

South Somerset District Council

Minutes of a meeting of the **Area East Committee** held at the **Meeting Room, Churchfield Offices, Wincanton** on **Wednesday 9 July 2014**.

(9.00am – 1.05pm)

Present:

Members: Councillor Nick Weeks (Chairman)

John Calvert	Lucy Wallace
Tony Capozzoli	William Wallace
Nick Colbert	Colin Winder
Anna Groskop	

Officers:

Anne Herridge	Democratic Services Officer
Adrian Noon	Area Lead (North/East)
Helen Rutter	Area Development Manager (East)
Dominic Heath-Coleman	Planning Officer
Steve Joel	Assistant Director (Health & Well-Being)
Alex Skidmore	Planning Officer
Pam Williams	Neighbourhood Development Officer (East)

Others

Sgt Dean Hamilton	Avon and Somerset Constabulary
Inspector Tim Coombe	Avon and Somerset Constabulary

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

22. Minutes of Previous Meeting (Agenda Item 1)

The minutes of the AEC meeting held on the 11th June 2014, copies of which had been circulated, were agreed and signed by the Chairman.

23. Apologies for absence (Agenda Item 2)

Apologies for absence were received from Cllrs Mike Beech and Tim Inglefield.

24. Declarations of Interest (Agenda Item 3)

There were no declarations of interest.

25. Public Participation at Committees (Agenda Item 4)

a) No members of the public wished to address the meeting.

- b) Cllr Colin Winder made reference to page 13 of the minutes of the AEC meeting held on 11th June 2014 as he was concerned that there was a double standard around the way listed buildings were dealt with. He said that as far as he was aware any changes to listed buildings needed planning permission. Cllr Winder compared the officer's recent recommendation for refusal for plastic windows at Brewham with work that was being carried out at the Green Dragon and Dolphin Hotel in Wincanton that should require planning permission but no pressure had been put on the owner to make a retrospective application.

The ADM informed the committee that, with regard to the Dolphin Hotel, she had contacted planning enforcement in response to Cllr Winder's concerns to check if a planning infringement was occurring and was advised that they had done a site visit and no infringement had taken place.

The Chairman asked for the issue to be looked at and asked that AEC members be given an explanation from Development Control about the criteria used relating to any changes made to listed buildings and to confirm the situation with regard to the 2 sites raised.

Cllr Tony Capozzoli suggested that Durslade Farm Bruton should be included in the Area East planning tour or failing that, members of AEC could be given a guided tour of the new facilities at some point in the future.

It was brought to the committee's attention that a sign had been erected by the Naval Trust, just off the A303 however the consultation regarding the planning application had not as yet been completed. Enforcement action was required as the sign was already causing some concern.

Tony Capozzoli reported that monies from S106 obligations relating to the Barn conversions at Ilchester were not required by Yeovilton PC but they had requested the payment to be transferred to Ilchester PC.

The ADM would investigate further and inform Tony Capozzoli of the position.

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

Cllr Mike Lewis had attended a meeting of the Internal Drainage Board where discussion centred on the new Somerset Rivers Board which would cover all rivers in Somerset. Cllr Lewis wanted to ensure that the maintenance of the upper catchment rivers was given priority.

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

There had not been a meeting of the Regulation Committee recently.

28. Chairman Announcements (Agenda Item 7)

The Chairman reminded members that there would be a planning tour for AEC members and officers on Friday July 18th to start at 12.00 pm with a working lunch.

Cllr Nick Colbert advised the Chairman that the Leader of the Council had arranged a meeting for Friday 18th July therefore several members would be unable to attend the planning tour. After a short discussion a new date for the planning tour was arranged for Friday 25th July 2014.

A working lunch was arranged after AEC in order for Sarah Dyke-Bracher, the Programme Manager of the prospective Heart of Wessex LEADER area, to explain the latest developments of the programme.

With reference to the Match Funding for the Superfast Broadband Extension where District Executive had agreed to contribute, in principle, a maximum of £640,000 to expand the provision of superfast broadband in South Somerset: - Area East members should be aware of the issue regarding the meaning of rural and ensure that the broadband coverage must extend to the whole of South Somerset.

