

South Somerset District Council

Minutes of a meeting of the **Area North Committee** held at the **Norton Sub Hamdon Village Hall on Wednesday 24 September 2014.**

(1.30pm - 5.05 pm)

Present:

Members: Councillor Shane Pledger (Chairman)

Pauline Clarke	David Norris
Graham Middleton	Patrick Palmer
Roy Mills	Sue Steele
Terry Mounter	Derek Yeomans

Officers:

Charlotte Jones	Area Development Manager (North)
Ian Clarke	Assistant Director (Legal and Corporate Services)
Kirsty Larkins	Housing and Welfare Manager
Adam Burgan	Arts & Entertainment Manager
Pauline Burr	Development Officer
Neil Waddleton	Section 106 Monitoring Officer
Andrew Gunn	Area Lead (West)
Linda Hayden	Planning Officer
Alex Skidmore	Planning Officer
Nick Whitsun-Jones	Principal Legal Executive
Angela Cox	Democratic Services Manager

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. Building at Risk (Confidential) (Agenda Item 2)

The Assistant Director (Legal and Corporate Services) provided Members with an update on the listed building at risk and responded to questions from them on points of detail.

Following a short debate, Members unanimously agreed to support option one as detailed in the appendix to the report for the long term preservation of the building.

RESOLVED: That Members:

- a. Noted the report;
- b. Agreed to Option A as detailed in the appendix to the report.

(Voting: unanimous in favour)

70. Minutes (Agenda Item 3)

The minutes of the meeting held on 27 August 2014, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

71. Apologies for Absence (Agenda Item 4)

Apologies for absence were received from Councillors Jo Roundell Greene, Sylvia Seal, Paul Thompson and Barry Walker.

72. Declarations of Interest (Agenda Item 5)

Councillor Terry Mounter declared a personal interest in Agenda item 10, County Highway Authority Update, as the company he worked for was involved with the earthworks at Muchelney.

Councillor Shane Pledger declared a DPI (Disclosable Pecuniary Interest) in Agenda item 24: Planning Application 14/03405/FUL – Land at The Manor, Cross Lane, Long Sutton, as the applicant. He confirmed that he would leave the room during consideration of the application.

73. Date of Next Meeting (Agenda Item 6)

Members noted that the next meeting of Area North Committee was scheduled for 2.00pm on Wednesday 22 October 2014 (venue to be advised).

74. Public Question Time (Agenda Item 7)

There were no questions from members of the public present.

75. Chairman's Announcements (Agenda Item 8)

In the absence of the Vice Chairman, the Chairman invited Councillor Derek Yeomans to act as Vice Chairman for the meeting and Members were in agreement with this.

76. Reports from Members (Agenda Item 9)

Councillor Sue Steele advised that she had attended a Flooding Group Steering meeting and she asked if the Area North Committee could look at other areas which may be at risk of flooding in the future. The Area Development Manager (North) noted that the

Council's Engineer and Civil Contingencies Manager were due to attend the next meeting and she would ask them to incorporate this into their report.

Councillor Derek Yeomans advised that Somerset County Council had numbered every drain and gully in the county to assist the public in reporting blockage issues. He also noted that work to raise the level of the road at Muchelney was due to commence on 29th September 2014.

Councillor Patrick Palmer reported that the Drainage Board were waiting for a report from the Environment Agency on flooding at Long Load bridge.

77. County Highway Authority - Verbal Update (Agenda Item 10)

The Assistant Highway Service Manager provided Members with an update on Highway issues in the area. He advised that:-

- The surface dressing programme was completed but not signed off so if Members had any issues with remedial work, let him know.
- General resurfacing of pavements in the area was ongoing.
- The pot hole programme was completed.
- The A37 Ilchester Road resurfacing work to the Halfway House had been completed and the second half was due to be done in the next year.
- Safety grass cutting at highway junctions was nearing completion for the year.
- He was currently gathering schemes for 2015/16 which would include works at Parsonage Close in Curry Rivel.

The Assistant Highway Service Manager responded to several questions from Members regarding works in Ash, Martock, Bower Hinton and Isle Abbots. He confirmed that work to repair the B3168 at the Beacon in Ilminster was due to start in November and it was hoped it would be completed by Christmas 2014.

At the conclusion of the debate, the Chairman thanked the Assistant Highway Service Manager for attending and answering Members questions on highway related issues.

RESOLVED: That the report be NOTED.

