

South Somerset District Council

Minutes of a meeting of the **Area West Committee** held at **the The Guildhall, Fore Street, Chard TA20 1PP on Wednesday 17 September 2014.**

(5.30 - 8.30 pm)

Present:

Members: Councillor Angie Singleton (Chairman)

Paul Maxwell	Sue Osborne
Mike Best	Ros Roderigo
Dave Bulmer	Kim Turner
John Dyke	Andrew Turpin
Carol Goodall	Linda Vijeh
Brennie Halse	Martin Wale
Nigel Mermagen	

Officers:

Andrew Gillespie	Area Development Manager (West)
Andrew Gunn	Area Lead (West)
Linda Hayden	Planning Officer
Mike Hicks	Planning Officer
Paula Goddard	Senior Legal Executive
Jo Morris	Democratic Services Officer

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

68. Exclusion of Press and Public (Agenda Item 1)

RESOLVED: that the following item be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under Paragraph 3: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)."

69. Securing Future Facilities for Chard (Confidential) (Executive Decision) (Agenda Item 2)

The Area Development Manager (West) introduced the report, which asked members to consider an allocation of £5,000 from the Area West Reserve to the project outlined in the report.

It was proposed and seconded to approve the recommendation as outlined in the report. On being put to the vote the proposal was carried unanimously.

RESOLVED: That a small working budget of £5,000 be allocated from the Area West Reserve to the project outlined in the report.

Reason: To approve an allocation from the Area West Reserve.

(Voting: unanimous)

70. To approve as a correct record the Minutes of the Previous Meeting (Agenda Item 3)

The minutes of the meeting held on 20th August 2014, copies of which had been circulated, were taken as read, and, having been approved, were signed by the Chairman as a correct record.

71. Apologies for Absence (Agenda Item 4)

An apology for absence was received from Councillor Ric Pallister.

72. Declarations of Interest (Agenda Item 5)

Councillor Dave Bulmer declared a personal interest in Agenda Item 9 – Feasibility of SSDC and Chard Town Council Sharing Customer Service Reception, as a member of Chard Town Council.

73. Public Question Time (Agenda Item 6)

No questions or comments were raised by members of the public.

74. Chairman's Announcements (Agenda Item 7)

The Chairman informed members that it had not been possible to bring the Betterment Properties application (Bradfords Site, Misterton) back to Committee this month as sufficient information had not been received. It was hoped that the application would be ready to consider at the next Area West Committee meeting.

75. Area West Committee - Forward Plan (Agenda Item 8)

Reference was made to the agenda report, which informed members of the proposed Area West Forward Plan.

The Area Development Manager (West) informed members that the Historic Buildings at Risk report due to be considered at the October meeting would be deferred to the December meeting.

A member made a request for an update on the Chard Regeneration Project. In response, the Area Development Manager (West) agreed to pass on the request and hopefully an update report would be brought to the Committee by the end of the year.

Members were content to approve the Forward Plan as attached to the agenda subject to the above amendments.

RESOLVED: That the Area West Forward Plan be noted as attached to the agenda subject to the proposed amendments being taken into consideration.

(Resolution passed without dissent)

76. Feasibility of SSDC and Chard Town Council Sharing Customer Service Reception (Agenda Item 9)

The Area Development Manager (West) summarised the agenda report, which recommended that the option for Chard Town Council and SSDC to offer a shared customer service desk in the Chard Guildhall is not taken up at the present time. It was concluded that, taken in isolation, the potential benefits to customers of sharing a front desk service in the Guildhall would not justify the estimated costs involved.

During discussion on the item, the Ward Members expressed their disappointment over the conclusion of the review. They felt that the option for a shared desk should be kept open and reviewed again as both the costs and benefits involved in working towards a partnership approach could change in the future.

RESOLVED: That the option be kept open for Chard Town Council and SSDC to offer a shared Customer Service desk in the Chard Guildhall.

(Voting: resolution passed without dissent)

77. Feedback on Planning Applications Referred to the Regulation Committee (Agenda Item 10)

There were no planning applications referred to the Regulation Committee.

