

South Somerset District Council

Minutes of a meeting of the **Area East Committee** held at the **Ansford Academy, Maggs Lane, Ansford, Castle Cary, BA7 7JJ** on **Wednesday 8 April 2015**.

(10.00 – 15.35)

Present:

Members: Councillor Nick Weeks (Chairman)

Mike Lewis	Henry Hobhouse
Mike Beech	Tim Inglefield
John Calvert	Lucy Wallace
Tony Capozzoli	William Wallace
Nick Colbert	Colin Winder
Anna Groskop	

Officers:

Anne Herridge	Democratic Services Officer
Adrian Noon	Area Lead (North/East)
Helen Rutter	Area Development Manager (East) / Assistant Director (Communities)
Paula Goddard	Senior Legal Executive
David Julian	Economic Development Manager
Jennie Roberts	Planning Officer
Lee Walton	Planning Officer
Paul Wheatley	Principal Spatial Planner
Andrew Collins	Planning Officer
Chris Cooper	Streetscene Manager
David Norris	Development Manager
Huntington	Senior Environmental Protection Officer

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

207. Minutes of Previous Meeting (Agenda Item 1)

The minutes of the meeting held on 11 March 2015, copies of which had been circulated were agreed and signed by the chairman.

208. Apologies for absence (Agenda Item 2)

There were no apologies for absence.

209. 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.

210. Public Participation at Committees (Agenda Item 4)

- a) Mr J Jeremiah who attended most of the AEC meetings, thanked committee members for defending his bit of Somerset, and wished them all luck in the forthcoming elections. He also thanked the Area East Development Manager (ADM) and her staff for their hard work covering the area.

Mrs L Elson wished to raise some issues with the Streetscene Manager but she was content to speak to him after his presentation.

- b) Cllr Mike Beech informed members that there would be a meeting on Friday 10th April at 7.00 pm entitled 'Save the Vale';

Cllr Anna Groskop said that there would be a meeting held in the Bruton Community Hall regarding the issue of trains stopping at Bruton.

'Cllr Colin Winder understood that a meeting regarding the Health Service was due to be held on 28th April in Wincanton but he had no further details.

The ADM understood that the meeting was a Health and Social Care Forum intended for patient representatives and staff, she would check the terms of reference to see if it was appropriate for ward members to attend and inform them accordingly.

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

There were no reports from member's representing the District Council on Outside Bodies.

212. Feedback on Reports referred to the Regulation Committee (Agenda Item 6)

There had been no recent meeting of the Regulation Committee.

213. Chairman Announcements (Agenda Item 7)

The Chairman read a thank you letter from The Religious Society of Friends of Wincanton thanking AEC for their support by way of a grant towards the garden.

The chairman passed his good wishes to all those members intending to stand in the forthcoming local elections.

214. Date of Next Meeting (Agenda Item 8)

Members noted that the date of the next scheduled meeting of the Area East Committee would be held on Wednesday 10th June 2015 at 9.00 am

Cllr Mike Lewis thanked Cllr Nick Weeks for his time and effort spent as Chairman of AEC this term.

215. Performance of the Streetscene Service (Agenda Item 9)

The Streetscene Manager summarised the agenda report, which informed members of the performance of the Streetscene Service in Area East for the period April 2014 – March 2015.

During the ensuing discussion, the Streetscene Manager noted the comments of members and responded to questions on points of detail:

- SSDC contributes to litter picking on roads within South Somerset from their budget but litter picking on motorways comes from the Highway Agency budget;
- Environmental Health are now responsible for enforcement regarding fly tips;
- Hidden cameras, although useful, do have limitations;
- It cost approximately £60,000 a year to employ the Streetscene response team and 60 – 70% of their time is spent on flytip collections. (he would provide Cllr Tony Capozzoli with full details);
- Although more flytips were reported nowadays, the quick response to clearing them meant that South Somerset currently looked very tidy;
- If faced with snow fall, the quad bikes would be deployed to clear High Streets and crossing areas in the first instance but Councillors were encouraged to contact him should there be other area of concern;
- Missing litter bins were an ongoing issue and a puzzle, however if Parish and Town councils decided to replace them the Streetscene Service would empty them;
- He suggested that he would produce a report on the issue of litter and dog waste bins which would include options for a strategy on distribution of bins.
- He would take note of the comments and pass them on to the Waste Board regarding the Dimmer Recycling Centre being shut on a Thursday and in particular will pass on the suggestion of letting those who turn up with rubbish allowing them to leave it in a designated area near the entrance to the centre;
- With reference to the Community Payback Scheme the Streetscene Manager was able to state what work needed priority but as it was a new scheme time would be required to see what worked best;
- There was an idea in hand regarding litter picking along the B3153 caused by waste falling from the recycling lorries on their way to the recycling centre.

