FUL be APPROVED, contrary to the officer recommendation, subject to the following:

**Justification:**

The proposal would provide a needed smaller unit of accommodation and facilitate the provision of allotments. As such the proposal complies with policy SS2 of the South Somerset Local Plan 2006-2028 and the policies contained within the National Planning Policy Framework.

**Conditions:**

1. Time limit
2. Approved plans
3. Materials
4. Drainage

*(Voting: Unanimous in favour)*

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**171. Planning application 14/05319/FUL - Land adjoining Woodside, Montacute Road, East Stoke. (Agenda Item 16)**

***Application proposal: Demolition of existing nursery buildings and erection of 11 houses and associated access works (revised scheme).***

The Planning Officer updated members that with reference to the section 'Highway Safety' in the agenda report, the required revised layout plan had now been received and was acceptable to the Highway Authority and hence the reference numbers of the relevant plans in conditions 2 and 5 would need to be amended accordingly if members were minded to approve the application. It was also suggested that an amendment be made to condition 15 regarding windows and openings above first floor level on the east elevation specifically to plot 10.

The application was presented to members, and the planning officer highlighted the key considerations and issues of concern raised locally.

Mr M Langdon spoke in objection to the proposal, commenting that he was not against development but did have concerns about access due to lorries delivering to the shop, and the traffic and parking associated with Stanchester School. He highlighted that no planting was proposed against the boundary of the affordable housing, and questioned why the affordable housing element was to be built of brick and not stone like the rest of the development. Reference was also made to communications with the SSDC Housing Policy Team and the varying change of stance in their responses.

Mr S Travers, agent, noted the site was brownfield and couldn't really be seen from the road. It was in a sustainable location close to a shop, school and bus stop and only a few

miles from Yeovil. It was known there was a need for a range of housing in the area. He noted the existing access was substandard and needed to be rebuilt.

During discussion several comments were raised by members including:

- Existing entrance needed to be changed
- Traffic calming in the locality would be welcomed locally
- Car park layout for the shop needed re-considering
- Statutory consultees had not raised objections
- Materials should be changed so that the affordable housing element was not so identifiable
- Affordable housing should not be singled out
- Discussion of traffic calming measures was not part of the application
- Some aspects of the design could be improved
- Agree with Landscape Officer that buffer zone to the north is essential

In response to a request from the Chairman, the agent clarified that the design of the affordable housing dwellings had been agreed by the social housing provider.

In response to comments made the Area Lead clarified that access into the shop car park and traffic calming could not form part of this application. He noted that condition 8 would provide for the rebuilding of the road into the site, and commented that it had often been the case that different materials were used for affordable housing but this did not in any way suggest they were of lesser quality, and that in many cases the interior specification was of a higher level than market housing.

It was proposed to approve the application, as per the officer recommendation, as detailed in the agenda report, subject to the amendments to conditions 2, 5 and 15 as mentioned at the start of the presentation. On being put to the vote the proposal was carried 9 in favour, 1 against with no abstentions.

**RESOLVED:** That planning application 14/05319/FUL be APPROVED, as per the officer recommendation, subject to the following:

*(For clarity the final conditions are detailed below)*

01. The prior completion of a section 106 planning agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to secure:-
  - (a) A contribution of £70,164 (or £6,379 per dwelling) towards offsite recreational infrastructure, to the satisfaction of the Assistant Director (Wellbeing) broken down as:
    - £41,695 for local facilities;
    - £17,750 for strategic facilities;
    - £10,024 as a commuted sum towards local services;
    - £695 as the Community Health and Leisure Service administration fee.
  - (b) At least 35% of the dwellings as affordable dwellings of a tenure that is acceptable to the Corporate Strategic

Housing Manager.