78. Planning Appeals (Agenda Item 11)

The Committee noted the details contained in the agenda report, which informed members of a planning appeal decision.

NOTED.

79. Schedule of Planning Applications to be Determined by Committee (Agenda Item 12)

Members noted the Schedule of Planning Applications to be determined by the Committee.

80. Planning Application 14/02907/FUL - Stockbridge Farm, Stockbridge Road, Hinton St George (Agenda Item 13)

The Planning Officer with the aid of slides and photographs summarised the details of the application as set out in the agenda report including the key considerations. The Planning Officer's recommendation was for approval. The Planning Officer updated the report with the following information:

- The Highway Authority had been asked to respond to residents' concerns over the number of vehicles movements. The response from the Highway Authority was read out to members of the Committee. They concluded that 10 movements was unlikely to present a 'severe' impact on the highway network;
- Correspondence had been received from Hinton St George Parish Council advising that they had changed their view at the September meeting and agreed to recommend refusal of the application. Reasons for refusal included: highway access was inappropriate, size of digester and scale of operation was too large, heritage and conservation issues, adverse visual impact and concerns over the levels of noise, smell and lighting;
- A letter had been received from Crewkerne Town Council commenting that the potential for additional movements through Crewkerne would be unwelcome and the residents would have a concern;
- A nearby resident had commissioned a background noise survey based on assumed levels. In response to the survey, the Environmental Protection Officer had considered the report and commented that the background noise in the area was very low and the impact would be marginal. The plant would be regulated by the Environment Agency which imposes standard conditions and it would be inappropriate to impose noise conditions considering that the Environment Agency conditions would apply;
- Further technical information had been received from the applicant in relation to manure sample lab test figures;
- Further comments had been received from the Environment Agency in terms of richness of the manure. The comments were read to members of the Committee;
- Two additional letters had been received in favour of the application, one had expressed concern over the way in which the Parish Council had changed their view;
- One additional letter had been received in objection to the application over the growth of the industry.

The Planning Officer proposed amended conditions to the application and circulated a copy to members at the meeting.

In response to questions, the Planning Officer clarified points of detail raised by members. Members were informed of the following:

- Any Councillors could be involved with approving the details of conditional items;
- The manure that would be stored on the site during the day would be covered although it could not be confirmed whether it would be fully covered;

- With regard to the lab results it was not known whether the results would vary according to temperature. The evidence provided by the applicant had to be taken on face value;
- Hinton St George had changed their decision due to pressure from residents;
- The Planning Officer was satisfied with the consultation process undertaken. The closest neighbours to the site had been consulted and a site notice had been displayed;
- Some conditions were more enforceable than others. With regard to condition 2, the applicant could be asked to keep a log which would be available for inspection;
- The Planning Officer clarified the position with regard to the Environmental Impact Assessment;
- As the loss of agricultural land was only small it was considered to be acceptable;
- The existing vehicle movements used a 7 tonne trailer. The impact on the highway network by the use of larger trailers had been taken into consideration by the Highway Authority;
- The solid residue would be used at both holdings and would provide bedding to the cattle;
- No concerns had been raised by the statutory consultees regarding the issue of odour from the cattle bedding;
- The distance from the site to the village of Hinton St George was 400 metres;
- It was confirmed that where comments have been made from the Highway Authority it should be assumed that a site visit had been made.

The Committee noted the comments of Tina Cogan, representing Hinton St George Parish Council. She thanked the Ward Member for bringing the application to Committee which had enabled the Parish Council to review their response in light of new information. She advised that the decision to refuse the application had not been unanimous and was carried 3 votes to 2. She asked members to consider the views of the residents when making their decision on the application.

