

## South Somerset District Council

**Draft Minutes** of a meeting of the **Area East Committee** held at the **Meeting Room, Churchfield Offices, Wincanton** on **Wednesday 11 March 2015**.

(9.00am – 3.15pm)

**Present:**

**Members:** Councillor Nick Weeks (Chairman)

Mike Lewis	Anna Groskop
John Calvert	Henry Hobhouse
Tony Capozzoli	Colin Winder
Nick Colbert	

**Officers:**

Anne Herridge	Democratic Services Officer
Adrian Noon	Area Lead (North/East)
Tim Cook	Neighbourhood Development Officer (East)
Sarah Hickey	Locum Planning Solicitor
Kirsty Larkins	Housing and Welfare Manager
Lee Walton	Planning Officer
Pam Williams	Neighbourhood Development Officer (East)
Steve Barnes	Play and Youth Facilities 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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### 176. Minutes of Previous Meeting (Agenda Item 1)

The minutes of the meeting held on 11<sup>th</sup> February 2015 copies of which had been circulated, were agreed and signed by the chairman.

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

Apologies were received from Cllrs Mike Beech, Lucy Wallace and William Wallace.

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

Cllr Mike Lewis advised that although he was a County Councillor, when financial matters were discussed at Area East Committee meetings, he would give priority to the needs of SSDC rather than SCC.

Cllr Anna Groskop, as a County Councillor reiterated the same comment as above.

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### 179. Public Participation at Committees (Agenda Item 4)

Mrs L Elson spoke about the adverse impact the hedge cutting programme was having on roads local to Holton as cuttings had been left on the road, several mature trees had been damaged during the process.

Mrs Elson advised the committee that the adverts that had been placed at Anchor Hill had finally been removed.

She was also concerned about HGV drivers who failed to observe the local traffic speed signs particularly at Blackford Gap, extra warning signs had been put up but some HGV drivers were still ignoring them

With reference to the comments a Planning Inspector had made regarding Cadbury Castle Mrs Elson wished to ensure that it was fully protected.

Cllr Mike Lewis said that County Highways had been out to Lower Woolston Road and had suggested a scheme to narrow the road in order to pinch point it but over £20,000 was required to carry out the work, as North Cadbury PC had already set the precept, they were understandably reluctant to put forward the funds.

Discussion then ensued regarding the bad state of some of the signs and the lack of information signs in the area. The Community Development Officer agreed to send an E Mail highlighting the issues to SCC Highways.

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#### **180. Reports from Members Representing the District Council on Outside Organisations (Agenda Item 5)**

There were no reports from members representing the District Council on Outside Bodies.

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#### **181. Feedback on Reports referred to the Regulation Committee (Agenda Item 6)**

There had been no recent meeting of the Regulation Committee.

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#### **182. Date of Next Meeting (Agenda Item 7)**

Members noted that the date of the next scheduled meeting of the Area East Committee will be held on Wednesday 8<sup>th</sup> April 2015 at Ansford Academy, Ansford, Castle Cary at 10.00am.

A special meeting will take place on Tuesday 31<sup>st</sup> March 2015 at Caryford Community Hall Maggs Lane, Ansford, Castle Cary at 6.30pm to discuss the planning application for Foxes Run Castle Cary.

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#### **183. Chairman Announcements (Agenda Item 8)**

A special meeting to consider the planning application at Foxes Run, Castle Cary has been arranged for the evening of Tuesday 31st March 2015 at Caryford Hall, Ansford at 6.30pm.

The next scheduled meeting of Area East Committee will be held at Ansford Academy, Castle Cary at 10.00 am on 8th April 2015.

As the Area Development Manger was off work it was agreed to defer Item 12 on the agenda as she had put a lot of hard work into the report.

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#### **184. Local Housing Needs in Area East (Agenda Item 9)**

The Housing and Welfare Manager presented the report as detailed in full in the agenda. She gave a full explanation of the different band categories used on the Homefinder Somerset register.

In response to questions she replied that:

- There were no 3 bedroomed properties currently empty within South Somerset although they do now take longer to let; people often struggle to afford a 3 bedroomed property, she had recently attended a meeting with YHG (Yarlington Housing Group) to address the issue;
- The allocation process for local need was often different and was dependant on what had been agreed within a S106 obligation;
- If there was a S106 obligation on a property and the registered partner had been unable to allocate to a family with a connection to the specific village or the neighbouring village the property would then be offered to someone living in South Somerset. The applicant would need to be on the Housing Register and this would be a last resort. The RP has to balance allocating the property to a local family and receiving an income stream,
- YHG had a dedicated officer who dealt with mutual exchanges but it was not a quick process;
- She would refer to the Strategic Housing Manager, the issue of the delivery of too many houses being made available in Wincanton all at the same time;
- She would feed back to the Homefinder Board the suggestion that preference should be given to keep extended families close together in order to be able to support each other;
- She would obtain figures of the number of people classed as homeless in Area East and a breakdown of what housing need there is, particularly in Wincanton;
- She would check that the S106 obligation had been adhered to when the properties were let at Sparkford. She explained that if there was a S106 obligation an applicant on the register in bronze band with a local connection as defined by the S106 obligation would take priority over an applicant in Gold with no local connection.
- She could confirm that of the 20 new affordable homes that had been available in Queen Camel, only one had been allocated to a person without a local connection to the village, but they did have a connection to South Somerset
- Members could rest assured that priority would not be given to persons living up North, all applicants would need a local connection to Somerset in order to allow mobility within the county.

In conclusion, members wished to ensure that local people were looked after and had the first choice of property, a review of the method used should be carried out in order to prioritise local need, suitable properties such as 1 bedroomed dwellings and bungalows were needed to enable local youngsters to remain in their locality and for the elderly and disabled.

The Chairman agreed that Cllr T Carroll could address the committee to explain that as the Local Plan had now been approved and the demand profile for housing had changed there was more scope to refresh strategic housing, feedback would be incorporated in any work carried out.

The Community Development Officer explained that parish and town councils do carry out surveys themselves to identify housing need.

The Chairman thanked the Housing and Welfare Manager for the report and commented that rural areas were very different to towns and needed to be treated differently than urban areas. He would take up the issue further at the next Area Chairs meeting.