A short discussion ensued where members wanted to ensure that the funding was targeted towards the rural areas which otherwise would not be connected to superfast broadband under the existing programme. They requested to see details of the areas that would benefit from the additional funding. A point was also made that some local authority areas were insisting that developers install superfast broadband in new developments. The majority of members felt that communities should be advised of the rollout programme proposed by BT and what that programme consists of.

Cllr Anna Groskop understood that SCC intended to hold workshops on the matter from September, and in her capacity as county councillor would ensure that Area East were included in the programme of workshops.

The Chairman agreed to raise the relevant points at the Area Chairs meeting next week.

29. Area East Neighbourhood Policing Report (Agenda Item 8)

Sgt Dean Hamilton and Police Inspector Tim Coombe, the officers responsible for neighbourhood policing across Area East, and South Somerset respectively addressed the committee and with the aid of a power point presentation updated members on the new policing structure due to take effect from Monday 28th July 2014.

In response to questions, Police Inspector Tim Coombe informed members that:

- He hoped that the 3 new enforcement motor bikes would help with the speeding issues in the area;
- Beat Managers were the initial point of contact regarding speed restriction signs and he would find out the name of the relevant officer;
- Any changes to speed limits needed careful consideration;
- Police presence would be retained in areas where there was police presence at the moment;
- It was not a road traffic offence to have cars for sale on the roadside;

- A neighbourhood base would remain in Yeovil although it was not known yet where that would be located;
- Having conducted a comprehensive review of accommodation it was considered that the best cost effective approach was to locate a custodial suite along the area of the A303. This custodial suite would deliver a number of cells and include additional staff resources enabling officer's quicker turnaround times when dealing with offenders;
- The current custody suite at Yeovil Police Station would not close until a new local custody suite had opened;

The Chairman thanked Police Inspector Tim Coombe and Sgt Dean Hamilton for their informative presentation.

NOTED

30. Confidential - Exclusion of Press and Public (Agenda Item 9)

By virtue of the Local Government Act 1972, Schedule 12A under paragraphs:

- 3 Information relating to the financial or business affairs of any particular person (including the authority holding the information)

Members agreed to pass a resolution to exclude the press and public during consideration of the following item as the public interest in maintaining the exemption from the Access to Information Rules outweighs the public interest in disclosing the information.

However Cllr Colin Winder did not feel that it was necessary to deal with this item in confidential session.

31. Wincanton Community Sports Centre - Progress report - Confidential (Agenda Item 10)

The Assistant Director (Health and Well-Being) addressed the committee; he updated members on progress at Wincanton Community Sports Centre following the successful transfer of the operation to LED (Leisure East Devon) on 1 November 2013.

In conclusion the Assistant Director (Health and Well-Being) considered that LED had a more robust management system and staff morale had improved. He confirmed that his report on the centre in the future would include the 5year plan.

RESOLVED: That members note and comment on the report.

32. The Retail Support Initiative (Agenda Item 11) (Executive Decision)

The Neighbourhood Development Officer presented the report as detailed in the agenda. She explained that if Members were minded to support the introduction of a Wincanton

focused 'top-up' based on the key elements, she suggested that the detail and promotion of this scheme was worked up by officers for sign off by the Ward Members and the Chairman.

Members were content to approve the recommendations.

RESOLVED:

- (1) To agree the operating criteria for the Area Wide Retail Support Initiative for 2014/15
- (2) To discuss and approve the operating principles of a Wincanton 'top-up' scheme
- (3) That £10,000 ring-fenced in the Revenue Reserve for the Image Development Project be re-allocated for a Wincanton top-up grant
- (4) That the Wincanton top-up grant is launched in the Autumn and reviewed after twelve months.

Reason: To agree the operating criteria for the Retail Support Initiative (RSI) during 2014/15 and consider proposals for additional support in Wincanton.

(Voting: unanimous in favour)

33. Area East Forward Plan (Agenda Item 12)

The ADM asked the committee to note that the report on the Balsam Centre would not be on the agenda until the AEC meeting to be held on 10th September 2014.

NOTED

34. Items for information (Agenda Item 13)

Cllr Mike Lewis made reference to the recent planning appeals where Inspectors recommendations appeared to be inconsistent.