The Committee was addressed by Steve Atherton, Peter Mallen and Robert Heelis in objection to the application. Concerns expressed related to the following:

- Hinton St George was a Conservation Area and this has not been taken into consideration or referred to in the Planning Officer's report;
- There was no consultation with the Conservation Officer;
- Lack of Environmental Impact Assessment;
- Impact on the local character of the area;

- Concerns over the levels of noise and that the Conservation Area and not been taken into account;
- Visual intrusion and not enough planting proposed;
- No benefit to the community;
- Concerns over the increase in traffic with no agreed route;
- The site was less than 10 metres to the source of the water course;
- Concerns over safety and the proximity of the plant to the village and flammable buildings;
- Potential to pollute the adjacent stream;
- Only one test had been made on the feed stock;
- The track was inappropriate for the size of the trailers;
- Noise would be heard 24 hours a day and this was unacceptable at night;
- NPPF refers to the need to protect areas of tranquillity;
- Concerns over flooding of the brook which runs very close to the farm;
- Potential to pollute the adjacent stream.

The Committee was addressed by the Applicant, Mark Voss. He informed members that his cattle were reared indoors and fed 'TMR' from one week old. He advised that manure was currently stored in a field 150 metres from Hinton St George and that no concerns had been raised regarding odour. Reference was made to the transportation of manure already taking place via the highway network. A 14 tonne trailer would be used as it had higher sides and would prevent spillage. He also referred to the issue of noise and that he had measured his calves bleating at feed time at 100 dB and local residents were unaware of the time he fed his calves.

The Applicant's Agent, David Manley, referred to the application meeting national and local planning policy. With regard to transport, there would be a decrease in traffic movements with less than one load per day from the A30. The Highway Authority had approved the application even if the increase was tenfold. The Landscape Officer had approved the application and did not consider the scheme to be intrusive; the structures would be grouped and set against agricultural buildings. None of the professional consultees had objected to the application and therefore he urged members to support the application.

Ward Member, Cllr. Paul Maxwell commented that the application was always going to be controversial due to the picturesque nature of the village. He had carefully considered all the issues such as highways, noise, odour, proximity to the village and the Merriott watercourse. He knew the area extremely well and had visited the site and considered the report in depth including the contributor comments. He commented that other Anaerobic Digesters in the area were considerably larger than the proposed

application. He had also taken into account national and local policy context and was struggling to find any planning reasons to refuse the application.

During the ensuing discussion, Members expressed various views which included the following:

- Some members expressed concern that no Environmental Impact Assessment had been undertaken;
- A member felt that there was insufficient information within the report to be able to make a proper decision;
- The issue of flooding had not been covered in the report;
- Each application should be looked at on its own merits;
- The application should be supported as there were no objections from statutory organisations;
- The application was likely to be overturned if it went to appeal;
- There would be an enormous amount of benefit from the operation;
- Some members expressed concern that the Conservation Area had not been taken into consideration;
- There were no planning reasons to refuse the application.

The Planning Officer confirmed that the site was not located within a Conservation Area and the boundary was several hundred metres away from the site.

It was proposed and seconded to defer the application for the receipt of an Environmental Impact Assessment, Transport Plan and Management Plan. The proposal was not seconded.

It was subsequently proposed and seconded to approve the application as per the Planning Officer's recommendation circulated at the meeting subject to the Ward Member being consulted on the Landscaping Scheme and the Construction and Environmental Management Plan.

On being put to the vote, members voted 5 in favour and 5 against with 3 abstentions. The Chairman used her casting vote to approve the application.

RESOLVED: That Planning Application No. 14/02907/FUL be **APPROVED** as per the Planning Officer's recommendation circulated at the meeting subject to the Ward Member being involved with the approval of the Landscaping Scheme and the Construction and Environmental Management Plan for the following reason:

01. The proposed development will satisfactorily respect the character and appearance of the area, will preserve the setting of the nearby Listed Park, will provide a needed and efficient means of dealing with farm waste, will contribute to renewable energy supply and will not have an adverse impact on residential amenity or highway safety in

accordance with Saved Policies ST3, ST5, ST6, EH8, EC2, EC3, EP 2, EP3, EP4, EP7, EP9 and ME5 of the adopted South Somerset Local Plan and Chapters 3, 10, 11 and 12 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. Other than as required by conditions 3,4,5,6 and 10 the development hereby approved shall be carried out in accordance with the following approved plans:

Unnumbered site location plan date stamped 30th June 2014; SA 16151/04;

SA16151-03; SA1615/01 Rev A; SA 16151/02; unnumbered plan titled Low temperature

flare NTF; unnumbered plan titled 'Appendix 2-Higher Burrow

Buildings Plan only.