**RESOLVED: That Members:**

1. Discuss matters of interest to the local area arising from the report and presentation.
2. Identify further information to be considered by the Area East Committee or other forum.

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**185. Provision of Minor Injury Services and Education Places in Wincanton (Agenda Item 10)**

This item was deferred until a time when the Area Development Manager was able to present the report.

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**186. Youth Update (Agenda Item 11)**

The Young Peoples Officer presented the self-explanatory report as detailed in full in the agenda.

In response to questions he responded that:

- Somerset Rural Youth was on a reasonably secure financial footing and contracts had been taken on to cover the next 3 years;
- It had been disappointing that after a lot of advertising there had been very little take up to join the youth club at Wincanton, however it was not totally negative as new things were being tried out and it was appreciated that a different approach was needed.

During discussion it was acknowledged that good volunteers, able to inspire the youngsters, were often the key to successful youth projects, however support from the professional staff of SSDC was also important and needed to continue. It was suggested that other organisations could be involved, although young people do not really want to be organised by adults.

The officers were thanked for their hard work in this field.

***RESOLVED: That Members note and comment on the report.***

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**187. Work Hubs - Executive Decision (Agenda Item 12)**

The Neighbourhood Development Officer (East) presented the report. She explained that as a building hosting public sector organisations, Churchfields was not necessarily an ideal venue to house a work hub. Although details of a scheme were still in the initial stages, members were asked to safeguard the funding of £8,000 until a more comprehensive report could be presented to the committee.

During discussion members were supportive of the recommendation at this stage and felt that the more people who could utilise the vacant space at Churchfield the better; however it was felt that the use of the building should be reviewed as a whole. They were advised that it was being actively marketed by an agent on behalf of SSDC but not advertised on Rightmove or other similar platforms.

In response, the Neighbourhood Development Officer said that at this stage the £8,000 should be used for the development of a work hub with the provision of some hot desking space within available accommodation at Churchfield offering the opportunity to test the potential demand. If a strong enough proposal could be developed corporate funds may also be sought.

In response to a request for an update on the future use and the marketing of Churchfield the Neighbourhood Development Officer confirmed that this would be provided together with a comprehensive report about Work Hubs to the June Committee.

Members unanimously approved the recommendation.

**RESOLVED:**

- (1) To allocate £8,000 from the Members Discretionary Budget ring fenced to support the development of work hubs in Area East, pending the bringing back of a worked up proposal to the Committee in June 2015.

(Voting: Unanimous in favour)

Reason: to allocate funds to support the development of a work hub in Area East.

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**188. Marketing (Agenda Item 13)**

It was agreed to defer this report for further discussion regarding marketing and work hubs in a report to be presented to members in June 2015.

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**189. Area East Committee Forward Plan (Agenda Item 14)**

Members noted that the reports on Work Hubs, Marketing of Area East and an update on the future use and the marketing of Churchfield should be presented to members in June/July 2015.

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**190. Items for information (Agenda Item 15)**

**NOTED**

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**191. Schedule of Planning Applications to be Determined by Committee (Agenda Item 16)**

## 192. Planning Application 14/01958/ FUL Long Hazel - Erection of 28 No. dwelling houses and 1 No. Commercial Unit (Agenda Item 17)

The Area Lead East presented the report as detailed in the agenda and gave several updates including:

- A comment that had been received from Sparkford PC to say there were no comments to the amended plans;
- An additional condition that was to be added to the report regarding a programme of archaeological work/investigation;
- An amendment to the figures quoted on page 30 of the report that should now read:

**Leisure Policy:** seek a contribution of £152,455 (£5,445 per dwelling) towards towards the increased demand for outdoor playing space, sport and recreation facilities should the scheme be approved as follows:

- £94,973 for local facilities, to go towards enhancing off-site equipped play provision and youth facilities at Sparkford Playing Field and changing room provision at Sparkford Cricket Club and towards the enhancement of Sparkford Village Hall;
- £39,929 for strategic facilities, to go towards theatre provision and an indoor tennis centre in Yeovil, , artificial pitches and swimming pool provision in Wincanton and a new sports hall;
- £17,553 as a commuted sum towards local services;

With the aid of a power point presentation the officer showed the plans and amended layout, he explained that policy SS2 of the emerging local plan was relevant to Sparkford and his recommendation was to approve the application.

Mr J Crawford of Sparkford PC explained that while there was support for the commercial unit there was concern about the impact the extra dwellings would have on the local sewage system and felt that there was no identified need for more housing in Sparkford.

Mr Piper spoke in support of the application; he explained how the business needed more space to be able to continue, and by having a larger business unit they would be able to expand and add to their staff and take on apprentices

The agent Mr C Winter urged members to approve the application which would include low cost home ownership and maintain job opportunities.

Ward Member Cllr Mike Lewis said housing should be secured for local people now that the Local Plan had been adopted. He was concerned about the sewage that currently came down from the local private school once it re-opened after the long summer holiday closedown and effected local residents. Wessex Water had been unable to resolve that situation. Cllr Lewis suggested that a letter should be sent to Wessex Water on behalf of AEC highlighting concerns about the sewage system in Sparkford. In conclusion he welcomed the expansion of the business and he felt that it would be unreasonable to object to the application.

During discussion varying views were expressed including:

- Concerned about the impact any additional noise from the commercial unit would have on the nearby dwellings;
- A lower level of social housing was required;
- Affordable dwellings should be split into rented and shared ownership to help local young people
- Supported the expansion of the local business.

A proposal was made and seconded to approve the application as per the officer's recommendation, to include in the S106 obligation that at least 35% of the dwellings were affordable dwellings and to be available, initially, to those with a local connection, as either rented or intermediate options. If not taken up they should be offered in the first instance as intermediate options (shared ownership/affordable rent) with any untaken units being offered at social rent. A letter to also be sent to Wessex Water highlighting concerns about the sewage system to include input from the Ward Member and the chairman of AEC.

On being put to the vote the motion was unanimously carried in favour.