78. Local Housing Needs in Area North (Agenda Item 11)

The Housing and Welfare Manager provided Members with an update of the number of people seeking housing in the district. She explained the assessment of housing need into band categories depending on the urgency and circumstances of those requiring housing and the policy change in February 2014 which required that applicants must have a local connection to an area to be accepted onto the housing register.

In response to questions from Members, she explained that although the service encouraged on-line housing applications, there were paper forms and staff available in Area offices or in the main Housing office in Yeovil who could assist people to complete a housing application form. There was also a telephone line where people could hear about housing vacancies and bid to put their name forward for a housing vacancy.

The Area Development Manager (North) advised that due to the rural nature of the area in exceptional circumstances, a member of the Area Support team or Housing team could visit an applicant at home to assist with the completion of housing forms.

At the conclusion of the debate, the Chairman thanked the Housing and Welfare Manager for her informative report and attending to answer Members questions.

RESOLVED: That the report and presentation be NOTED.

79. Arts & Entertainment - Service Update (Agenda Item 12)

The Arts and Entertainment Manager and the Arts Development Officer provided the Committee with an update and power point presentation on the various arts projects taking place across the district and at the Octagon theatre (presentation attached).

At the conclusion of the debate, Members thanked the Arts and Entertainment Manager and the Arts Development Officer for their dedication in assisting and promoting the many projects across the district and the continued success of the Octagon theatre.

RESOLVED: That the report and presentation be NOTED.

80. Section 106 Obligations (Agenda Item 13)

The Section 106 Monitoring Officer reminded Members that the Section 106 agreements provided control to development and the monies levied on the developer were used to mitigate the impact of the development and deliver local facilities. Since his last report to the Committee, the service had been audited both internally and by the government and had received substantial assurances of the processes tested.

In response to questions from Members, the Section 106 Monitoring Officer confirmed that:-

- strategic Section 106 monies from developments within Area North were intended to support leisure facilities at Huish Academy school, particularly the proposed artificial grass pitch.
- The setting of CIL (Community Infrastructure Levy) rates were now out of date and if SSDC decided to adopt CIL rather than use Section 106 agreements to control development then a new corporate decision would have to be taken.

At the conclusion of the debate, the chairman thanked the Section 106 Monitoring Officer for providing a comprehensive report.

RESOLVED: That the report and presentation be noted and the actions taken in respect of the monitoring and managing of Section 106 Planning Obligations be endorsed.

81. Somerset Levels and Moors Local Action Group - Appointment of a Member to the Executive Board (Executive Decision) (Agenda Item 14)

It was proposed and seconded that Councillor Terry Mounter be appointed to serve on the Somerset Levels & Moors Local Action Group Executive Board.

RESOLVED: That Councillor Terry Mounter be appointed to serve on the Somerset Levels & Moors Local Action Group Executive Board for the

remainder of the municipal year 2014-15.

Reason To continue SSDC representation on the Somerset Levels & Moors Local Action Group Executive Board for the remainder of the municipal year 2014-15.

(Voting: unanimous in favour)

82. Area North Committee Forward Plan (Agenda Item 15)

The Area Development Manager (North) advised that the Affordable Housing Development Programme had recently been presented to District Executive and members may be interested in a presentation on the Area North element of the programme. This was agreed. The earlier request to look at other areas which may be at risk of flooding in the future would be incorporated into the Flooding, Land Drainage and Civil Contingencies report due to be presented in October 2014.

RESOLVED: That the Area North Forward Plan be noted including the addition of the following items:

- Affordable Housing Development Plan for Area North
 - Land Drainage Issues in Area North to be incorporated into Flooding, Land Drainage and Civil Contingencies report
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83. Planning Appeals (Agenda Item 16)

During discussion it was noted that it would be beneficial for members to see all the planning appeal decision notices across the district for reference and information.

Members were content to note the report that detailed recent planning appeals that had been lodged, dismissed or allowed.

RESOLVED: That the report be noted.

84. Schedule of Planning Applications to be Determined By Committee (Agenda Item 17)

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

85. Planning Application 14/03195/FUL - Pond Farm, Old A303, Seavington St Michael (Agenda Item 18)

Application proposal: The conversion, extension and rebuild of redundant farm buildings to form 3 residential units, new hay barn to form one residential dwelling and conversion of open barn to create garaging/workshop.