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

03. The feedstock to serve the anaerobic digester hereby approved shall be limited to manure and farm waste associated with Stockbridge Farm as identified on plan No. SA16151-03 and from Higher Burrow Farm as identified on document titled 'Appendix 2 Higher Burrow Buildings Plan' date stamped 13th August 2014.

Reason: In the interests of general amenity and to preserve the setting of the Listed Park to accord with Saved Policies ST6 and EH8 of the adopted South Somerset Local Plan.

04. The development hereby permitted shall not be commenced until samples of all of the materials, colour and finish to be used for external surfaces of the digestion and storage tanks and have been submitted to and approved in writing by the Local Planning Authority. Once agreed, no alterations or changes shall be made to the buildings without the written consent of the Local Planning Authority.

Reason: In the in interests of visual amenity and to preserve the setting of the Listed Park to accord with saved Policies ST6 and EH8 of the adopted South Somerset Local Plan.

05. The development hereby approved shall not be commenced until details of the surfacing materials for all hardstanding and access tracks have been submitted to and agreed in writing by the Local

Planning Authority.

Reason: To prevent the increased risk of flooding and in the interests of visual amenity and to preserve the setting of the Listed Park in accordance with Saved Policies ST6 and EH8 of the adopted South Somerset Local Plan.

06. The anaerobic digester hereby approved shall not be brought into its intended use until the digestate pipeline has been implemented and is operational in accordance with details that have been submitted and approved in writing by the Local Planning Authority. The pipeline shall be retained and operated as such thereafter and it shall be the only means by which the digestate is transported to fields for spreading.

Reason: In the in interests of general amenity and to preserve the setting of the Listed Park to accord with saved Policies ST6 and EH8 of the adopted South Somerset Local Plan.

07. The development hereby approved shall not be commenced until details of underground and over ground development to connect the development to the electricity grid have been submitted to and approved by the Local Planning Authority.

Reason: In the in interests of general amenity and to preserve the setting of the Listed Park to accord with saved Policies ST6 and EH8 of the adopted South Somerset Local Plan.

08. Within 3 months of the cessation of the use of the development hereby approved, a scheme for removal of all buildings, structures, hard standings, plant and machinery, roadways, fencing or other structures in association with the development hereby permitted have been submitted and approved in writing by the Local Planning Authority. The scheme shall include details of the restoration and a timetable for completion. The scheme shall be fully implemented within 3 months of the date of approval.

Reason: To safeguard the amenities and character of the area in accordance with Saved Policies EC3 and ST6 of the adopted South Somerset Local Plan.

09. No external lighting shall be erected on the application site unless details including size, design, location and degree of luminance have been previously submitted to and agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities and character of the area and to preserve the setting of the Listed Park in accordance with Saved Policies ST6, EC3 , EP3 and EH8 of the adopted South Somerset Local Plan.

10. No development shall commence unless a surface water drainage scheme for the site (to accord with SuDS requirements where necessary), based on the hydrological and hydrogeological context of

the development, has been submitted to and approved in writing by the Local Planning Authority. 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, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system in accordance with Saved Policies ST5 and EP9 of the adopted South Somerset Local Plan and guidance in the NPPF.

11. The development hereby permitted shall not be commenced unless there has been submitted to and approved in writing by the Local Planning Authority (in conjunction with the local ward member) a scheme of soft landscaping, including a scheme for the provision of biodiversity enhancements. The landscaping scheme shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To safeguard the amenities and character of the area and in accordance with Saved Policies EC3 and ST6 of the adopted South Somerset Local Plan.