**RESOLVED:**

That application reference 14/01958/FUL be approved as per the officers recommendation subject to the prior completion of a section 106 planning obligation (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 £152,455 (£5,445 per dwelling) towards offsite recreational infrastructure, to the satisfaction of the Assistant Director (Wellbeing) broken down as:
  - £94,973 for local facilities, to go towards enhancing off-site equipped play provision and youth facilities at Sparkford Playing Field and changing room provision at Sparkford Cricket Club and towards the enhancement of Sparkford Village Hall;
  - £39,929 for strategic facilities, to go towards theatre provision and an indoor tennis centre in Yeovil, , artificial pitches and swimming pool provision in Wincanton and a new sports hall;
  - £17,553 as a commuted sum towards local services;
- (b) At least 35% of the dwellings as affordable dwellings of a tenure that is acceptable to the Corporate Strategic Housing Manager.

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 28 dwellings and a commercial unit would provide employment opportunities, make provision for enhancements to community facilities and would contribute to the supply of local housing without undue impacts in terms of landscape, residential amenity, ecology, drainage or highway safety impacts and would respect the setting of nearby heritage assets. As such the proposal accords with the policies of the

South Somerset Local Plan 2006 - 2028 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 (except where directed otherwise by the conditions below):

- Site location plan – 2878/110A received 28/01/15
- Proposed layout – 2878/100 C received 06/02/15
- Landscape proposal - 633-01B received 05/02/15
- drawing numbers 2878/101B; 2878/102B; 2878/103B; 2878/104B; 2878/105B; 2878/106B; 2878/108A; 2878/109A; 2878/111A; 2878/112A; 2878/113A; 2878/114A; 2878/115A; 2878/116A; 2878/117A; 2878/118A; 2878/119A; 2878/120A; 2878/122A received 16/01/15.

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

03. No development hereby approved 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) details of the design, materials and external finish for all external doors, windows, boarding, openings and lintels;
- c) details of all roof eaves, verges and abutments and all new guttering, down pipes and other rainwater goods, and external plumbing;
- d) details of all hard surfacing and boundary treatments.

Once approved such details shall be implemented as part of the development unless agreed otherwise in writing by the local planning authority.

Reason: In the interest of visual amenity in accordance with policy EQ2 of the South Somerset Local Plan 2006-2028.

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 in accordance with policy EQ2 of the South Somerset Local Plan 2006-2028.

05. The development shall be carried out in accordance with the landscaping shown on drawing 633/01B. All planting, seeding, turfing or earth moulding shown on this



approved plan shall be carried out in the first planting and seeding season following the completion of the relevant part 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 policies EQ2 and EQ5 of the South Somerset Local Plan 2006-2028.

06. The development hereby permitted shall not commence unless a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include construction operation hours, construction vehicular routes to and from site, construction delivery hours, car parking for contractors and specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice. Once approved the development shall be carried out in accordance with the approved Construction Management Plan.

Reason: To safeguard the amenities of the locality in accordance with Policy EQ2 of the South Somerset Local Plan 2006-2028.

07. No development hereby approved shall commence until a detailed surface water drainage scheme for the site, generally in accordance with the submitted Flood Risk Assessment by Gary Gabriel Associates has been submitted to and approved in writing by the local planning authority. Such scheme shall include measure to prevent the run-off of surface water from private plots onto the highways. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

Reason: To ensure the development is properly drained in accordance with policy EQ1 of the South Somerset Local Plan 2006-2028 and the provisions of the National Planning Policy Framework

08. No development approved by this permission shall be occupied or brought into use until a scheme for the future responsibility and maintenance of the surface water drainage system has been submitted to and approved by the Local Planning Authority. The approved drainage works shall be completed and maintained in accordance with the details agreed.

Reason: To ensure the development is properly drained in accordance with policy EQ1 of the South Somerset Local Plan 2006-2028 and the provisions of the National Planning Policy Framework

09. No removal of any hedge (or part thereof) shall be undertaken until a Method Statement detailing precautionary measures for the avoidance of harm to dormice has been submitted to and approved in writing by the local planning authority. All hedge removal shall be undertaken in full accordance with the approved Method Statement unless otherwise approved in writing by the local planning authority.

Reason: For the conservation and protection of species of biodiversity importance in accordance with policy EQ4 of the South Somerset local Plan 2006-2028.

10. 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: For the conservation and protection of species of biodiversity importance in accordance with policy EQ4 of the South Somerset local Plan 2006-2028.

11. Prior to the commencement of the dwellings hereby approved details of measures for the enhancement of biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be implemented in accordance with the approved details unless otherwise approved in writing by the local planning authority.

Reason: For the conservation and protection of species of biodiversity importance in accordance with policy EQ4 of the South Somerset local Plan 2006-2028.

12. The proposed access shall be constructed in accordance with details shown on the submitted plan, drawing number Transport Statement Figure 3.1, and shall be available for use before any commencement on site. Once constructed the access shall be maintained thereafter in that condition at all times.

Reason: In the interests of highways safety in accordance with Policy TA5 of the South Somerset Local Plan 2006-2028.

13. 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 interests of highways safety and to safeguard the visual amenities of the locality in accordance with policies EQ2 and TA5 of the South Somerset Local Plan 2006-2028.

14. The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

Reason: In the interests of highways safety in accordance with Policy TA5 of the South Somerset Local Plan 2006-2028.

15. The areas allocated for parking and turning on the submitted plan, drawing number 2872/100C, 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 highways safety and to safeguard the residential amenities of the locality in accordance with policies EQ2, TA5 and TA6 of the South Somerset Local Plan 2006-2028.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), the use of any garage hereby permitted, as part of this development shall not be used other than for the parking of domestic vehicles and not further ancillary residential accommodation, business use or any other purpose whatsoever.

Reason: In the interests of highways safety and to ensure that adequate parking provision is maintained in accordance with policies TA5 and TA6 of the South Somerset Local Plan 2006-2028.

17. All the recommendations of the Approved Travel Plan shall be implemented in accordance with the timetable therein. Thereafter the development shall operate the Approved Travel Plan or any variation of the Travel Plan agreed in writing by the Local Planning Authority.