The Planning Officer presented the application as detailed in the agenda. He advised that since writing his report, the Highway Authority had responded and they raised no

objections to the development. Comments had also been received from a local resident but they related to comment submitted by the applicant and not directly related to the development. His recommendation was to approve the application.

Mr L Holditch spoke in opposition to the driveway access to the development stating that an additional 12 vehicles using the new access and parking would cause disturbance and impact upon his adjacent property.

Mrs D Simmins spoke in support of the development, stating that it was a quality scheme of traditional construction which would have a low impact upon the area.

Mr J Jackson, Agent for the applicant, said the previous application which featured a modern interpretation of the existing dutch barn at the site had now been replaced with a more traditional hay barn design whilst there was no change to the remainder of the site. The development would be a positive contribution to the village.

The Chairman noted that the Ward Members were not in attendance, but, were supportive of the scheme.

During discussion, one Member voiced her concern at the safety of the entrance to the development, given its proximity to traffic bollards in the road, however, the remaining Members were content to endorse the officers recommendation to approve the application and on being put to the vote was carried (voting: 8 in favour, 1 against, 0 abstentions).

RESOLVED: That planning application 14/03195/FUL be APPROVED as per the officer recommendation.

Justification:

The proposed redevelopment of this site is considered to be an acceptable re-use of previously used land that will respect and relate to the immediate setting and would contribute to the council's housing supply. Furthermore, the site is considered to be reasonably capable of accommodating the proposed development, without demonstrable harm to the character and appearance of the traditional buildings, the setting of the nearby and attached listed buildings, visual or residential amenity, ecology and highway safety. As such the proposed development is considered to accord with the aims and objectives of saved policies ST3, ST5, ST6, EC3, EC5, EC8, EH3 and EH5 of the South Somerset Local Plan and the provisions of chapters 4, 6, 7, 10, 11 and 12 and the core planning principles of the National Planning Policy Framework.

Subject to the following conditions:

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

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

02. The development hereby permitted shall not be carried out otherwise than in complete accordance with the following approved plans: '011 Rev D' and '056', received 16th July 2014

and '050 Rev A', received 24th July 2014.

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

03. No development hereby approved shall be carried out until particulars of following have been submitted to and approved in writing by the Local Planning Authority;
- a. details of materials (including the provision of samples where appropriate) to be used for the external walls, roofs and new boundary walls;
 - b. sample panels of stonework shall be provided on site for inspection;
 - c. full written details, including elevational drawings, to indicate the areas of existing natural stone walls to be repointed. Such details shall include the method of removal of existing pointing and details of mortar mix. In this regard mechanical tools shall not be used;
 - d. details of the design, materials, external finish and recessing for (including the provision of samples where appropriate) to be used for all new doors, windows (including roof lights), boarding and openings. Unless otherwise agreed in writing, the roof lights shall be top hung and flush with the roof covering;
 - e. details of the design of all roof eaves, verges and abutments, including detail drawings at a scale of 1:5;
 - f. details of all new cast metal guttering, down pipes, other rainwater goods, and external plumbing;
 - g. details of position and colour finish of meter cupboards and gas boxes.

Once approved such details shall be fully implemented and thereafter shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the traditional buildings and the listed buildings, in accordance saved policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan 2006 and the provisions of chapters 7 and 12 of the National Planning Policy Framework.

04. The specifications, including position and material finish, of all boundary treatments and means of sub-division of the site, shall be carried out in accordance with details as indicated on approved plan '056' and as indicated within the submitted application form. The approved boundary treatments shall be installed prior to the first occupation of any of the dwellings

hereby approved and once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual and residential amenity and to safeguard the character and appearance of the traditional buildings and the listed buildings, in accordance saved policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan 2006 and the provisions of chapters 7, 12 and the core planning principles of the National Planning Policy Framework.

05. The finished floor levels and ridge heights of the dwellings hereby permitted shall be carried out in accordance with the details submitted on approved plans '011 Rev D', '050 Rev A' and '056'. Such approved details, shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual and residential amenity and to safeguard the character and appearance of the traditional buildings and the listed buildings, in accordance saved policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan 2006 and the provisions of chapters 7, 12 and the core planning principles of the National Planning Policy Framework.

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

Reason: For the enhancement of biodiversity, in accordance with saved policy EC8 of the South Somerset Local Plan and the provisions of chapter 11 of the National Planning Policy Framework.