The chairman thanked the Streetscene Manager for the excellent work he and his team had carried out.

216. Area East End of Year Report 2014/15 - Presentation (Agenda Item 10)

The (ADM) Area East Development Manager, with the aid of a power point presentation provided members with an overview of Area East progress and achievements during 2014/15. The following themes were highlighted

Priority Theme 1: Town centre and neighbourhood management: -

- The Market House, Castle Cary where a full programme of activities in had been organised
- Market Towns Investment Group:
- A total of £32,155 had been secured for Market Towns in Area East:£16,000 towards improving the Riverside Walk in Bruton; £12,500 towards extending Millbrook Gardens Car Park in Castle Cary; £10,000 towards Moor Lane cycleway and footpath and £3,645 towards the transport interchange improvements in the Memorial Hall Car Park;
- Support and develop Town Team type work in market towns:
- Deanesly Way - a short life action group: a new residents' Welcome Pack was printed and distributed; Pressure maintained on developer to progress play, education and highways infrastructure. Opportunities to integrate new families with existing facilities explored eg: free membership at Wincanton Sports Ground, Investigation into emergency health care provision and close links were developed with MoD and Housing Associations.

Priority Theme 2: Economic Development, job creation and regeneration schemes

HoW Leader Programme will be formally launched in June 2015 and £1.4 million of funding over 5 years has been secured.

- Investigate work hubs
- Invest in Wincanton High Street – enhanced RSI (Retail Support Initiative)
- Seven RSI grants had been awarded this year against works to the value of £12,320;
- Marketing of Area East an Inward investment website and brochure had been produced and the Market Town app was now available which features 9 market towns including Wincanton, Bruton and Castle Cary, and the re-launch of the Heart of Wessex Rail website;
- Other regeneration projects included the Ilchester travel plan and Limington to Yeovil cycle path and the long awaited sign for the Wincanton Business Park;
- Business led regeneration of which a good example was Hauser and Wirth in Bruton;

Priority Theme 3: Community-led planning and development the Queen Camel Neighbourhood Plan draft was complete, and the final formal consultation was set for May 2015 prior to the Test of Conformity and then a Referendum.

Other neighbourhood and community planning included:

- Neighbourhood Plan in Wincanton;
- Area Designation agreed;
- Project Group gathering baseline data with support;
- Neighbourhood Plan in Castle Cary;
- Consultation on designation of area.

Support Parishes with Parish Plans; the draft Henstridge plan was complete; the Consultation phase for the Charltons parish plan was underway and an update of Parish profiles showing local infrastructure would be given after the elections.

Support for Community Groups: 27 community groups had been funded and supported including 2 start-up grants for new organisations. A report regarding community groups would be produced in the summer.

Priority Theme 4: Improve access to services and facilities to reduce inequality. A high quality access point and advice service is run for the public at Wincanton reception where there were a total of 4,454 enquiries of which 2,342 were for core services.

A creative social project - 'Men's Shed', Wincanton had been started at the Balsam Centre for isolated and older men based on woodworking activities using natural materials, 29 men were supported.

Other support was given to:

- **Youth and Play**
- Community-led youth work in the Area
- 3 youth clubs;
- Playdays supported in Wincanton and Bruton;
- **Transport hub multi-agency working group;**
- Improvements to access points in Wincanton;
- Smart system to integrate access to services;
- **Better community buildings;**
- 7 village hall schemes supported in 2014-15;
- Local activities and facilities for village communities;

Priority Theme 5 Effective democratic engagement: A successful Annual Parish Meeting was held in January 2015 where 15 Parishes were represented. The meeting focused on:

- Community-led renewable energy schemes
- Parish Ranger scheme
- Use of new technology for Parish marketing and communication

In conclusion the ADM confirmed that many projects and programmes would continue into 2015-2016, the new 4-year term would start in May 2015 and the Area Development Team would be updating Parish profiles and an Area East Committee workshop would be held in July 2015 in order to agree Development Plan priorities

In response to a query regarding the proposed cycle way from Ilchester to the Naval Base at Yeovilton the ADM said that it was part of the transport plan and she would chase the matter up with her colleague in SCC.