Reason: In the interests of promoting sustainable development in accordance with the provisions of the National Planning Policy Framework

18. At the proposed access there shall be no obstruction to visibility greater than 300 millimetres above adjoining road level within the visibility splays shown on the submitted plan, drawing number Transport Statement Figure 3.1. Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of highways safety in accordance with Policy TA5 of the South Somerset Local Plan 2006-2028.

19. The commercial building hereby approved shall only be used for purposes of a vehicle upholstery business or for uses falling within B1 or B8 of the Use Classes Order.

Reason: In the interests of residential amenity in accordance with policy EQ2 of the South Somerset Local Plan 2006-2028.

20. No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

Reason: In the interests of protecting heritage assets and in accordance with paragraph 141 of the NPPF.

Members also requested that a letter be sent to Wessex Water highlighting concerns about sewage system in Sparkford. The wording to be agreed by the Ward Member and the chairman of AEC; the latter to sign.

(Voting: Unanimous in favour)

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**193. Planning Application 14/05052/FUL - Land OS 3432, Sparkford - Residential development of 11 dwellings (Agenda Item 18)**

On behalf of his colleague, the Area Lead East presented the report as detailed in the agenda. He provided members with several updates including:

- A letter from the owner of the nearby caravan park regarding the close proximity of proposed plots 1 & 2 to their private residence and proposed Plot 8 which would leave the caravan park vulnerable to the elements during the winter months due to lack of screening; and concern that access to the caravan park would be obstructed.
- Sparkford PC raised concerns about highway and safety issues and access between the site and the High Street; drainage issues in particular sewage in the village, the site was also considered unsuitable for development because of noise from the nearby A303.

The Area Lead East stated that at least 35% of the dwellings would be affordable homes; that detail had been missed from the planning report. It was proposed that the terrace of four would probably be affordable. With the aid of a power point presentation the officer showed the site and proposed plans, he confirmed that the recommendation was to approve the application as detailed in the report and to include at least 35% affordable dwellings.

Mr J Crawford of Sparkford PC informed the committee that Sparkford did not need any more low cost housing, there was concern regarding flooding, screening from the site and, access to the High Street. He suggested that if approved the S106 obligation should include funding for the bus service, a new footpath and pavement to the public house.

Mr Ryan and Mr Allan both spoke in opposition to the application and raised concern that by building more properties the sewage /drainage problem would become worse, the development would be contrary to SS2, there was no local support for this application and no benefit to the community

The agent Mr Sinclair advised that included in the development would be a water scheme to alleviate run off from the site, there would be various dwelling types and local materials would be used.

Ward Member, Cllr Mike Lewis advised that although SCC Highways had considered there were no traffic impact grounds to refuse the application, local residents were very concerned about the traffic and the effect the parked cars along the High Street would have. Cllr Lewis was concerned about the access and egress into and out of the site, he also felt the footpath should be enhanced and the issues raised regarding drainage needed to be dealt with.

During discussion varying views were expressed, including:

- Wessex Water should advise the developer regarding the drainage system which was currently of concern to local people .and they should be accountable and address the issues;
- It appeared that there were currently no local applicants for social housing in Sparkford;
- Local people with local knowledge should be able to decide on an application rather than an inspector making a decision as a result of an appeal.;
- The drainage issues should be addressed before any decision was made;
- If approved, assurance would be required to ensure that Wessex Water upgraded the foul water system in the village;
- Screening would have to be appropriate due to the noise from the A303.

In response to queries the Area Lead East replied that:

- The height of the nearest dwelling would be no more than 5 meters and should not be an issue to the holiday park;
- The applicant did not have control of the land to provide a continuous footpath;
- The application was ready to be determined;
- The main road was 5 meters wide and SCC had not identified a need for a zebra crossing.
- The current sewerage system was adequate for users, the recurring problem happens when the nearby Hazelgrove School re-opened after the long summer holiday shutdown;
- Enquiries could be made to Wessex Water regarding what plans they may have to address the problems with the system; however any work regarding their part of the infrastructure would be dealt with under their legislation and was not a planning matter. If approved, condition 03 in the report would secure the detail.

As there were no objections, the Chairman agreed to allow Cllr Tim Carroll to address the committee. Cllr Carroll suggested that representation was made to the appropriate agency regarding the drainage issues. With reference to the application he suggested that members question whether this application complied with policy SS2 and whether there was the need for more affordable homes in Sparkford.

A proposal was made and seconded to refuse the application contrary to the officer's recommendation as it did not comply with policies SS2 and SS5. Together with other development in Sparkford, this application would not be appropriate with the scale and character of the settlement, there was no general community support, and there would be no benefits in terms of employment opportunities.

It was suggested that the appropriate agency should be consulted about the foul water drainage issue that had been demonstrated as inadequate within Sparkford.

On being put to the vote the motion was carried by 6 votes in favour and 1 vote against.

**RESOLVED** That Planning Application14/05052/FUL be refused contrary to the officer's recommendation for the following reason:

The proposal for 11 dwellings, cumulatively with other development in Sparkford, would not be commensurate with the scale and character of the settlement. The proposal, for which there is not general community support, would not bring forward benefits in terms of employment opportunities; housing to meet identified local need or enhancements to

community facilities that would increase the sustainability of Sparkford. As such the proposal is contrary to policies SS2 and SS5 of the South Somerset local Plan 2006-2028.

(Voting:6 in favour:1 against)

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#### **194. Planning Application 14/05472/FUL Sutor Farm (Agenda Item 19)**

The Planning Officer presented the report as detailed in the agenda. He provided members with the following updates

- The Landscape Officer who with, additional landscape evidence considered the impact was now less than moderate adverse;
- A slight amendment to the wording of proposed condition 09 approved planting to be carried out in the immediate planting season following commencement of development;
- Additional conditions to agree where concrete bases for panels were to be used and a requirement for additional offsite planting.

With the aid of a power point presentation the officer showed the site layout, a drawing from the agent showing additional planting to break up the views from the site and an overhead map showing the cumulative sites. He confirmed that the recommendation was to approve the application.

Mr B Jackson and Mrs L Elson both spoke in objection to the application, if this was approved Mr Jackson would be able to see all 3 solar parks from his house he considered it better to put solar panels on the roofs of dwellings rather than agricultural land. Mrs Elson was concerned on behalf of CPRE (Campaign to Protect Rural England) that the unique view of the area would be spoilt, and walkers would be upset that the park would cross the footpath.