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

Reason: In the interests of visual amenity and to safeguard the character and appearance of the traditional buildings and the listed buildings, in accordance saved policies ST5, ST6, EH3 and EH5 of the

South Somerset Local Plan 2006 and the provisions of chapters 7 and 12 of the National Planning Policy Framework.

08. The areas allocated for parking and turning on approved plan '056', shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

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

09. The proposed access over at least the first 10.0m of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

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

10. Before the development hereby permitted is commenced, foul and 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. This shall include details measures to prevent discharge of surface water onto the highway or elsewhere beyond the site. Following its installation such approved scheme shall be permanently retained and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity, highway safety and to protect the local water environment, in accordance with saved policies ST5, ST6 and EP9 of the South Somerset Local Plan 2006 and the provisions of chapters 4, 10 and the core planning principles of the National Planning Policy Framework.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed in the buildings, or other external alteration made without the prior express grant of planning permission.

Reason: In the interests of visual and residential amenity and to safeguard the character and appearance of the traditional buildings and the listed buildings, in accordance saved policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan 2006 and the provisions of chapters 7, 12 and the core planning principles of the National Planning

Policy Framework.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to the buildings without the prior express grant of planning permission.

Reason: In the interests of visual and residential amenity and to safeguard the character and appearance of the traditional buildings and the listed buildings, in accordance saved policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan 2006 and the provisions of chapters 7, 12 and the core planning principles of the National Planning Policy Framework.

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

86. Planning application 14/03029/OUT - Land north of Hill Farmhouse, Shepton Beauchamp (Agenda Item 19)

Application proposal: The replacement of existing stable with a single dwelling and the formation of associated access and driveway.

The Planning Officer presented the application as detailed in the agenda. She said that two letters had been received from neighbours, one in support of the application and one raising concerns that the proposed access track could affect a ditch boundary. She said the officer's recommendation remained that of refusal because of the backland development on the edge of the village and the lengthy access track.

Ms J Fryer, Agent for the applicants, said the single reason the officer had put forward for refusing the proposal was one of unwelcome intrusion into the countryside, however, the concrete barn already existed on the site and a dwelling would be a direct replacement of it. The site was not isolated from the village and there was no impact on highway safety.

The Chairman noted that the Ward Members were not in attendance, but, were supportive of the scheme.

During discussion, varying views were expressed. Some Members voiced concern at the long access track and the possibility of future development to the north of the site whilst others felt there was no great intrusion as a barn already existed on the site. It was proposed to grant permission subject to conditions including a time limit on development, approved plans, details of construction of access track, limit to one dwelling and clean and foul drainage details and on being put to the vote, was carried (voting: 5 in favour, 4 against, 0 abstentions).

RESOLVED: That planning application 14/03029/OUT be APPROVED, contrary to the officer recommendation, subject to conditions.

Justification:

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 Policies ST5 and ST6 of the South Somerset Local Plan (adopted April 2006) and the provisions of the National Planning Policy Framework.

Subject to the following conditions:

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

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

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

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

03. The development hereby permitted shall be carried out in accordance with the following approved plans location plan and block plan.

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

04. The development hereby permitted shall comprise no more than one dwelling.

Reason: To ensure that the level and density of development is appropriate to the location in accordance with Policies ST5 and ST6 of the South Somerset Local Plan.

05. The development hereby permitted shall not be commenced unless, foul and surface water drainage details to serve the development and to prevent the discharge of surface water onto the highway, have been submitted to and approved in writing by the local planning authority. Such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use and shall thereafter be permanently retained and maintained.

Reason: In the interest of environmental health and to ensure the site is adequately drained in accordance with Policy EU4 of the South Somerset Local Plan.

06. The development hereby permitted shall not be commenced unless details of the new drive, to include details of its

construction and finished surfacing materials, have been submitted to and agreed in writing by the local planning authority. Such agreed details shall be carried out in full unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of visual amenity and to ensure the site is adequately drained in accordance with Policies ST6 and EU4 of the South Somerset Local Plan.

(Voting: 5 in favour, 4 against, 0 abstentions)

87. Planning Application 14/03258/FUL - Land rear of 25 Hayes End, South Petherton (Agenda Item 20)

Application proposal: The erection of 4 No. dwellings with associated access, garages, parking and landscaping.

The Planning Officer presented the application as detailed in the agenda noting that it was a small wind-fall site next to the existing Chapel Field development. There were no updates to report and the recommendation was to approve the application.