Members thanked the Neighbourhood Development Officers for the invaluable work they carried out from the area offices.

217. Provision of Minor Injury Services and Education Places in Wincanton (Agenda Item 11)

The Area East Development Manager summarised the agenda report, which informed members of the current situation with regard to the provision of minor injuries services in the Wincanton area.

During discussion, members felt that they needed the backing of SSDC as a whole in order to ensure that the Somerset Clinical Commissioning Group (CCG) understood the concerns of AEC members and the local community.

With reference to the provision of school places to meet the growing needs of the town the issue should soon be alleviated by the expansion of the primary school by 30 places for September 2015 which should be achieved by the pre-school being relocated to a new building.

RESOLVED:

That the Committee

1. Noted and commented on the report
2. Request SSDC to make further representations to the CCG, as part of the current redesign of the urgent and emergency care system.

(Voting: Unanimous in favour)

218. Area East Committee Forward Plan (Agenda Item 12)

Reference was made to the cumulative impact of the substantial number of solar parks within Area East, and it was questioned whether the distribution/ cumulative impact of these developments was being monitored and whether there would be a policy to identify when the quota had been reached.

When members had been briefed last year about Henstridge Airfield they understood that a report would be presented to them in the spring, but it was noted that there was nothing timetabled in the Forward Plan.

The ADM would make enquiries regarding both issues.

NOTED

219. Items for information (Agenda Item 13)

NOTED

220. Schedule of Planning Applications to be Determined by Committee (Agenda Item 14)

NOTED

221. 14/02020/OUT Outline Planning Application (All Matters Reserved Except for Access) for up to 165 houses, up to 2 Ha of Employment Land Castle Cary (Agenda Item 15)

Cllr Mike Lewis said that although he was a Somerset County Councillor he confirmed that he did not have a prejudicial interest in Planning Application 14/02020/OUT

The Area Lead East presented the application as detailed in the agenda report. He provided members with several updates including:

- Confirmation that the Environment Agency had no further concerns;
- Letters from 3 local residents: 2 worried about the level of development and traffic concerns and 1 regarding the badger set on the site that had recently been interfered with;
- There had still been no objection from County highways;
- Although an officer from County highways had been invited to attend the meeting no Highway officer was in attendance.

With the aid of a power point presentation the officer showed details of the site, proposed indicative layout, and photos of the vicinity.

The officer confirmed that the key considerations were:

- Principle of development
- Cumulative impact
- Local landscape and visual amenity impact
- Residential amenity
- Highway issues
- Planning obligations

He confirmed that his recommendation was to approve the application as detailed in full in the agenda report.

Mr N Begg, Mr A Gibbons, P Peppin, Mr R Antell, Mr C Kay, Mr M Bainbridge, Mrs C Bainbridge, Mrs C Sharley, V Nobles, K Boland, Mr W Vaughan, Ms L Johnston, Mr D boxer, S Lane, B M Lane, A Cleveland and S Knapman all spoke in objection to the application their comments included:

- There was no real demand for new houses;
- Wished to prevent over development;
- A neighbourhood plan and design statement was in progress;
- Concerns about road safety issues;
- Anxious about the increase in traffic along the B3153;
- Worried about the 3 Wessex Rail crossing points;
- Understood the need for housing but if these were built out all at once only 53 new dwellings would then be required by 2028;
- Phased development would be preferred;
- Concern about the narrow roads in the vicinity;
- The proposed link to the industrial site was not what had been intended locally;
- Children and people with special needs would need a safer route into the town rather than that shown on the proposed plan;
- If approved all monies from the S106 obligation should be used towards facilities in Castle Cary;
- Existing brownfield sites should be developed first;
- Would prefer that the neighbourhood plan was finished before any decision on the applications was made;
- There would be more houses in the area than recommended in the Local Plan;
- This application was piecemeal and inappropriate;