The agent Mr Carpendale said that metal spikes would be used instead of concrete bases; there was no public footpath across the site and the land was Grade 4. The other sites were unobtrusive and the views to this site were limited, a mix of trees would be planted.

Ward Member Cllr Nick Colbert was concerned about the cumulative impact and would prefer to see hydro-electric power.

Ward Member Cllr Colin Winder had visited the site and did not think the park would impact the view he also confirmed that Wincanton Town Council were not quire unanimous in favour of the application. He proposed to approve the application.

During discussion varying views were expressed including:

- Would prefer to see panels on dwellings with energy direct to users;
- Preferred this application as opposed to one for wind turbines.

In response to queries the Area Lead East replied that there was no reason to doubt proposed condition 02 that the land would be restored to its former condition within 25years of the date of permission. If the ground was poor some panels may need to be placed on concrete for stability and a condition would be added to cover that. Another additional condition could be added to ensure extra offsite planting.

The proposal to approve the application was seconded and on being put to the vote the motion was carried 4 votes in favour and 3 abstentions.

**RESOLVED:** That Planning Application 14/05472/FUL be approved as per the officer's recommendation for the following reason:

01. Notwithstanding local concerns it is considered that the benefits in terms of the provision of a renewable source of energy, which will make a valuable contribution towards cutting greenhouse gas emissions, outweigh the limited impact of the proposed PV panels on the local landscape character and heritage assets. As such the proposal accords with the Government's objective to encourage the provision of renewable energy sources and the aims and objectives of the National Planning Policy Framework, and Policies SD1, EQ1 and EQ2 of the South Somerset Emerging Local Plan, and policies ST3, ST5, ST6, EC3, EC7, EH5, EH11, EH12 and EP3 of the South Somerset Local Plan 2006.

**SUBJECT TO THE FOLLOWING:**

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 removed and the land restored to its former condition within 25 years of the date of this permission or within 6 months of the cessation of the use of the solar farm for the generation of electricity, whichever is the sooner, in accordance with a restoration plan to be submitted to and approved in writing by the local planning authority. The restoration plan will need to include all the works necessary to revert the site to open agricultural land including the removal of all the structures, materials and any ancillary equipment which shall be removed from the site.

Reason: In the interests of character and appearance further to policy ST5, ST6 and EC3 of the South Somerset Local Plan and EQ2 of the Emerging Local Plan, and the NPPF.

03. Prior to the commencement of development a construction traffic management plan providing details on staff numbers, movement areas for parking and turning, the delivery of the photovoltaic panels and equipment to the site, specifically identifying proposed access routes shall be submitted to and approved in writing by the Local Planning Authority and fully implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan, Policy EQ2 of the emerging local plan, and the NPPF.

04. Before construction of the development hereby permitted commences, a properly consolidated and surfaced access shall be constructed (not loose stone or gravel) details of which shall have been submitted to and approved in writing by the Local Planning Authority. The access shall be constructed in accordance with the agreed design and shall be maintained in the agreed form thereafter at all times for the life of the development.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan, Policy EQ2 of the emerging local plan, and the NPPF.

05. A Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan, Policy EQ2 of the emerging local plan, and the NPPF.

06. Prior to the commencement of development a parking plan for the site and site compound shall be submitted to and agreed in writing by the Local Planning Authority, to ensure parking does not exceed the proposed level and associated traffic generation expected for this development.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan, Policy EQ2 of the emerging local plan, and the NPPF.

07. The development permitted by this planning permission shall be carried out in full accordance with the approved Flood Risk Assessment (FRA) JBA Consulting November 2014 (version 1) and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the 1 in 100 year climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
2. Provision of compensatory flood storage on the site to a 1 in 100 year climate change.

Reason: To prevent flooding by ensuring there is no increased surface water run-off from the site, and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided further to policy ST5 and ST6 of the South Somerset Local Plan, and NPPF.

08. The development hereby permitted shall be carried out in accordance with the following approved plans: 12073-1 Rev c; WSP-0091-GA-600-ST234 Rev C, DNOC SEP-131004-roo, and 1014/PL10 received 9 December 2014.

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

09. The approved planting scheme (drawing 1014/PL10 received 9 December 2014) shall be implemented in the immediate planting season, November 2014 - mid March 2015; 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 and landscape character further to policy ST6 and EC3 of the South Somerset Local Plan, and the NPPF

10. No means of external illumination/lighting shall be installed within the site, unless otherwise agreed in writing by the Local Planning Authority.



Reason: In the interests of landscape character and visual appearance further to policy EC3, ST5 and ST6 of the South Somerset Local Plan, Policy EQ2 of the emerging local plan and the NPPF.

11 Prior to first operational use of the development hereby permitted the extent and precise location of the use of concrete bases for the solar arrays following their provision on site as part of the permitted development shall be submitted in writing to the Local Planning Authority

Reason: In the interests of character and appearance further to policy EQ2 of the South Somerset Local Plan 2006-2028 and the NPPF.

12. The development hereby approved shall not become operational until a scheme of off-site landscaping along the eastern boundary of the site has been implemented in accordance with details to be submitted to and approved in writing by the LPA prior to the commencement of development. Any trees or plants which within a period of 5 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 landscape character and visual appearance further to policy EQ2 of the South Somerset Local Plan, and the NPPF.

Informatives:

01. Where works are to be undertaken on or adjoining the publicly maintained highway, a licence under Section 171 of the Highway Act 1980 must be obtained from the Highway Authority. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services. The applicant should be advised that at least seven days before access works commence the Highway Service Manager must be consulted. Under Section 59 of the Highways Act 1980 allows the Highway Authority to recover certain expenses incurred in maintaining highways, where the average cost of maintenance has increased by excessive use. The condition survey will be used as evidence should damage to the highway network occur during the construction phase of the development.