12. The development hereby approved shall not be commenced unless a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of the phasing of construction, pollution prevention measures (to include details of the construction of the storage tanks), hours of construction, routing for construction vehicles, parking for construction and contractors vehicles. The development shall thereafter be carried out in strict accordance with such details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard highway safety and rural amenity in accordance with Saved Policies EP6, ST5 and ST6 of the adopted South Somerset Local Plan.

13. The development hereby approved shall not be commenced unless a farm waste management plan to include details of the storage capacity for digestate in relation to the area for spreading of the digestate and details of how the cropping regime and nutrient

requirements may affect this.

Reason: To safeguard the amenities and character of the area and highway safety in accordance with Saved Policies EC3, ST5 and ST6 of the adopted South Somerset Local Plan.

Informatives:

01. The following informatives have been provided by the Environment Agency: This activity will require a Permit under the Environmental Permitting Regulations 2010. The Environment Agency is required to consider all forms of pollution when issuing an environmental Permit. Odour can be classed as pollution if it causes offences to man's senses. If a permit is issued for this site, it will require the operator to take all appropriate measures to prevent or minimise the emission of offensive odours from the activity. However, this does not mean that there will be no odour from these activities.

02. The proposal is to separate and dry the fibre element of the digestate and use it as animal bedding. The applicant is advised that the current situation is that this cannot be done without seeking an End of Waste Submission for the digestate fibre. The applicant is further advised to contact the Environment Agency to discuss this requirement further. If the applicant wishes to discuss their future proposal then they should contact Dan Aplin in our Environment Management Team on 01278 484617.

03. All new, substantially enlarged or re-constructed slurry lagoons must comply with the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations 2010. To comply, it has to be built in accordance with British Standards set out in CIRIA (Construction Industry Research and Information Association) Report 126. The applicant is advised to contact our local Environment Management team on 01278 484617 for further guidance.

04. The applicant is advised of the requirement to notify the Environment Agency in writing at least 14 days before construction. The appropriate forms are available at:

<http://publications.environment-agency.gov.uk/pdf/GEHO0810BSXI-e-e.pdf> The Environment Agency will then be able to determine whether an inspection or any modifications to the construction plans might be required. This does not necessarily need to be covered as part of the planning process, but neither will it be considered as part of the permit application. We therefore recommend that the applicant demonstrate how they will ensure compliance with the SSAFO regulations at an early stage. Aspects such as 'will the silage effluent be directed into the AD plant' can be discussed.

Should any of the material for the construction of the proposed bund be imported then a permit or exemption will be required. If earth embankments are proposed to surround the slurry facilities then the material used will need to be suitably tested and agree with the

Environment Agency to ensure that it is fit for the purpose of containment.

05. Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

- the use of plant and machinery
- oils/chemicals and materials
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes.

The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at: <http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>.

In accordance with the waste hierarchy, we wish the applicant to consider reduction, reuse and recovery of waste in preference to offsite incineration and disposal to landfill during site construction.

If any waste is to be used onsite, the applicant will be required to obtain the appropriate waste exemption or permit from us (the Environment Agency). We are unable to specify what exactly would be required if anything, due to the limited amount of information provided.

If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility.

If the applicant require more specific guidance it is available on the Environment Agency website: www.environment-agency.gov.uk/subjects/waste/. Page 5 DC PCFULZ.v7

06. The applicant is advised that the amenities of nearby occupiers should be considered in relation to the use of vehicle reversing alarms.

(Voting: 6 in favour, 5 against, 3 abstentions)

81. Planning Application 1403128FUL - Land OS 4734, Adjacent Lower Severalls Farm, Lower Severalls Farm Road, Crewkerne (Agenda Item 14)

The Planning Officer updated members that the Highway Authority had raised no objection to the application subject to conditions being imposed with regard to visibility splays and Construction Management Plan. A letter of objection had been received from the Campaign to Protect Rural England (CPRE) recommending that the public right of

way should be permanent rather than conditional. The County Archaeologist had recommended approval subject to a condition relating to further archaeological work being undertaken. The Agent had submitted a landscaping/planting scheme and Condition 5 would be updated with the appropriate drawing number. The Planning Officer with the aid of slides and photographs summarised the details of the application as set out in the agenda report including the key considerations. The Officer's recommendation was for approval.