02. and the following conditions

**Justification:**

Notwithstanding the local concerns, by reason of the range of services and facilities to be found in the locality this is considered to be a sustainable location in principle for appropriate development. The erection of 11 dwellings on this site raises no substantive landscape, residential amenity, ecology, drainage or highway safety concerns and respects the setting of nearby heritage assets. As such the proposal accords with the policies of the emerging South Somerset Local Plan, the saved policies of the South Somerset Local Plan (2006) and the provisions of the National Planning Policy Framework.

**Subject to the following 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 3348/02 Rev C, 3348/22 Rev A and 3348/11 Rev A received 20/01/2015; and
- drawings numbered 3348/04, 3348/10, 3348/12, 3348/13, 3348/14, 3348/15, 3348/16 and 3348/21 received 26/11/2014.

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

03. No works shall be carried out unless particulars of the following have been submitted to and approved in writing by the Local Planning Authority;

- a) materials (including the provision of samples where appropriate) to be used for all external walls and roofs;
- b) full details of the new natural stonework walls, including the materials, coursing, bonding, mortar profile, colour and texture, to be provided in the form of a sample panel to be made available on site;
- c) details of the design, materials and external finish for all external doors, windows, boarding, openings and lintels;
- d) details of all roof eaves, verges and abutments, including detailed section drawings as appropriate, and all new guttering, down pipes and other rainwater goods, and external plumbing;

e) details of the surface material for the parking and turning area.

Reason: In the interest of visual amenity to accord with saved policies ST5 and ST6 of the South Somerset Local Plan 2006.

04. Before any of the development hereby permitted is commenced details of the internal ground floor levels of the dwellings to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the agreed details.

Reason: In the interest of visual amenity to accord with saved policies ST5 and ST6 of the South Somerset Local Plan 2006.

05. No development shall take place until a detailed scheme of landscaping, based upon drawing number 3348/02 Rev C, and which includes the retention or planting of tree species that will be beneficial to bats, has been submitted to and approved in writing by the local planning authority. The landscaping scheme shall include indications of all existing trees and hedgerows on and immediately adjacent to the site, 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 completion of the development. 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: To safeguard the rural character of the area and for the conservation of biodiversity to accord with saved policies ST5, ST6, EC7 and EC8 of the South Somerset Local Plan 2006.

06. No development shall take place until a scheme for the provision, including a timetable, and management of the communal amenity space has been submitted to and approved in writing by the local planning authority. The communal amenity space shall be provided and managed in accordance with the approved details.

Reason: To safeguard the rural character of the area to accord with saved policies ST5 and ST6 of the South

Somerset Local Plan 2006.

07. No removal of vegetation that may be used by nesting birds (trees, shrubs, hedges, bramble, ivy or other climbing plants) nor works to or demolition of buildings or structures that may be used by nesting birds, shall be carried out between 1<sup>st</sup> March and 31<sup>st</sup> August inclusive in any year, unless previously checked by a competent person for the presence of nesting birds. If nests are encountered, the nests and eggs or birds, must not be disturbed until all young have left the nest.

Reason: To avoid disturbance to nesting birds thereby ensuring compliance with the Wildlife and Countryside Act 1981, as amended by the CROW Act 2000, and in accordance with Policy EC8 of the adopted South Somerset Local Plan.

08. The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: In the interest of highway safety to accord with saved policy ST5 of the South Somerset Local Plan 2006.

09. No house hereby permitted shall be occupied until a properly consolidated and surfaced vehicular and pedestrian access to it has been provided in accordance with details which have been previously submitted to and approved in writing by the local planning authority.

Reason: In the interest of highway safety to accord with saved policy ST5 of the South Somerset Local Plan 2006

10. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: site construction access; the parking of vehicles of site operatives and visitors; loading and unloading of plant and materials; storage of plant and materials used in constructing the development; the erection and maintenance

of security hoarding including decorative displays and facilities for public viewing, where appropriate; wheel washing facilities; measures to control the emission of dust and dirt during construction.