(Voting: 4 in favour: 3 abstentions)

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**195. Planning Application 15/00407/DPO Land North Of Coombedene Coombe Hill Keinton Mandeville - Application to discharge a Section 106 Agreement (Agenda Item 20)**

The Area Lead East presented the report on behalf of his colleague as detailed in the agenda report. He explained that the application was for AEC members to consider because the government had removed the tariff based contributions from small developments and the applicant was not agreeable to making the contributions.

Ward Member Cllr John Calvert proposed that this application should be deferred for further negotiation to ask the applicant to retain the local component of the sports, arts and leisure contributions.

The motion was seconded and on being put to the vote was carried by 6 votes in favour and 1 against.

**RESOLVED:** That Planning Application 15/00407/DPO be deferred for a formal request to be put to applicant to retain the local component of the sports, arts and leisure contributions.

(Voting:6 in favour; 1 against)

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**196. Planning Application 15/00070/FUL - Riding Gate, S. Trister - Variation of configuration of acoustic barrier (Agenda Item 21)**

The Planning Officer presented the application as detailed in the agenda with the aid of a power point presentation showed drawings and levels of the height of the proposed bund compared to the roadway.

The office advised that there was a slight amendment to proposed condition 02 which should now read: *The development hereby permitted shall be carried out in accordance with the following approved plans numbered 2088-1B Revision B received 08/01/2015, DLA.1621.L001.01 Rev D received 23/02/2015 and Sections Plan received 27/02/2015.*

In response to a query the Area Lead East replied that if there was concern regarding the material used to form the bund a condition could be added that all additional materials imported to be agreed in writing with the Local Planning Authority. This application was one to vary the configuration of the acoustic barrier and conditions should not be more onerous than the original application.

During discussion varying views were expressed including:

- Only earth should be used to form the bund;
- The (Environment Agency) EA should be notified if tarmac had been used to infill the bund;
- Could not understand the need to raise the height of the bund;
- The right of way would be unaffected by this application;
- The footprint was not altered;
- This bund would be preferable to concrete pillars;
- If approved, trees should be planted to mask the bund.

The planning officer explained that the bund was to protect the property from noise from the nearby A303, the EA was satisfied with the revised scheme.

It was proposed and seconded to approve the application as per the officer's recommendation plus the amendments to conditions 02 and 07 and an additional condition 13 that all additional materials imported to be agreed in writing with the Local Planning Authority.

Development Control was requested to take up the issue with the EA regarding the tipping of unauthorised materials.

On being put to the vote, the motion was held by 3 votes in favour and 3 against. The Chairman used his casting vote, with reservations, in favour of the application, therefore the motion was carried.

**RESOLVED:** That Planning Application 15/00070/FUL be approved as per the officers recommendation for the following reason:

The acoustic barrier, by reason of its form, scale and accompanying landscaping scheme, is considered to respect the characteristic pattern and features of the surrounding landscape, to cause no demonstrable harm to residential amenity or the rural amenities of the area or to adversely affect highway safety or the structural stability of the adjacent A303. The associated planting, which will provide enhanced habitat to the benefit of local ecology. The proposal therefore accords with the aims and objectives of saved policies ST3, ST5, ST6, EC1, EC3, EC7, EC8, EP1, EP3 and EP9 of the South Somerset Local Plan 2006, the policies of the emerging South Somerset Local Plan 2006-2028 as well as the National Planning Policy Framework.

**Subject to the following:**

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 numbered 2088-1B Revision B received 08/01/2015, DLA.1621.L001.01 Rev D received 23/02/2015 and Sections Plan received 27/02/2015.

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

03. No works pursuant to the construction of the development hereby permitted shall take place outside the hours of 07.00 to 17.00 Mondays to Fridays and 07.00 to 13.00 Saturdays nor at anytime on bank or public holidays unless otherwise agreed in writing by the Local Planning Authority.

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

04. The development hereby permitted shall not be commenced unless an aftercare scheme has been submitted to and agreed in writing by the Local Planning Authority setting out details to restore the land to the required standard for the use of agriculture.

Reason: In the interests of the rural character of the area and to ensure the continued agricultural use of the land to accord with saved policies ST5, ST6, EC1 and EC3 of the South Somerset Local Plan 2006.

05. The scheme, to ensure that all vehicles leaving the site are in such condition so as not to emit dust or deposit mud, slurry or other debris on the highway, agreed under planning application 10/02210/FUL shall continue to be implemented in full for the duration of the development hereby permitted, unless otherwise agreed in writing by the local planning authority.

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

06. The finished levels of the development hereby permitted shall match those detailed on drawing numbered DLA.1621.L001.01 Rev D received 23/02/2015.

Reason: For the avoidance of doubt and to safeguard the character and appearance of the area to accord with saved policies ST5, ST6 and EC3 of the South Somerset Local Plan 2006.

07. The planting scheme as detailed on the Landscape plan (drawing number DLA.1621.L001.01 Rev D received 23/02/2015) and the accompanying written specification (titled 'Detailed Planting Scheme Revision B' received 23/02/2015) shall be carried out in full in the first planting season following the completion of the development hereby permitted and in accordance with a phasing plan, which shall be submitted to and agreed in writing by the Local Planning Authority within three months of the date of this permission. 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 to accord with saved policies ST6 and EC3 of the South Somerset Local Plan 2006

08. The amendments to the construction of the acoustic barrier hereby permitted shall not be commenced unless an updated method statement for its construction has been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with these approved details.

Reason: To safeguard the integrity of the proposed works and to avoid any adverse impacts upon the adjacent SRN to accord with saved policy ST5 of the South Somerset Local Plan 2006.

09. The amendments to the construction of the acoustic barrier hereby permitted shall not be commenced until an updated Geotechnical Report and Certificate (compliant with HD 22/08) have been submitted to and approved in writing by the Local Planning Authority (who shall consult with the Highways Agency acting on behalf of the Secretary of State for Transport).

Reason: To safeguard the integrity of the proposed works and to avoid any adverse impacts upon the adjacent SRN to accord with saved policy ST5 of the South Somerset Local Plan 2006.

10. The development hereby permitted shall be carried out in accordance with the Construction Environmental Management Plan agreed under planning consent 10/02210/FUL, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent pollution of the water environment to accord with saved policy EP9 of the South Somerset Local Plan 2006.