In response to questions, the Planning Officer clarified points of detail raised by Members. Members were informed of the following:

- Sheep would graze on the grass beneath the photovoltaic panels. There would be a gap of nearly 3 metres between each set of panels;
- The applicant would be required to pay a business tariff;
- All buildings would be screened from the array.

The Committee was addressed by Sarah Vigar in objection to the application. She referred to a number of concerns which included the following:

- Impact of the development on the landscape, which could be seen from the A30;
- There was no direct benefit to the local community;
- Concern over flooding on the Lower Severalls,
- Impact on the wildlife as there were significant badger setts;
- Questioned whether a bat survey had been conducted.

The Applicant's Agent, Jo Hawkesworth informed members that following advice the panels had been removed from the area where it had been found archaeologically sensitive. She referred to the agricultural land issue and advised that the initial survey was undertaken on the whole of the landowners land, however not all of the land would be used. She confirmed that the land was mainly 3b and 4 and would be grazed by sheep. The site would be as screened as possible. With regard to the issue of flooding she commented that the Council's Officer was of the view that flooding would not increase and was content with the drainage scheme in place. The applicant had worked hard to provide extra information to make the scheme acceptable.

With regard to the issue of badgers and bats, the Planning Officer confirmed that the County Archaeologist was content with the results of the geophysical survey and was recommending a number of conditions.

Ward Member, Cllr. Paul Maxwell felt that the application was well put together. He supported approval of the application subject to being consulted regarding any changes to the landscape scheme. He also made a request for the hedges along the roadside to be retained at such a height to prevent the panels being visible and for the landowner to keep the gate closed during construction.

It was proposed and seconded to approve the application as per the Planning Officer's recommendation subject to the Ward Member being consulted regarding any changes to

the agreed landscaping scheme. On being put to the vote the proposal was carried unanimously in favour.

RESOLVED: That Planning Application No. 14/03128/FUL be **APPROVED** as per the Planning Officer's recommendation subject to the Ward Member being consulted regarding any changes to the agreed landscaping scheme.

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. 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, the National Planning Practice Guidance and Policies ST3, ST5, ST6, EC1, EC3, EC6, EC7, EC8, EU1, EH11, EH12 and EP3 of the South Somerset Local Plan 2006.

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 Drawing No.'s 5469/ASP03/LS Rev C received 26 August 2014; D01 (Site Layout) received 2 September 2014; D01 (Site Location Plan), 9 (CCTV details), 6.1 and 6.2, (Transformer Housing), N-SO86-1T-02 (access arrangement), 5 (track detail), 7 (Substation Housing details), 4 (Frame and anchor detail), 8 (fence detail), 3 (panel detail) and 6.3 (Control centre housing) received 11 July 2014.

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

03. The development hereby permitted shall be removed and the land restored to its former condition before 31/12/2044 or within six 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 structures, materials and any associated goods and chattels from the site.

Reason: In the interests of landscape character and visual amenity in accordance with Policies ST3, ST5, ST6 and EC3 of the South Somerset Local Plan.

04. The supporting posts to the solar array shall not be concreted into

the ground.

Reason: In the interests of sustainable construction and to accord with Part 10 of the NPPF.

05. The landscaping / planting scheme shown on the submitted plans (drawing numbered 5469/DPP/ASP4 received 16/9/2014) shall be completely carried out within the first available planting season from the date of commencement of the development. For the duration of this permission the trees and shrubs shall be protected and maintained, and any trees or plants which 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 in accordance with policies ST5, ST6 and EC3 of the South Somerset Local Plan.

06. No means of external illumination/lighting shall be installed without the prior written consent of the Local Planning Authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies EC3, ST6 and EP3 of the South Somerset Local Plan.

07. No CCTV equipment shall be installed on the site other than that shown on drawing no. D01 received 2 September 2014 unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies EC3, ST6 and EP3 of the South Somerset Local Plan.