Reason: In the interest of highway safety to accord with saved policy ST5 of the South Somerset Local Plan 2006

11. Demolition or construction works (including the operation of any machinery) and the delivery or despatching of any construction materials, shall not take place outside 0800 hours to 1800 hours Mondays to Fridays nor at any time on Saturdays, Sundays, Bank or Public Holidays.

Reason: In the interest of residential amenity to accord with saved policy ST6 of the South Somerset Local Plan 2006.

12. No development shall take place until details of all external road lighting and a timetable for its provision have been submitted to and approved in writing by the local planning authority. The external lighting shall be installed in accordance with the approved details and timetable and shall not be altered without the written agreement of the local planning authority.

Reason: In the interest of highway safety to accord with saved policy ST5 of the South Somerset Local Plan 2006

13. No work shall be carried out unless details of an acoustic barrier (to include details of siting, height, design and construction), to protect the amenities of occupiers of the new dwellings from disturbance from the adjacent retail unit, has been submitted to and agreed in writing by the local planning authority. The acoustic barrier shall be installed in full compliance with the agreed details prior to the first occupation of the dwellings hereby approved.

Reason: In the interest of residential amenity to accord with saved policy ST6 of the South Somerset Local Plan 2006.

14. Prior the dwelling identified as Plot 10 on the approved plans is first brought into use the first floor window within the east elevation shall be fitted with obscure glass (and fixed closed) and shall be permanently retained and maintained in this fashion thereafter.

Reason: In the interest of residential amenity to accord with saved policy ST6 of the South Somerset Local Plan 2006.

15. 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 additional windows/openings to that

permitted as part of this permission shall be constructed above first floor level within the east elevation of Plot 10, without the prior express grant of planning permission.

Reason: In the interest of residential amenity to accord with saved policy ST6 of the South Somerset Local Plan 2006.

*(Voting: 9 in favour, 1 against, 0 abstentions)*

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**172. Planning application 14/04863/OUT - Compton Randle, Castlebrook, Compton Dundon. (Agenda Item 17)**

*(Councillor Shane Pledger left the meeting prior to the following application being discussed. Cllr Derek Yeomans took the role of Chairman).*

***Application proposal: Outline application for the erection of single storey dwelling in the garden of Compton Randle.***

The Planning Officer presented the application as detailed in the agenda. She advised members that as other development had been approved in the area it was considered to be a sustainable location. It was noted the report had first been written some time ago and if members were minded to refuse the application it was recommended that reference to policy ST1 and the emerging plan were included in the reason.

Applicant, Mr L Wills, explained to members that the proposal would enable him to downsize, and referred to Somerset having a high, ageing population. He noted there was no hedge, an old OS map showed the site as an old orchard not farmland, and the lane already had houses along it. The site was surrounded on all sides by development and would not use land suitable for farming.

Ward member, Councillor David Norris commented it was quite a simple application and abutted the development of Compton Dundon.

Ward member, Councillor Pauline Clarke, concurred with her fellow ward member.

During a very brief discussion members expressed their support for the application. The Area Lead clarified that a couple of recent appeal decisions had deemed Compton Dundon to be a sustainable location, and there was local support for the current application. With members being minded towards approval, he suggested the justification should refer to the benefit, namely the provision of a modest bungalow and as such complies with policy SS2 and the NPPF. It was noted as all matters were reserved, conditions were only required for time limit, reserved matters, and the dwelling to be single storey.

It was proposed to approve the application, contrary to the officer recommendation, subject to the conditions as suggested. On being put to the vote, the proposal was carried unanimously.

**RESOLVED:** That planning application 14/04863/OUT be APPROVED, contrary to the officer recommendations, subject to the following:

**Justification:**

The proposal would provide a needed modest bungalow. As such the proposal complies with policy SS2 of the South Somerset Local Plan 2006-2028 and the policies contained within the National Planning Policy Framework.

**Conditions:**

1. Time limit
2. Reserved matters
3. Shall be single storey

Reason – To ensure that need cited in support of the proposal is delivered in accordance with policy SS2 of the South Somerset Local Plan 2006-2028.