Mr M Frost, Agent for the applicant, said the site was in a sustainable location, close to services and facilities and was in line with the emerging Local Plan. The layout had been designed in line with the existing development and the removal of a high laurel hedge would not harm the amenity of the existing properties. The applicant was willing to relocate the bin collection point if necessary.

The Chairman noted that the Ward Members were not in attendance, but, were supportive of the scheme.

In response to questions from Members, the Planning Officer confirmed that the site had not been in the ownership of the developer at the time that Chapel Field was built and was a subsequent wind-fall site. Also, 4 dwellings was below the threshold to request Section 106 contributions and to leave the high laurel hedge in place would constrain the development.

During discussion, varying views were expressed; some Members felt the site had good layout with good sized gardens whilst others regretted the removal of hedges and lack of trees on the site. It was proposed and seconded to grant permission and on being put to the vote, was carried (voting: 6 in favour, 3 against, 0 abstentions).

RESOLVED: That planning application 14/03258/FUL be APPROVED, as per the officer recommendation, subject to conditions.

Justification:

The proposed dwellings represents an appropriate and sustainable form of development which will contribute to the council's housing supply without demonstrable harm to visual or residential amenity or being prejudicial to highway safety and therefore accords with the aims and objectives of the National Planning Policy Framework and saved policies ST1, ST3, ST5, ST6, EC3 and EC8 of the South Somerset Local Plan

2006.

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 3388/001, 3388/002, 3388/003, 3388/004, 3388/005, 3388/006, 3388/007, 3388/008, 3388/009, 3388/010, 3388/011 and 3308/012 received 21 July 2014.

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

03. No works shall be carried out unless particulars of the following have been submitted to and approved in writing by the Local Planning Authority;
- a. details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
 - b. details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
 - c. particulars of all boundary treatments and hard surfacing materials. Such details shall include the use of porous materials to the parking and turning areas;
 - d. details of meter cupboards and gas boxes;

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

4. 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.

Reason: In the interests of visual amenity in accordance with Policies

ST5 and ST6 of the South Somerset Local Plan.

05. Prior to the development hereby approved being first brought into use the first floor windows within the south (side) elevations of Plots 1 and 4 shall be fitted with obscure glass and shall be permanently retained and maintained in this fashion thereafter.

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

6. Demolition or construction works or deliveries to the site shall not take place outside 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays nor at any time on Sundays or Bank Holidays.

Reason: In the interests of residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

Informative:

01. Prior to commencement of groundworks, a badger sett will require closure under licence from Natural England. It is recommended that an ecological consultant is commissioned at the earliest opportunity to assist with the licence application and in order to minimise the risk of delays to the development.

(Voting: 6 in favour, 3 against, 0 abstentions)

88. Planning Application 14/02647/OUT - Land adjacent to Barcroft Lane, South Petherton (Agenda Item 21)

Application proposal: Demolition of garage and workshop and the erection of 1 No. dwellinghouse and garage (Outline).

The Planning Officer presented the application as detailed in the agenda noting that it was recommended for approval as a departure from policy ST3 of the Local Plan which was under review. However, policy SS2 could be given significant weight following a recent Planning Inspector appeal decision. The new access proposed would improve visibility for traffic from the existing entrance and one dwelling could be comfortably sited on the plot.

Mr P Dance, the Agent for the applicant, said the site was in a sustainable location, in line with policy and the new access would improve visibility.

Following a brief discussion, the officers recommendation to approve the application was proposed and seconded and on being put to the vote was carried unanimously.

RESOLVED: That planning application 14/02647/OUT be APPROVED, as per the officer recommendation, subject to conditions.

Justification:

South Petherton by reason of its size and provision of services and facilities is considered a sustainable location in principle for appropriate development. The erection of a dwelling on this site, close to the settlement limit would respect the character of the locality with no demonstrable harm to residential amenity, visual amenity or highway safety. As such the proposal complies with relevant policies EC3, ST1, ST6 and ST5 of the South Somerset Local Plan (Adopted April 2006) and the aims and objectives of the NPPF.

Conditions:

01. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To accord with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2010.

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.

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

03. Approval of the details of the appearance of the building(s), the landscaping of the site, Layout and Scale (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To accord with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2010.

04. The development hereby permitted shall be carried out in accordance with the following approved plan: Drawing no. 14/1416/01

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

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

Reason: In the interests of highway safety further to policy ST5 of the

South Somerset Local Plan.