- Concerned about the impact on the existing badger sets and if approved a buffer would be required and a condition regarding badger mitigation;
- Disappointed that the badger group had not been invited to the meeting;
- The existing school should not move out of the town centre;
- Castle Cary did not need a new primary school, there was potential to extend the existing one;
- There would be a huge impact on the community if all the planning applications pending, in the area were approved;
- The application was not sustainable or appropriate;
- The Local Plan included a link road but the nature of the proposed road would exclude HGV's;
- Disappointed that the Highway Authority had let the community down again as they had failed to send an officer to attend this important meeting although a request had been made by SSDC for an officer to attend;
- The development would make the road through Clanville even busier and would make it hard for the residents already living there;
- A full independent traffic assessment was needed;
- This development was premature;
- Concerned about the possibility of flood risk downstream;
- Investment in businesses etc and opportunities for young people was required before more houses were built;
- This plan did not allow for expansion and a road through the estate would be unsuitable to gain access to the industrial estate;
- If a bridge was built across the railway line thought needed to be given regarding access for the disabled;
- Concerned regarding the suggested conflict of interest because of SCC owning the top part of the proposed development area.

Mr G Davies addressed the committee to ask that if the application was approved the right of way should be retained.

Mr J McMurdo the agent explained that the application had taken 2 years of consultations to reach this stage. He urged members to approve the application as there were no technical reasons to refuse it and no technical consultees had objected.

Ward Members Cllrs Henry Hobhouse and Nick Weeks both spoke in opposition to the application they thought the application was unsound due to the highway issues, although employment land was needed this was not in the right place, the proposed link road was flawed and would mean there would be no current service direct to the industrial estate now, or in the future, a more detailed application was required with the correct infrastructure. It was stressed that should this application be approved access should not be allowed directly to Torbay Road.

In response to a query the chairman apologised for the lack of a hearing loop at the school but it had been the only suitable venue available for the number of local people concerned about the application.

The Development Manager reiterated that the proposed scheme did comply with the adopted Local Plan and it would be difficult to refuse it regarding the principle of development. He also added that it was not the responsibility of SSDC to safeguard protected species such as badgers

During discussion varying views were expressed:

- Suitable infrastructure was required first;
- The application should be refused as there was no traffic assessment;
- There appeared to be too much development too quickly;
- The character of the town would be spoilt;
- There would be a serious cumulative impact if all the pending applications were approved;
- It would be unsuitable for HGV's to pass through a housing estate;
- There was a distinct lack of funds to provide the suggested costly infrastructure;
- Homes were required for people living in the community but not huge housing estates;
- The developer should have consulted with the community better;
- A TRO was essential before the application could be considered;
- Consideration should be given to the cumulative effect of future applications in the area;
- A major new road across the fields from Station Road and Torbay Road was required to link into the trading estate;
- There was the possibility of flood impact downstream and more detail was needed;
- As this was an outline application information regarding drainage etc would be dealt with at reservation stage;
- A proper plan was required for Castle Cary to include all of the proposed future development;
- Independent highways advice and appraisal was required as SCC was the joint applicant.

The Area Lead East explained that this Outline application was for members to consider the principle of development. The applicant had listened to local concerns and was to provide attenuation ponds, details of which would be included in follow up applications. A condition had been included regarding the badger set.

Discussion then continued where the majority of members indicated that they were mindful to refuse the application because of the traffic impact of the new development; there was also a suggestion to defer the application until the results of an independent traffic survey were known. However Cllr Mike Lewis suggested that if the application was deferred the applicant could appeal on grounds of non-determination.

The Senior Legal Executive reminded members that they would need good, robust reasons to refuse the application.

The Development Manager explained that the application did put into place the requirement of the Local Plan.

Members suggested the following could be included in the reasons for refusal:

The requirement of a Transport Assessment; the lack of infrastructure planning; to ensure the Local Plan was achievable; to review the amount of HGV traffic the travels through Clanville; the necessity of an appropriate HGV link road .

However the Area Lead East suggested that the following wording should be used as a robust reason for refusal: *As it had not been adequately demonstrated that the local road network could satisfactorily accommodate the level of traffic likely to be generated by this development without severe adverse impact on highways safety. As such the proposal is*

contrary to policy TA5 of the South Somerset Local Plan 2006-2028 and the policies contained within the National Planning Policy Framework.

Members were content to use the wording suggested by the Area Lead East and it was proposed and seconded to refuse the application. On being put to the vote the motion was carried by 9 votes in favour; and 2 abstentions. (Cllrs William Wallace and Anna Groskop abstained from voting as they were both cabinet members of SCC)

RESOLVED:

That Planning Application 14/02020/OUT be refused contrary to the officers recommendation for the following reason:

It had not been adequately demonstrated that the local road network can satisfactorily accommodate the level of traffic likely to be generated by this development without severe adverse impact on highways safety. As such the proposal is contrary to policy TA5 of the South Somerset Local Plan 2006-2028 and the policies contained within the National Planning Policy Framework.