08. The development hereby permitted shall not be commenced unless the external finish, including the colour, of the CCTV equipment has been submitted to and agreed in writing by the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies EC3, ST6 and EP3 of the South Somerset Local Plan.

09. No form of audible alarm shall be installed on the site without the prior written consent of the local planning authority.

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

10. The development hereby permitted shall take place in accordance with the Construction Management Plan prepared by Matrix Transportation Planning received 11 July 2014 unless otherwise

agreed in writing by the Local Planning Authority.

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

11. Before the development hereby permitted is commenced, surface water drainage details to serve the development, 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: To ensure that appropriate drainage is provided on the site.

12. The removal of, or works to, the dead oak tree and the Lombardy Poplars shall be subject to safeguarding measures for bats as detailed in section 6.5. of the Ecological Appraisal (Aspect Ecology, July 2014).

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

13. Any work within 250 metres of any pond shall only be undertaken between 1st November and 28th February unless a Method Statement detailing precautionary measures for the protection of Great Crested Newts has been submitted to, and approved in writing by, the local planning authority. In the event of the latter, the approved measures shall be implemented in full.

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

14. Prior to the commencement of the development hereby approved a Biodiversity Management Plan detailing measures and management of the site for the benefit of biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The Biodiversity Management Plan 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 NPPF.

15. 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 1st March and 31st August inclusive in any year, unless previously checked by a

competent person for the presence of nesting birds. If nests are encountered, the nests and eggs or birds, must not be disturbed until all young have left the nest.

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

16. All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All hedges and hedgerows on and immediately adjoining the site shall be protected from damage for the duration of works on the site to the satisfaction of the Local Planning Authority in accordance with the recommendations in British Standard 5837 1991. Any part(s) of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following contractual practicable completion of the approved development shall be replaced as soon as is reasonably practicable and, in any event, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed in writing with the Local Planning Authority.

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

17. 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: To ensure appropriate investigation of archaeological remains in accordance with advice in the NPPF.

18. Before the development hereby permitted is commenced the existing access shall be modified to incorporate suitable visibility splays of 2.4m x 120m.

Reason: In the interests of highway safety and in accordance with Policy ST5 of the South Somerset Local Plan (2006).

Informatives:

01. You are reminded that the highway authority has requested that 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 that any damage to the highway occurring as a result of this development will have to be remedied by the developer to the satisfaction of the highway authority once all works

have been completed on site.

02. Please be aware of the comments set out within the Environment Agency's letter dated 01/08/2014.

03. Please be aware of the recommendations set out in the RSPB's letter dated 08/08/2014.

04. Please be aware that reptiles (particularly slow worms) are likely to be present in small parts of the site and could be harmed by construction activity, contrary to legislation (Wildlife and Countryside Act 1981), unless appropriate precautionary measures are employed. Suitable measures could include appropriate management of the vegetation to discourage reptiles away from areas of risk, reptile exclusion fencing, and/or translocation of animals from the site. An ecological consultant should be commissioned to provide site specific advice.

05. The applicant is advised that the Ward Member must be consulted regarding any changes to the agreed landscaping scheme. The Ward Member was particularly concerned to ensure that the hedges along the roadside are retained at such a height as to prevent the panels being visible.

(Voting: unanimous in favour)

82. Planning Application 14/02977/FUL - Land To North Of Hurcott Copse, Boxstone Hill, Hurcott (Agenda Item 15)

The Planning Officer informed members that part of the application site was located within Area North and that members had been consulted on the application but no comments had been received. All surrounding parishes had also been given the opportunity to comment on the application. With the aid of slides and photographs, the Planning Officer summarised the details of the application as set out in the agenda report including the key considerations. The Planning Officer's recommendation was for approval.