06. The entrance gates shall be hung to open inwards only and set back 5 metres from the carriageway edge as shown on the approved drawing no. 14/1416/01 and thereafter shall be maintained in that condition at all times.

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

07. There shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the proposed access and extending 33 metres to the East and West as shown on the approved plan, drawing no. 14/1416/01. Such visibility shall be fully provided before the development hereby permitted is occupied and shall thereafter be maintained at all times.

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

08. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before first occupation of the dwelling hereby permitted and thereafter maintained at all times.

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

09. The dwelling hereby permitted shall not be occupied until the existing access has been stopped up and its use permanently abandoned in a manner to be agreed in writing by the Local Planning Authority.

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

10. The gradient of the access shall not be steeper than 1 in 10. Once constructed the access shall thereafter be maintained in that condition at all times.

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

11. The metal shed located to the north of the red site line, within the blue ownership line, shall be removed within 3 months following the occupation of the new dwelling.

Reason: in the interest of amenity of future occupiers and in the interest of visual amenity and to accord with saved policy ST6 of the South Somerset Local Plan (2006).

(Voting: unanimous in favour)

89. Planning Application 14/03375/FUL - Land adjacent to Cainsmead, North Street, South Petherton (Agenda Item 22)

Application proposal: Erection of 2 No. detached dwellinghouses, garages and parking with associated access and landscaping.

The Planning Officer presented the application as detailed in the agenda noting that it was a full application for two dwellings. The existing hedge to the front of the site would be removed to create a new access and the hedge would be replanted. The application was acceptable to the Highway Authority and her recommendation was to approve.

Mr M Frost, Agent to the applicant, said it was a modest proposal for two dwellings which respected the rural vernacular of the area. There would be no overlooking of adjacent properties and the proposed new access would have a large visibility splay to create a passing place in the lane.

Following a brief discussion, the officers recommendation to approve the application was proposed and seconded and on being put to the vote, was carried unanimously in favour.

RESOLVED: That planning application 14/03375/FUL be APPROVED, as per the officer recommendation, subject to conditions.

Justification:

South Petherton, due its size and provision of services and facilities is considered a sustainable location for appropriate development. The proposed erection of two houses on this site, close to the settlement boundary would respect the character of the locality with no demonstrable harm to residential amenity, visual amenity or highway safety. As such, the proposal complies with relevant policies EC3, ST1, ST5 and ST6 of the South Somerset Local Plan (Adopted April 2006) and the aims and objectives of the NPPF.

Conditions:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing nos. 3401/001A, 3401/002B, 3401/003B, 3401/004, 3401/005A, 3401/006, 3401/007 and N6027-01 received 8 September 2014 and 25 July 2014.

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

03. The area allocated for parking and turning on the submitted plan

shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan 2006.

04. Before the dwellings hereby permitted are first occupied, a properly consolidated and surfaced access shall be constructed (not loose stone or gravel for the first 5m) details of which shall have been submitted to and approved in writing by the Local Planning Authority. The access shall be constructed in accordance with the agreed design and shall be maintained in that condition thereafter.

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan 2006.

05. The entrance gates shall be timber and installed in accordance with drawing no. 3401/001A unless otherwise agreed in writing by the Local Planning Authority and thereafter shall be maintained in that condition at all times.

Reason: In the interests of visual amenity and highway safety, in accordance with policies ST5 and ST6 of the South Somerset Local Plan 2006.

06. There shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2.0 metres back from the carriageway edge on the centre line of the proposed access and extending 25 metres to the East and West as shown on the approved plan, drawing no.3401/001/A. Such visibility shall be fully provided before the development hereby permitted is occupied and shall thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan 2006

07. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before first occupation of the dwellings hereby permitted and thereafter maintained at all times.

Reason: In the interests of highway safety, in accordance with policy ST5 of the South Somerset Local Plan 2006.

08. The development hereby approved shall not be commenced unless details of site vegetative clearance, ground-works, heavy machinery entering site or the on-site storage of materials and a scheme of tree & hedgerow protection measures have been submitted to and agreed in writing by the Local Planning Authority and it shall include the following details:

The installation & specification details of rigidly-braced HERAS panel protection fencing; and a requirement for a pre-commencement site meeting to be held between the appointed building/groundwork contractors, and the Council's Tree Officer (Phillip Poulton - 01935 462670), in order to ensure compliance with the agreed tree protection measures.