It was suggested that the issue could be raised before the Area East planning tour.

NOTED

35. Date of Next Meeting (Agenda Item 14)

Members noted the next scheduled meeting of the Area East Committee will be at the Council Offices, Churchfield, Wincanton on **Wednesday 13th August 2014 at 9.00 am.**

36. Schedule of Planning Applications to be Determined by Committee (Agenda Item 15)

The Committee considered the applications set out in the schedule attached to the agenda and the planning officers gave further information at the meeting and, where appropriate, advised members of letters received as a result of consultations since the agenda had been prepared.

(Copies of all letters reported may be inspected in the planning applications files, which constitute the background papers for this item).

Planning Application: 14/01055/OUT: Residential Development of land. at Court Lane Milborne Port: Alterations to Court Lane and its junction with Wick Road, formation of access onto Court Lane with visibility splays. Provision of footpaths on Wick Road. for White Bros Developments.

The Planning Officer presented the report as detailed in the agenda.

With the aid of a power point presentation the officer showed plans and photos of the site. He confirmed that his recommendation was to approve the application, given the limited weight that could be given to policy ST3 of the local plan and the site's location adjacent to the settlement limits of Milborne Port; it was considered that, in principle, it was a sustainable location for development. No adverse impacts on the landscape, ecology, drainage, residential amenity or highway safety had been identified that justify withholding outline planning permission, all matters of detail would be adequately assessed at the reserved matters stage or by the agreement of details required by condition, the applicant had also agreed to pay the appropriate contributions

Mr J Farley of Milborne Port PC informed the committee of the reasons why the PC was opposed to the application, in particular, reference was made to the extra traffic that would come from the development and use the inadequate roads surrounding the site. It was also felt that there was already overdevelopment of the village and no-one wished to see the loss of green space. Mr Farley also referred to the outline planning application to develop the land in 1990 that was refused and dismissed at appeal.

The Committee was then addressed by Mr P Davis in opposition to the application. He represented several local residents who considered this application was both unsuitable and unsustainable. He was disappointed that it appeared that the information used by Highways had been collected before the Tannery development had been completed; the traffic situation was much different now with the extra houses, a bad accident had also occurred in 2012. The issue of possible flooding was also of concern. Mr Davis made reference to the emerging Local Plan and the 55 houses that had already been approved in Milborne Port; there was no need to fast track this application.

The Committee was also addressed by Mr Williams the agent in support of the application; he reminded councillors that Milborne Port was classed as a Rural Centre not a village in the emerging Local Plan. He made reference to the appeal allowed on land at Wheathill Garden Centre and that there had been no objections from statutory consultees, this was a low density scheme and Milborne Port still needed extra housing he urged members to approve the application.

In response the Planning Officer replied that the application refused in 1990 referred to land south of this site and not this particular site. He confirmed that the land was classified as Grade 3 as detailed in the agenda report.

Ward Member Cllr Lucy Wallace felt strongly that Milborne Port had had enough development recently; its character would be destroyed. The proposed development

would be on high ground and would overlook the existing houses. Cllr Wallace proposed the application be deferred for a site visit to take place.

In response to the Chairman giving the public the opportunity to correct any mis-statement made by a Councillor or officer, the owner of the land in question informed the meeting that she had no intention of selling the land for development.

The proposal to defer the application for a site visit to take place was seconded with a request that a Highways Officer attend.

It was proposed and seconded to defer this planning application until the AEC meeting on 13 August 2014 in order for members to visit the site. On being put to the vote the motion was carried by 7 votes in favour and 1 against.

RESOLVED:

That planning application 14/01055/OUT be deferred until the AEC meeting to be held on 13 August 2014 in order for members to visit the site in the company of a Highways Officer.

(Voting: 7 in favour: 1 against)

Planning Application: 14/01333/OUT: Outline application for the redevelopment and restoration of Lakeview Quarry to provide 42 dwellings, 1,000 sq metres workspace for B1 use and associated community and recreation facilities at Lake View Quarry Chistles Lane Keinton Mandeville for Mr Cox.