(Voting: 9 in favour: 2 abstentions)

222. 15/00425/S73A Application to vary planning condition 2, Land At Higher Farm Higher Farm Lane Yeovilton (Agenda Item 16)

The Planning Officer presented the application and with the aid of a power point presentation she showed details of the site etc. She confirmed that her recommendation was to refuse the application to vary a planning condition regarding extending the shooting hours as detailed in the report.

The committee were then addressed by Mr P Horsington of Ilchester PC opposed to the application, he had received 15 letters of objection. Concern was raised about the noise impact to residents of Podimore, due mainly to the change of the direction of shooting. The PC did not wish to destroy a local business but it did have a duty to the local residents.

Mr P White spoke in opposition to the application on behalf of villagers of Podimore who were affected at the weekends due to shooting activity. There had also been an increase in traffic along the single track access. Mr White had tried to negotiate with the applicant to cease firing on Easter Sunday for a short while during the church service but the applicant had not complied.

The committee were then addressed by Mr S Travers, the agent, in support of the application. He explained that the applicant employed 5 local employees and the club had a membership of 150 which helped with tourism. He asked members to approve the application which he did not think made much of a noise impact to an already noisy corner of the district due to the close proximity of the nearby Naval Base at Yeovilton.

Ward Member Cllr Tony Capozzoli felt that the needs of residents in the vicinity should be given priority and proposed that the application be refused per the officers recommendation.

During discussion, varying views were expressed, including:

- Residents living in Charlton Mackrell were also affected by the increased noise;
- If this was not a commercial venture anyone could shoot as much as they liked;
- Suggested not allowing shooting to take place on Sundays but to allow the other proposed times;
- This was a retrospective application, the extended opening hours had been in operation illegally for over a year.

The Senior Environmental Protection Officer explained that he had investigated the noise issue on this site a year ago and had worked with the applicant. He had found that there was no issue with shooting on a Wednesday due to activity from the Air Base at Yeovilton, but the weekends were quieter therefore the noise impact from the shooting was more noticeable to residents. The officer felt that it was a shame that the applicant had not submitted a noise assessment to determine the likely impact on surrounding settlements and nearby dwellings.

It was proposed and seconded to refuse the application as per the officer's recommendation and to proceed with enforcement action.

On being put to the vote the motion was carried by 7 votes in favour; 3 against and 1 abstention.

RESOLVED: That Planning Application 15/00425/S73A be refused as per the officer recommendation for the following reason:

The application has failed to demonstrate that the variation to this permitted shooting hours would not be detrimental to the residential amenity of local settlements and dwellings in terms of noise and disturbance. As such, the proposal is contrary to policies EQ2 and EQ7 of the South Somerset Local Plan (2006-2028) and the National Planning Policy Framework 2012.

Enforcement action to proceed.

(Voting: 7 votes in favour: 3 against; 1 abstention)

223. 15/00024/OUT Outline application for the erection of up to 150 dwellings in Ilchester (Agenda Item 17)

The Planning Officer presented the application as detailed in the agenda. He provided members with several updates including the following revised planning obligations which differed to those that were printed in the agenda report:

Sports Arts and Leisure – Local Facilities

- Contribution towards enhancing existing Town Hall in Ilchester - £78,328
- The provision of play equipment in a centrally located LEAP of 681m² with 30m buffer zones, provision of 170m² youth facility space located adjacent LEAP with 30m buffer and their on-going maintenance through a management company to the satisfaction of the Assistant Director (Wellbeing).

Sports Arts and Leisure – Strategic

- Contribution towards provision of new 3G pitch in Wincanton - £12,114
- Contribution towards learner pool at Wincanton Sports Centre - £27,583
- Contribution towards the enhancement of existing sports halls in Yeovil - £57,408
- Total including admin fee of £1,754 is £177,188 or £1,181 per dwelling

- **Affordable Housing** – 35% with tenure mix of 67:33 in favour of rented accommodation over other immediate types
- Travel Planning measures
- School – Contribution of £232,883 towards primary school places in Ilchester.

With the aid of a power point presentation the officer indicated the proposed site including the current fields, indicative plans, play facilities and access details plus relevant photos. He confirmed that his recommendation was to approve the application.