Upon approval by the Local Planning Authority, the measures specified within the agreed scheme of tree and hedgerow protection shall be implemented in their entirety for the duration of the construction of the development, inclusive of landscaping operations.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees) in accordance with policy ST6 of the South Somerset Local Plan 2006 and those statutory duties defined within the Town & Country Planning Act, 1990.

09. The development hereby permitted shall not be commenced unless there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include details of the boundary hedgerows to be retained, together with measures for their protection during the course of the development, additional planting to enhance the boundary planting and 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. The landscaping scheme shall include details of the height at which the hedgerows would be retained/maintained and details of the new hedgerows of native species on the front and rear boundaries of the site as indicated on drawing no. 3401/001A.

Reason: To safeguard the character and appearance of the area in accordance with policy ST6 of the South Somerset Local Plan 2006.

10. No development hereby approved shall be carried out unless the following details have been submitted to and approved in writing by the Local Planning Authority:

- a. details of the natural stone, brick, watertabling, slate and clay tiles, (including the provision of samples where appropriate) to be used for the external walls, roofs and chimneys;
- b. a sample panel of stonework, to be prepared for inspection on site, to show the final appearance and finish of the stone external walls comprised in the development;

- c. details of the design of the windows to show the frame profile/proportions and that they would be balanced together with details of their colour/finish together with the colour/finish of the doors, and
- d. details of all lintels, window cills, eaves/fascia board detailing, porch boarding, guttering, downpipes and other rainwater goods, including their material, colour and finish.

Once approved, such details shall be fully implemented unless otherwise agreed in writing by the Local Planning Authority, and thereafter retained and maintained.

Reason: To safeguard the character and appearance of the area in accordance with policy ST6 of the South Somerset Local Plan 2006.

- 11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be formed at first floor level on the side elevations of the houses hereby approved, without the prior express grant of planning permission.

Reason: To safeguard the amenities of the area in accordance with policy ST6 of the South Somerset Local Plan 2006.

(Voting: unanimous in favour)

90. Planning Application 14/02953/FUL - Land at Long Furlong Lane, Long Sutton (Agenda Item 23)

Application proposal: Proposed erection of new dwelling with detached single storey double carport and creation of vehicular and pedestrian access.

The Planning Officer presented the application as detailed in the agenda noting that it was 650m from the edge of the development area and 1.2km from the key services found in the centre of the village and that the proposal was in an unsustainable position with no agricultural justification. There were also concerns for residential amenity from noise and smell from the adjacent farmyard and so the recommendation was to refuse the application.

Mr F Della Valle, Agent for the applicant, said that although the officer's report said the site was remote, there were numerous other houses in the area and the main Langport Road had a 30mph speed limit at that point. He said the applicant did not wish to tie the dwelling to the farm but it was intended for a family member. It was a short 5 minute walk to the village centre and the application was supported by the Parish Council.

The Ward Member, Councillor Shane Pledger, said he agreed with the Parish Council. There was a proper footpath to the village centre which had a shop, school and public house and there were many other houses to the west of the site.

During a brief discussion, Members were fully supportive of the proposal which they felt was a sustainable location and would fit well with the existing ribbon development in that

area. It was also noted that no issues had been raised by local residents relating to noise or smell from the nearby farmyard. It was proposed to grant permission subject to conditions including a time limit on development, approved plans and materials, joinery details, finished floor levels, drainage and landscaping details, entrance gates hung to open inwards, details of hardstanding and parking and turning area to be retained in perpetuity and on being put to the vote, was carried unanimously in favour.

RESOLVED: That planning application 14/02953/FUL be APPROVED, contrary to the officer recommendation, subject to conditions.

Justification:

01. The development is located in a sustainable location which, by reason of its scale, siting and design, respects the rural character and setting of the locality, raises no demonstrable harm to visual or residential amenity, is not prejudicial to highway safety and is therefore in accordance with the aims and objectives of the National Planning Policy Framework and the saved policies of the South Somerset Local Plan.

Subject to the following conditions:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans drawings numbered F1196/001c, F1196/100c, F1196/101c and F1196/102a.

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

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

a) materials (including the provision of samples where appropriate) to be used for all external walls and roofs; and

b) details of the design, materials and external finish for all external doors, windows, boarding and openings, including detailed sectional drawings, lintels and entrance gates;

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

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

these details.