11. The Tree Protection Plan and Arboricultural Method Statement agreed under planning consent 10/02210/FUL shall continue to be implemented in their entirety for the duration of the development hereby permitted, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the rural character of the area and to preserve and retain existing trees in accordance with the statutory duties defined within the Town & Country Planning Act, 1990 (as amended).

12. No means of external illumination/lighting shall be installed without the prior written approval of the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with saved policies ST3, EC3 and ST6 of the South Somerset Local Plan 2006.

13. The amendments to the construction of the acoustic barrier hereby permitted shall not be commenced unless details of the materials (which shall be inert materials only) to be used in the construction of the acoustic barrier have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason: In the interests of the environment and to ensure reasonable conditions for the planting scheme and the use of the land for agricultural purposes to accord with saved policies ST5, ST6 and EC3 of the South Somerset Local Plan 2006.

**Informatives:**

01. The proposed access route and some of the proposed planting and new ditches could affect public footpaths (NW 28/9 and NW28/10) that cross / pass near the application site. Should the proposal obstruct these rights of way, affect the health and safety of walkers or make their use less convenient for members of the public a temporary closure order may be necessary and a suitable alternative route provided. In such circumstances the applicant is advised to contact Sarah Hooper of Somerset County Council on 01823 483086. Please note that authorisation is also needed from SCC should new furniture or any changes to the surface of the footpaths be required.

(Voting: 4 in favour; 3 against)

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**197. Planning Application 14/02896/OUT - Land adj Light House, Barton St David. Residential development of land for up to six dwellings (Agenda Item 22)**

The Planning Officer presented the report and explained that the application had been deferred at the February AEC meeting in order to negotiate with the applicant to seek their agreement to paying the contributions sought for local sports, arts and leisure facilities only and to omit the strategic contributions. The applicant had now agreed to this request.

Ward Member Cllr John Calvert proposed to approve the application as per the officer's recommendation, the motion was duly seconded and on being put to the vote was carried unanimously in favour.

**RESOLVED:** That Planning Application 41/02896/OUT be approved as per the officers recommendation

Subject to:

09. The prior completion of a S106 planning obligation (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued, the said planning obligation to cover the following issues:-

(09) financial contributions towards offsite recreational infrastructure of £30,217 broken down as:

- £19,333 for local facilities;
- £485 for the new 3G AGP at Huish Episcopi Academy; and
- £3,385 as a commuted sum towards local services;

For the following reason:

Keinton Mandeville by reason of its size and provision of services and facilities is considered a sustainable location in principle for appropriate development. The erection of six dwellings on this site, immediately adjacent to settlement limits would respect the character of the locality with no demonstrable harm to residential amenity or highway safety. As such the proposal complies with saved policies ST2, ST5, ST6, EC3, EC7, EC8, EH12 and EP1 of the South Somerset Local Plan, the provisions of the emerging local plan and the National Planning Policy Framework.

**SUBJECT TO THE FOLLOWING:**

09. Details of the appearance, landscaping, layout and scale (herein called the "reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

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

02. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission and the development shall begin no later than three years from the date of this permission or not later than two years from the approval of the last "reserved matters" to be approved.

Reason: As required by Section 92(2) of the Town and Country Planning Act 1990.

03. The site hereby approved for development shall be as shown on the submitted combined site plan and site layout (drawing number 1389/01) received 21/10/2013.

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

04. The development hereby permitted shall comprise no more than 6 dwellings.

Reason: To ensure that the level and density of development is appropriate to the location and commensurate with levels of contributions sought in accordance with policies ST5, ST6, ST10 and EC3 of the South Somerset Local Plan.

05. No development hereby approved shall take place unless the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

Reason: To ensure that adequate opportunity is afforded for investigation of archaeological or other items of interest to accord with Policy EH12 of the South Somerset Local Plan.

06. Prior to the submission of any reserved matters application a detailed ecological appraisal of the site shall be carried out and details including an assessment of the impact of the proposed development and any appropriate measures to alleviate this shall be submitted to and approved in writing by the Local Planning Authority. Any agreed mitigation measures shall be implemented in full accordance with the approved details unless otherwise approved in writing by the local planning authority.

Reason: To protect legally protected species of recognised nature conservation importance in accordance with Policy EC8 of the South Somerset Local Plan (adopted), The Habitats Regulations 2010, and The Wildlife and Countryside Act 1981 (as amended).

07. There shall be no obstruction to visibility greater than 600mm above adjoining road level forward of a line drawn 2.4m back and parallel to the nearside carriageway edge on the centre line of the new accesses and extending to a point 43m either side of the accesses to the nearside carriageway edge. Such visibility shall be fully provided 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.

08. The Development hereby permitted shall not be commenced unless a scheme providing an appropriate level of parking in line with the SCC parking strategy March 2012 (including properly consolidated and surfaced turning spaces for vehicles) have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of the provision of adequate parking to serve the development in accordance with the Somerset Parking Strategy 2012 and Policy ST5 of the South Somerset Local Plan.

09. Before the development hereby permitted is commenced, foul and surface water drainage details to serve the development, including measures to prevent the discharge of surface water to the highway, shall be submitted to and approved in writing by the Local Planning Authority and 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: In the interests of environmental health and neighbour amenity to accord with Policies EU4 and ST5 of the South Somerset Local Plan.

**Informatives:**

01. The applicant is reminded that the layout detailed on the submitted proposed site layout plan (drawing number 1389/01) only secures the position of the new vehicular accesses and that all other layout details are indicative only.
02. The developer's attention is drawn to the comments made by the council's Landscape Officer with regard to the road frontage and orchard planting of the paddock to the rear of the site.
03. Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that a Section 184 Permit must be obtained from the Highway Service Manager, Yeovil Area Office, tel 0845 3459155. Application for such a permit should be made at least three weeks before access works are intended to commence.

(Voting: Unanimous in favour)

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**198. Planning Application 15/00084/COU Churchfields Wincanton Change of use of lower ground floor area of building (Agenda Item 23)**

The Area Lead East presented the report as detailed in full in the agenda. He confirmed that the officer's recommendation was to approve the application for a change of use.

The chairman advised members that this application was to consider the change of use only.