Brigadier N Knudson the chairman of Ilchester PC addressed the committee on behalf of several local residents who had reservations about the proposal and some concerns that included apprehension about the capacity of the existing Ilchester Surgery and the possibility of re-locating it; lack of employment opportunity; limited capacity at the local schools; a lack of facilities in the area; limited parking in the village centre and concern about the extra traffic that could potentially use the current no through road.

E Fowler the agent explained that housing need had been identified and this application was of an appropriate scale due to be phased and completed by 2020. The location was the best for development in the area. She understood the concerns regarding highways but the Highway officer had confirmed the proposed access was safe. Further trenching should begin soon but no archaeological issues were anticipated.

Ward Member Cllr Tony Capozzoli was concerned about the traffic issues although he welcomed further development, he would have liked to see the old Fosseyway used by site vehicles and did not understand why a planning obligation contribution was to go towards Wincanton Sports Centre when Ilchester needed additional facilities.

In response to a query the Planning Officer confirmed that a detailed drainage solution had been included and was shown on the indicative layout.

During discussion, varying views were expressed including concern about the disparity between education provision in this application and a similar application for Castle Cary. Concern was raised about the proposed access to the new development through an existing housing estate and about surface water run-off.

The Development Manager explained that Development Control relied on SCC for information regarding education need.

With reference to the Castle Cary planning application the Chairman explained that public opinion was that a new school was not required on that proposed development site.

The Development Manager understood that the applicant was willing to spend money for health service provision on site but not in the village centre. There was no evidence to demonstrate that the proposed access to the site was unsuitable.

Ward Member Cllr Tony Capozzoli explained that if a suitable site was found the money for funding would come forward.

It was then proposed and seconded to approve the application as per the officer's recommendation with additional conditions regarding renewable energy, a construction management plan and an informative regarding access direct from the Fosse Way, plus further negotiations regarding the S106 obligation payments towards a medical centre and parking.

On being put to the vote the motion was carried by 6 votes in favour, 4 against and 1 abstention.

RESOLVED: That Planning Application 15/00024/OUT be approved as per the officers recommendation subject to further negotiations with the agent regarding a potential contribution towards a medical centre and parking and:

- a) The prior completion of further archaeological investigation to the satisfaction of the Development Manager in consultation with the County Archaeologist.
- b) The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to:-
 - 1) Secure a contribution of £1,181 per dwelling towards the increased demand for outdoor playing space, sport and local recreation facilities to the satisfaction of the Assistant Director (Wellbeing).
 - 2) The provision of play equipment in a centrally located LEAP of 681m² with 30m buffer zones, provision of 170m² of youth facility space located adjacent LEAP with 30m buffer and their on-going maintenance through a management company to the satisfaction of the Assistant Director (Wellbeing).
 - 3) Ensure at least 35% of the dwellings are affordable with a tenure split of 67:33 in favour of rented accommodation over other intermediate types, to the satisfaction of the Corporate Strategic Housing Manager.
 - 4) Provide for Travel Planning measures to the satisfaction of the Development Manager in consultation with the County Highway Authority and fully implemented in accordance with the agreed details.
 - 5) Secure a contribution of £232,883 towards primary school places to the satisfaction of Somerset County Council.
- c) The following conditions:

JUSTIFICATION

01. Notwithstanding the local concerns, the provision of up to 150 houses in this sustainable location would contribute to the council's housing supply without demonstrable harm to archaeology, residential amenity, highway safety, ecology or visual amenity, and without compromising the provision of services and facilities in the settlement. As such the scheme is considered to comply with the policies of the adopted local plan and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

01. Details of the appearance, landscaping, layout and scale (herein after 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: As required by Section 92(2) of the Town and Country Planning Act 1990.
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 3 years from the date of this permission or not later than 2 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 location plan BRS.4903_02C and drawing 1312-10 of the Transport Assessment from Transport Planning Associates received 24 December 2014.
Reason: For the avoidance of doubt and in the interests of proper planning.
04. No works shall be undertaken unless a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 critical storm an allowance for climate change, will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
Reason: To prevent the increased risk of flooding, both on and off site in accordance with Policy EQ1 of the South Somerset Local Plan and the aims and objectives of the NPPF.
05. 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 prevent the increased risk of flooding, both on and off site in accordance with Policy EQ1 of the South Somerset Local Plan and the aims and objectives of the NPPF.
06. No works shall be undertaken unless a foul water drainage strategy is submitted and approved in writing by the local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker
- a drainage scheme shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development phasing
 - the drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority.
- Reason: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream property in accordance with the aims and objectives of the NPPF
07. No works shall be undertaken 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 safeguard heritage assets of archaeological interest in accordance with Policy EQ3 of the adopted South Somerset Local Plan and the aims and objectives of the NPPF.
08. To be submitted with any future full or reserved matters application details of measures for the enhancement of biodiversity, based upon the submitted reports and noted by the Somerset Wildlife Trust. 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 enhancement of biodiversity in accordance with Policy EQ4 of the adopted South Somerset Local Plan and the aims and objectives of the NPPF.