The Area Lead - East presented the application as detailed in the agenda. He provided members with several updates that included information that had been received since the report had been published, that suggested there could be great crested newts on the site therefore the officer suggested that the application be deferred until a master plan had been drawn up to deal with the impact on the great crested newts and their habitat during development of the site.

It was proposed and seconded to defer the application until a report and mitigation strategy had been received regarding the impact on great crested newts, with the aim to bring the application back to AEC for consideration at the meeting on 10 September 2014. On being put to the vote the motion was carried unanimously.

RESOLVED:

That Planning Application: 14/01333/OUT be deferred until a report and mitigation strategy is received regarding the impact on great crested newts, with the aim to bring the application back to AEC for consideration at the meeting on 10 September 2014.

(Voting unanimous in favour)

Planning Application: 14/00951/OUT Outline application for the erection of 5 dwellings, provision of car and coach parking for users of the Village Hall/Recreational Ground and visitors to the Hill Fort of Camelot at Land Adjoining Chapel Road South Cadbury for JA & E Montgomery Ltd

The Planning Officer presented the report as detailed in the agenda, with the aid of a power point presentation showed photos and plans of the site.

The officer confirmed that his recommendation was to refuse the application as detailed in full in the agenda report.

Mrs L Elson addressed the committee in objection to the application, she explained that she was concerned that the historical site would be damaged and felt the offer of a coach park away from the site would not be utilised.

The applicant Mrs J Montgomery informed the meeting that the offer of enhanced parking facilities would be provided with no ongoing responsibility for the PC. The village hall currently had little parking facilities, the playing field would benefit from additional parking. She also made reference to an application from Yarlington Housing Group for possible affordable housing in the village. In conclusion she considered that the application would round off the settlement boundary and urged members to approve the application.

Ward Member Cllr Nick Weeks advised that the benefits of the application were good, although he was concerned about the impact the development would have on the view from the historical site he felt the application should be approved due to the benefits to the village.

During discussion, varying views were expressed including:

- Did not think it was right to allow this proposal to be built outside of the development line;
- Should approval be given the applicant had offered a landscaping scheme;
- There has been no objections from English Heritage;
- The PC had no objections, the coach park and additional parking near the recreation ground would be a bonus;
- Questioned how far the application from YHG had progressed;
- Suggested that this application be withdrawn until details of the application from YHG were known in order to be able to consider a comprehensive scheme;
- This application should be dealt with on its merits, it would be unfair to expect the applicant to wait until other applications had been processed;
- If the PC and Ward Member were happy with this application then it should be approved.

The Planning Officer and Area Lead – East responded to several queries:

- The development line was the other side of the village hall;
- The coach park would be utilised as coaches would drop visitors off at the historical site then park up in the proposed coach park which would be a short distant away;

- YHG had not as yet made an application and officers were unsure where it would be sited;
- This application was for members to consider at this meeting.

The Chairman reiterated that it was this application that should be considered although it would be nice to have been able to assess all applications together, it would be unfair to this applicant to wait for a resolution because of other future pending applications

It was proposed and seconded that the application be approved contrary to the officer's recommendation as the proposed development was considered to be in a sustainable location and would contribute towards the district's supply of housing. The benefits of the proposed scheme, including the community benefits of car parking for the village hall and coach parking for the nearby scheduled ancient monument, would not be significantly and demonstrably outweighed by any adverse impact to local landscape character and settlement pattern. Subject to the prior completion of a section 106 obligation (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission was issued to provide £1675 per dwelling towards sports, arts and leisure facilities; a S106 monitoring fee and deliver parking. Plus conditions for-approved plans; reserved matters; time limit; archaeology; access to houses; biodiversity; surface water drainage and no more than 5 dwellings. On being put to the vote the motion was carried 5 votes in favour and 3 against.