Cllr Tim Carroll addressed the committee on behalf of the Board of Trustees to the Balsam Centre who currently run a well organised children's nursery. The demand for children's nursery places would rise in the area, there was already a waiting list and this proposal would be to run a wrap-around nursery all year round for children aged from 0 years to 4years.

Ward Members Cllr Colin Winder and Nick Colbert had no objection in principle to the application.

The Planning Officer confirmed that any other future use would have to be considered by AEC members.

A short discussion ensued regarding the costing of the alterations to the building and the apparent under estimation of the costs to install additional toilets. Both Ward Members were annoyed as they felt that they had not been included in discussions, they also wanted to have more information about the use of Churchfield as a whole.



The Neighbourhood Development Officer advised the meeting that there would be an opportunity to share all the available information with ward members at a later date but this application was to enable a preferred end user to come to an agreement. A full report would be presented to AEC members regarding Churchfield later in the year.

The chairman again advised members that this application was to consider the change of use only.

A proposal was made and seconded to approve the application as per the officers recommendation. On being put to the vote the motion was carried by 6 votes in favour and 1 abstention.

**RESOLVED:** That Planning Application 15/00084/COU be approved for the following reason:

01. The proposed use is considered to be acceptable in this location, and causes no demonstrable harm to residential amenity or highway safety in accordance policies EH1, ST5 and ST6 of the South Somerset Local Plan, emerging local plan policies SD1, SS1, TA5, TA6, and EQ2, and the aims and objectives of the NPPF.

**SUBJECT TO THE FOLLOWING:**

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: 1289-60 received 22 December 2014 and 1289-61 received 06 January 2015

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

03. The area marked in pink on the submitted floor plan, 1289-60 received 22 December 2014, shall be used as children's day nursery and for no other purpose (including any other purpose in Class D1 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: In the interests of residential amenity and in accordance with policy ST6 of the South Somerset Local Plan and policy EQ2 of the emerging local plan.

04. Any hard surfaces provided within the outside area, to be used in conjunction with the use hereby permitted, should be padded with a soft material in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To dampen noise from play activities in the interests of residential amenity and in accordance with policy ST6 of the South Somerset Local Plan and policy EQ2 of the emerging local plan.

05. The children's day nursery use hereby permitted shall not be operated outside the hours of 8am to 6pm Monday to Friday and not at all on Saturdays, Sundays and Bank Holidays.

Reason: In the interests of residential amenity and in accordance with policy ST6 of the South Somerset Local Plan and policy EQ2 of the emerging local plan.

**Informatives:**

01. The applicant's attention is drawn to the comments of the SSDC Environmental Protection Unit who have recommended that the operator of the nursery should maintain, implement and adapt as required a noise management plan.

(Voting: 6 votes in favour; 1 abstention)

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**199. 15/00372/CPO County Council Consultation In Relation To A Proposed Waste Transfer Station At Dimmer Landfill Site (Agenda Item 24)**

The Area Lead East presented the report as detailed in the agenda which was to invite members of Area East Committee to provide a response to Somerset County Council regarding the application made to them for 'the construction and operation of a waste transfer station (including retention of glass bays, garage/workshop, water tanks, weighbridge, parking and staff welfare facilities)' at the Dimmer landfill site.

The officer provided members with several updates that included:

- A response from the SSDC Landscape Officer who felt that a condition should be added to mitigate the minor impact to the landscape;
- The SSDC Ecologist considered that there would be no adverse impact to the nearby Carymoor wildlife centre;
- A letter regarding the lack of satisfactory road access;
- A representation from the occupier of the mobile home on the site.

Ms V Nobles, Mr K Knight, Mr D Bryce, Mr A Gibbons, and Mr M Roberts all spoke in objection to the proposal to set up a permanent Waste Transfer Station at Dimmer in place of the temporary landfill site, mainly due to the adverse impact on the local highway, HGV's entering and exiting from Dimmer, concern regarding the already narrow roads of Clanville and the proposed extended operating hours.

Ward Member Cllr Henry Hobhouse considered that SCC had broken promises about the closure of the site once landfill had ceased. There was no economic justification for the proposal.

Ward Member Cllr Nick Weeks was concerned that if approved HGV's would now be full whilst going in and out of the site. Viridor should honour the agreement to close the existing site.

In response, members were advised that there would be some empty lorries exiting the site and the 1987 approval had been given for 'Bad Neighbour Use'

During discussion varying views were expressed including:

- The B3153 was now a lot busier than it was when the approval was first given, it was far too narrow to accommodate large vehicles;

- The local roads surrounding the site should either be changed to restrict the size of vehicles, or the business should be restricted and reclassified;
- There should be no open ended use once the landfill permission ends in 2016;
- SCC have strategic sites and non-strategic sites with differing levels of requirements this was a strategic site in the wrong location;
- Do not agree with SCC highways statement and suggest that relevant SCC members visit the B3153 to see the issues for themselves;
- Concerned about the cumulative highway impact other developments in the area would have on the local roads.

Members were unanimously in agreement to object to the application for the following reasons:-

- Site should close as per previous permissions/understandings. Temporary permission should be enforced;
- Use by bigger lorries not appropriate;
- Additional traffic cannot be accommodated by local road network;
- Dimmer appeal established highways capacity issues;
- Road not suitable for HGV movements on this scale;
- Do not accept highways statement;
- Cumulative highways impacts with other developments;
- County members need to visit B3153 to appreciate situation;
- This is a strategic facility on the wrong location.

The Area Lead East would circulate his response to Councillors in attendance at this meeting.

**RESOLVED:** That AEC Members requested the following comments to be included in the District Council's consultation response to Somerset County Council:

- The site should close as per previous permissions/understandings. Temporary permission should be enforced;
- Use by bigger lorries not appropriate;
- Additional traffic cannot be accommodated by the local road network;
- The Dimmer appeal established highways capacity issues;
- Roads not suitable for HGV movements on this scale;
- Do not accept highways statement;
- Cumulative highways impacts with other developments;
- County members need to visit B3153 to appreciate situation;
- This is a strategic facility on the wrong location.

(Voting: Unanimous in favour)

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Chairman