09. In the event that any signs of pollution such as poor plant growth, odour, staining of the soil, unusual colouration or soil conditions, or remains from the past industrial use, are found in the soil at any time when carrying out the approved development it must be reported in writing within 14 days to the Local Planning Authority (LPA). The LPA will then consider if the findings have any impact upon the development and development must be halted on that part of the site. If the LPA considers it necessary then an assessment of the site must be undertaken in accordance with BS10175. Where remediation is deemed necessary by the LPA a remediation scheme must be submitted to and approved in writing by the LPA and then implemented in accordance with the submitted details.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with Policy EQ7 of the adopted South Somerset Local Plan.

10. No works shall be undertaken unless a scheme of works for acoustic insulation for the new dwellings has been submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity due to aircraft noise in accordance with the aims and objectives of the NPPF and the details contained within Appendix 4 of the adopted South Somerset Local Plan

11. As part of any full or reserved matters application a detailed landscape strategy, including a hedge protection plan to BS5837, shall be submitted with the onsite landscape proposals based on indicative drawing BRS.4903_09E.

Reason: In the interests of visual amenity and in accordance with policies EQ2 of the adopted South Somerset Local Plan.

12. The proposed dwellings shall be constructed as two storey buildings with the main eaves line approximately level with the first floor window heads.

Reason: In the interests of the character of the locality in accordance with Policy EQ2 of the adopted South Somerset Local Plan.

13. The residential component of development hereby approved shall comprise no more than 150 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 EQ2, HW1, SS6, HG3 and TA4 of the adopted South Somerset Local Plan.

14. No work shall commence on the individual parts of the development site until a car parking scheme for that part of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme should be in line with the optimum levels set out in the County Council Parking Strategy and is to be fully implemented in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of parking on the site in accordance with Policy TA6 of the adopted South Somerset Local Plan.

15. 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 highway safety in accordance with Policy TA5 of the adopted South Somerset Local Plan.

16. 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 highway safety in accordance with Policy TA5 of the adopted South Somerset Local Plan.

17. The gradients of the proposed drives to the dwellings hereby permitted shall not be steeper than 1 in 10 and shall be permanently retained at that gradient thereafter at all times.

Reason: In the interests of highway safety in accordance with Policy TA5 of the adopted South Somerset Local Plan

18. None of the dwellings hereby permitted shall be occupied until a scheme of street lighting has been installed between on all the proposed roads in accordance with a design and specification to be approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy TA5 of the adopted South Somerset Local Plan.

19. To be submitted with any reserved matters or full applications, the layout shall include a full assessment of renewable energy including measures such as the maximisation of solar orientation, maximising natural shade and cooling and water efficiency.

Reason: In the interests of addressing climate change by enhancing renewable energy features in accordance with Policy EQ1 of the adopted South Somerset Local Plan.

20. No works shall be undertaken unless a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Somerset County Council). The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason: In the interests of highway safety and residential amenity in accordance with Policies TA5 and EQ2 of the adopted South Somerset Local Plan.

Informatives:

01. You are reminded of the contents of the Environment Agency's letter of 26 January 2015 which is available on the council's web-site.
02. You are reminded of the comments of the Council's Climate Change Officer dated 13 January 2015 which is available on the council's web-site.
03. You are reminded of the contents of the Police Architectural Liaison Officer's letter of 20 January 2015 which is available on the council's web-site.
04. You are reminded of the contents of the Environmental Protection Officer's letter of 23 February 2015 which is available on the council's web-site.
05. You are reminded of the contents of Wessex Water's letter of 27 February 2015 which is available on the council's web-site.
06. No work shall commence on the development site until an appropriate right of discharge for surface water has been obtained before being submitted to and approved in writing by the Local Planning Authority.
07. The Council considers that a preferable access to the site is directly from Fossway to the East and this should be considered.