*(Voting: Unanimous in favour)*

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**173. Planning application 14/05427/FUL - Somerton Hill Farm, Somerton Hill, Pitney. (Agenda Item 18)**

*(Councillor Roy Mills, having declared a personal and prejudicial interest, left the meeting prior to the planning application being presented)*

**Application proposal: Erection of a natural stone retaining wall to front of property with entrance wall and pillars.**

The Planning/Enforcement Assistant presented the application. He explained the reason for the recommendation of refusal, as detailed in the agenda report.

Ward member, Councillor David Norris, could see nothing wrong with the application and commented the primary reason the application was being considered at the meeting was because the site was along a B class road. Local people were happy to see improvements to the derelict site.

There being no further discussion, it was proposed to approve the application, as per the officer recommendation, and on being put to the vote was carried unanimously.

**RESOLVED:** That planning application 14/05427/FUL be APPROVED,,as per the officer recommendation, subject to the following:

**Justification:**

01. The proposed walls and pillars are of an appropriate design, detailing, and size that would have no adverse impact on visual or residential amenity, setting of the listed building, or highway safety. As such the proposal complies with polices ST5, ST6, and EH5 of the South Somerset Local Plan, policies SD1, EQ2, and EQ3 of the emerging Local Plan, and the policies contained within the NPPF.

**Subject to the following 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 (except where directed otherwise by the conditions below):

Site Location Plan (1:2500), received 10 December 2014

Site Location Plan (1:1250), received 10 December 2014

Block Plan (1:500), received 02 December 2014

Plan showing proposed wall against building elevation, received 18 December 2014

Plan showing proposed wall against grass bank/verge, received 10 December 2014

Section of proposed wall, received 02 December 2014

Reason: In the interests of proper planning and for the avoidance of doubt

03. There shall be no obstruction to visibility greater than 900 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 160 m either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times.

Reason: To safeguard highways safety in accordance with policy ST5 of the South Somerset Local Plan (2006) and policy EQ2 of the emerging Local Plan.

*(Voting: Unanimous in favour)*

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**174. Planning application 14/03171/DPO - Ex showroom/garage and land rear of Long Orchard, Water Street, Martock. (Agenda Item 19)**

***Application proposal: Application to modify a Section 106 agreement dated 20 May 2014 relating to housing development.***

The Area Lead presented the application as detailed in the agenda report. He highlighted that the layout was unchanged and the application was just to reduce the affordable housing element by two units overall but gaining a four bedroom house. Whilst regrettable, the applicant was entitled to a re-appraisal. The District Valuer had evaluated the proposal, and the officer recommendation was for approval.

Mr M Harding, agent, gave an overview of DCH – the Registered Social Landlord on this site. He noted the land had been obtained by Westco, a subsidiary of DCH, and any profit from market sales was gift-aided to DCH for affordable homes. The need for a four

bedroom house was support by the SSDC Housing Team, and options for tenure had been discussed with Yarlington. The changes requested would ensure the homes are affordable and deliverable.

Ward member, Councillor Patrick Palmer commented he had no issues with the application.

Ward member, Councillor Graham Middleton, felt there should only be a loss of one dwelling rather than two. It was known there was a local need with many people waiting for homes.

During a short discussion, comments raised included:

- Feel members are unable to make a decision without having sight of the financial papers
- Members needed to have faith in officers and the District Valuer to have considered the financial aspect fully.

In response to comments raised, the Area Lead highlighted the conclusion of the District Valuer, read aloud an extract from their report and explained briefly the benchmark figure.

It was proposed to defer the application for members to receive advice from the District Valuer. On being put to the vote the proposal was carried 6 in favour, 1 against with 1 abstention.

**RESOLVED:** That planning application 14/03171/DPO be DEFERRED for members to receive advice from the District Valuer.

*(Voting: 6 in favour, 1 against, 1 abstention)*

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Chairman