In response to questions, the Planning Officer clarified points of detail raised by Members which included the following:

- The proposed landscaping would be of mixed woodland and would provide more than ample screening;
- The A303 Stocklinch panels and the proposed scheme could not be seen in the same view. They were approximately one mile apart;
- The breakdown of the land on the proposed site was 24% grade 2, 49% grade 3a and 20% grade 3b;

- Somerset County Council was unaware of any archaeological implications. Previous comments including those made by the CPRE were available to them when they made their decision on the application.

The Committee noted the comments of Andrew Troop, the Applicant's Agent in support of the application. During his representations, he clarified the position with regard to the agricultural land quality. He also referred to only a minute proportion of the land being classed as productive farmland. He advised that a huge amount of time had been spent working with the Landscape Officer defining the boundary of the site.

Ward Member, Cllr. Kim Turner expressed her support for application. She made a request for the Traffic Management Plan to be agreed in consultation with the Ward Members.

Ward Member, Cllr. Carol Goodall also expressed her support for the application.

It was proposed and seconded to approve the application as per the Planning Officer's recommendation outlined in the agenda report subject to the Construction Management Plan being agreed in consultation with the Ward Members. On being put to the vote the proposal was carried unanimously in favour.

RESOLVED: That Planning Application No. 14/02977/FUL be **APPROVED** as per the Planning Officer's recommendation subject to the Construction Management Plan being agreed in consultation with the Ward Members for the following reason:

Justification:

01. 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. 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, the National Planning Practice Guidance and Policies ST3, ST5, ST6, EC1, EC3 and EC8 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 carried out in accordance with the following approved plans drawings numbered 05 PA RL (Application Area) received 3 July 2014; SL106/02 (Master Plan), 05 PA D3 (Fencing Detail), 05 PS D2 (Inverter housing/transformer detail), 05 PA D1 (panel and framing detail) received 7 July 2014.

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

03. The development hereby permitted shall be removed and the land restored to its former condition before 31/12/2044 or within six 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 structures, materials and any associated goods and chattels from the site.

Reason: In the interests of landscape character and visual amenity in accordance with Policies ST3, ST5, ST6 and EC3 of the South Somerset Local Plan.

04. The supporting posts to the solar array shall be anchored into the ground as described on Drawing No. 05 PA D1 received 7 July 2014 and shall not be concreted into the ground.

Reason: In the interests of sustainable construction and to accord with Part 10 of the NPPF.

05. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. Planting must be carried out during this coming planting season (November 2014 - mid March 2015) if commencement is to take place in 2015.

Reason: In the interests of visual amenity and landscape character in accordance with policies ST5, ST6 and EC3 of the South Somerset Local Plan.

06. No means of external illumination/lighting shall be installed without the prior written consent of the Local Planning Authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies EC3, ST6 and EP3 of the South Somerset Local Plan.

07. The development hereby permitted shall not be commenced unless the location, external finish, including the colour, of the CCTV equipment and security fencing has been submitted to and agreed in writing by the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies EC3, ST6 and EP3 of the South Somerset Local Plan.

08. No form of audible alarm shall be installed on the site without the prior written consent of the local planning authority.

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

09. The development hereby permitted shall take place in accordance with the Construction Environmental Management Plan received 3 July 2014 unless otherwise agreed in writing by the Local Planning Authority.

Reason in the interest of highway safety and the rural amenities of the area to accord with Policies ST5 and ST6 of the South Somerset Local Plan.

Informatives:

01. You are reminded that the highway authority has requested that 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 that any damage to the highway occurring as a result of this development will have to be remedied by the developer to the satisfaction of the highway authority once all works have been completed on site.

02. Please be aware of the comments set out within the Environment Agency's letter dated 01/08/2014.

03. Please be aware of the recommendations set out in the RSPB's letter dated 11/08/2014.

04. The applicant is advised that the Ward Member will require consultation regarding the Construction Environmental Management Plan especially in regard to the routing of construction vehicles.

(Voting: unanimous in favour)

83. Date and Venue for Next Meeting (Agenda Item 16)

Members noted that the next scheduled meeting of the Committee would be held on Wednesday 15th October 2014 at the Shrubbery Hotel, Ilminster.

NOTED.

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Chairman