(Voting: 6 in favour; 4 against; 1 abstention)

224. 15/00407/DPO Application to discharge a Section 106 Agreement dated 19th January Land North Of Coombedene Coombe Hill Keinton Mandeville (Agenda Item 18)

The Planning Officer presented the application which was deferred at the Area East Committee meeting on 11th March 2015 as detailed in the agenda. The applicant had since agreed to retain a component of the local contributions sought.

Ward Member Cllr John Calvert had recently attended a meeting of Keinton Mandeville PC who were now happy with the application.

Cllr Anna Groskop said that she felt that once a S106 obligation was agreed no further changes should be made

It was then proposed and seconded to approve the application per the officer's recommendation.

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

RESOLVED: That Planning Application 15/00407/DPO be approved as per the officer recommendation

To allow a variation to the Section 106 Agreement dated 19 January 2015 made between South Somerset District Council and Eric Mackenzie Limited. Such a variation to reduce the contributions from £5,036 per dwelling to £1,363.13 per dwelling. £6,912 of the contributions to be used towards enhancing the equipped play area at Keinton Mandeville Playing Field together with a sum of £3,993 as a commuted sum towards the long term maintenance of those facilities.

2. To instruct the Council's Legal Services of the need to complete a deed of variation.

(Voting: Unanimous in favour)

225. 15/00113/FUL Erection of extension to existing dwelling - The Barn, Templecombe (Agenda Item 19)

Cllr Colin Winder left the meeting as he declared an interest because he had once worked on behalf of the applicant.

The Planning Officer presented the application, and with the aid of a power point presentation showed photos of the site and existing dwelling. He confirmed that his recommendation was to refuse the application as detailed in the report.

Mike Williams the agent addressed the meeting he described the history of the property which started off as a single storey barn; the proposed simple extension would be of a balanced proportion and would not be out of place in the countryside and would cause no harm.

Ward Member Cllr William Wallace, although appreciated the comments of the Conservation Officer, did not think the application would have an adverse impact on the local amenity.

Ward Member Cllr Tim Inglefield did not think the proposed changes were enough to warrant a refusal of the application.

Following a short discussion, members expressed their support for the application and it was proposed and seconded to approve the application contrary to the officer's recommendation, as the size, scale and materials, respects the character of the area and causes no demonstrable harm to residential amenity. On being put to the vote the motion was carried unanimously in favour.

RESOLVED: That Planning Application 15/00113/FUL be approved contrary to the officer recommendation for the following reason:

The proposal, by reason of its size, scale and materials, respects the character of the area and causes no demonstrable harm to residential amenity in accordance with the aims and objectives of policy EQ2 of the South Somerset Local Plan 2006-2028, and 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 approved plans: 6450-02 received 12 January 2015.

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

(Voting: Unanimous in favour)

226. 15/00162/S73A Application to remove Condition 2 Lavender Green Verrington Lane Charlton Musgrove (Agenda Item 20)

Cllr Colin Winder returned to the meeting.

The Planning Officer presented the report as detailed in the agenda; he explained that the Condition 2 (Agricultural Occupancy) of approved planning permission 791810 dated 30th August 1979 had in effect, become a 'dead letter' and had outlived its usefulness, therefore his recommendation was to allow removal of the condition.

Ward Member, Cllr Colin Winder could not understand the reasoning behind this application and proposed to refuse it.

Ward Member Cllr Nick Colbert also wished to refuse the application and seconded the proposal.

During discussion, varying views were expressed: some members felt the application was just a formality and should be approved whilst others referred back to the issue of the certificate of lawfulness that had favoured continued occupancy without compliance to condition 2.

The Senior Legal Executive explained that the certificate of lawfulness had been granted because the applicant had provided sworn evidence to prove a breach of the condition and the Council had no contrary evidence of the same weight to contradict this, therefore following the legislation the determination had to be made in the applicants favour. This certificate is granted in relation to the applicant's occupation; however the condition could still *bite* on any subsequent occupier.

The proposal to refuse the application, as contrary to policy HG10, was put to the vote and the motion was carried by 6 votes in favour; 3 against and 1 abstention.

RESOLVED: That Application 15/00162/S73A, the removal of condition 2 of planning consent 791810 be refused as contrary to policy HG10.

(Voting: 6 in favour: 3 against;1 abstention)

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Chairman