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

05. The development hereby permitted shall not be commenced unless, foul and surface water drainage details to serve the development and to prevent the discharge of surface water onto the highway, have been submitted to and approved in writing by the local planning authority. Such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use and shall thereafter be permanently retained and maintained.

Reason: In the interest of environmental health and to ensure the site is adequately drained in accordance with Policy EU4 of the South Somerset Local Plan.

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

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

07. Any entrance gates shall be hung to open inwards.

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

08. The development hereby permitted shall not be commenced unless details of all new hardstanding have been submitted to and agreed in writing by the local planning authority. Such agreed details shall be carried out in full unless otherwise agreed in writing by the local planning authority.

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

09. The parking and turning areas detailed on the approved plans shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of domestic vehicles in connection with the

development hereby permitted.

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

(Voting: unanimous in favour)

91. Planning Application 14/03405/FUL - Land at The Manor, Cross Lane, Long Sutton (Agenda Item 24)

Application proposal: Erection of a gatehouse dwelling

(Councillor Shane Pledger having earlier declared a DPI left the room during consideration of this item. Councillor Derek Yeomans assumed the role of Chairman for this item).

The Planning Officer presented the application as detailed in the agenda noting that it was before the Committee as the applicant was a District Councillor. The application was a revised scheme from that submitted two years earlier and large walnut tree at the site would be pruned in an acceptable manner. The recommendation was to approve the application, subject to conditions.

Mr F Della Valle, Agent for the applicant, said that a thorough pre-application process had been conducted which included discussion with the occupiers of the neighbouring property. The application was supported by the Parish Council and it would provide a two bed dwelling for the un-met housing need in the area.

During a brief discussion, varying views were expressed. Some Members felt the development overwhelmed the site and spoilt a pleasant open setting, whilst others felt that planning guidelines should be adhered to. The officer's recommendation to approve the application was proposed and seconded and on being put to the vote was carried (voting: 4 in favour, 0 against, 4 abstentions).

RESOLVED: That planning application 14/03405/FUL be APPROVED, as per the officer recommendation, subject to conditions.

Justification:

The proposed dwelling represents a sustainable form of development that makes efficient use of land whilst respecting the character and setting of the conservation area and adjacent listed buildings, without demonstrable harm to residential amenity or being prejudicial to highway safety. The development therefore accords with the aims and objectives of the National Planning Policy Framework and saved Policies ST5, ST6, EH1 and EH5 of the South Somerset Local Plan.

Conditions:

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

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

Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans drawings numbered F1198-100C and F1192-101C.

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

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

- a) particulars of the materials (including the provision of samples where appropriate) to be used for all external walls, roofs and chimneys;
- b) full details of all new walls and boundary walls, including the materials, coursing, bonding, mortar profile, colour and texture, to be provided in the form of a sample panel to be made available on site;
- c) details of the recess, materials and external finish for all external doors, windows and openings;
- d) details of all roof eaves, verges and abutments, including detailed section drawings, and all new guttering, down pipes and other rainwater goods, and external plumbing;
- e) details of all gates, fences and the surface material for the parking and turning area.

Reason: To safeguard the character and setting of the adjacent listed building and surrounding conservation area to accord with Policies EH1 and EH5 of the South Somerset Local Plan.

04. The development hereby permitted shall not be commenced unless details of the internal ground floor levels of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

05. Prior to implementation of this consent, a specification of tree pruning, relating to the Walnut tree adjoining the Western gable-end of the proposed dwelling, shall be submitted to and agreed in writing by the local planning authority.

The approved tree pruning specification shall be implemented in-entirety, in accordance with British Standard 3998: 2010 – Tree Works; prior to the construction of the development.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees) in accordance Policy ST6 of the South Somerset Local Plan 2006 and those statutory duties as defined within the Town & Country Planning Act, 1990 (as amended)[1].

06. The area allocated for parking on the submitted plan, drawing number F1198-100C, shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

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

07. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed above ground floor level within the west elevation of the dwelling hereby permitted without the prior express grant of planning permission.

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

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

Reason: To safeguard the character and setting of the adjacent listed building and surrounding conservation area to accord with Policies EH1 and EH5 of the South Somerset Local Plan.

09. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no garages shall be erected other than those expressly authorised by this permission.

Reason: To safeguard the character and setting of the adjacent listed building and surrounding conservation area to accord with Policies EH1 and EH5 of the South Somerset Local Plan.

(Voting: 4 in favour, 0 against, 4 abstentions)

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Chairman

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Date