RESOLVED:

That planning application 14/00951/OUT be approved contrary to the officer's recommendation for the following reason:

The proposed development is considered to be in sustainable location and would contribute towards the district's supply of housing. The benefits of the proposed scheme, including the community benefits of car parking for the village hall and coach parking for the nearby scheduled ancient monument, would not be significantly and demonstrably outweighed by any adverse impact to local landscape character and settlement pattern. As such, the scheme is in accordance with policy SS2 of the emerging local plan and the aims and objectives of the NPPF.

a)The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to:-

- 1) Secure a contribution of £1,675 per dwelling towards the increased demand for outdoor playing space, sport and recreation facilities to the satisfaction of the Assistant Director (Wellbeing).
- 2) Provide for a S.106 monitoring fee of £500.
- 3) Secure the provision of the proposed car parking to the satisfaction of the SSDC Development Manager and the parish council.

b) The following conditions:

01 The site hereby approved for development shall be as shown on the submitted

location plan 14042-1 received 03 January 2014.

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

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

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

03 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development shall begin no later than 3 years from the date of this permission or not later than 2 years from the approval of the last "reserved matters" to be approved.

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

04. 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 involving trial trenching and subsequent excavation in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

Reason: In the interests of recording and advancing the understanding of the significance of any archaeological heritage assets on site in accordance with aims and provisions of the NPPF.

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

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

06. As part of any reserved matters application 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 NPPF.

07. The development hereby permitted shall not be commenced until such time as a surface water drainage scheme (including a full drainage masterplan and associated drainage calculations) has been submitted to, and approved in writing by, the Local Planning Authority (LPA).

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the LPA.

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.

08. The residential development hereby approved shall comprise no more than 5 dwellings.

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

(Voting: 5 in favour: 3 against)

Planning Application: 14/00925/FUL Alterations and the conversion of existing agricultural buildings to create 7 no. dwellings at Hainbury Farm Ilchester Yeovil for the Executors of Mrs PCH Young (Deceased)

The Planning Officer presented this application in conjunction with 14/00926/LBC as detailed in the agenda report. With the aid of a power point presentation she showed the site and proposed plans. The officer confirmed that her recommendation was to approve the recommendation.

Mr P Horsington of Yeovilton PC advised that the parish council approved the application, he asked members to note a typo on page 71 of the agenda report as reference had been made to Ilminster instead of to Ilchester.

Mr R Rhys the Land Agent for the applicant addressed the committee in support of the application, he thanked the Planning Officer and the SSDC Conservation Officer for their time spent on the application. He also made reference to the historic aircraft noise contours.

Ward Member Cllr Tony Capozzoli advised that he would like the aircraft noise contours reviewed; he welcomed the application which would tidy up the site which had been the target of vandals several times over the last few years. He also advised that Yeovilton PC did not require the S106 contribution but would like it to be used by Ilchester PC.

Following a short discussion, members expressed their support for the application and it was proposed and seconded to approve the application as per the officer's recommendation. The chairman wished to ensure that provision was made for swifts and swallows. On being put to the vote the motion was unanimously carried in favour.

RESOLVED

That application 14/00925/FUL be approved as per the officers recommendation subject to:

a) The prior completion of a Section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to:

1) Secure a contribution of £3, 534 per dwelling (a total of £24,737) towards the increased demand for outdoor playing space, sport and recreation facilities to the satisfaction of the Assistant Director (Wellbeing) as detailed below:

- **Local facilities:** £1386.14

Equipped Play Space towards enhancing the equipped play area at Great Orchard, Ilchester - £864

Community Halls towards enhancing facilities at the existing Town Hall in Ilchester, or towards the provision of new community hall facilities within Ilchester - £3,655

- **Strategic facilities:** £1,613.57

Theatre and Art Centres towards expanding and enhancing the Octagon Theatre in Yeovil - £314.43

Artificial Grass Pitches towards the provision of a new 3G artificial grass pitch in Wincanton - £80.71

Swimming Pools towards the provision of a learner pool at Wincanton Sports Centre or a new centrally based 8 lane district wide competition pool in Yeovil - £371.43

Indoor Tennis Centres towards the provision of a new indoor tennis centre in Yeovil, likely to be within Yeovil Sports Zone - £238

Sports Halls towards the development of a centrally based 8 court district wide competition sports hall in Yeovil, to the enhancement of existing sports halls in Yeovil - £1,613.57

- **Commuted Sums:** £499.14

Equipped Play Areas towards enhancing the equipped play area at Great Orchard, Ilchester - £499.14

- **Community, Health and Leisure Service Administration Fee:** £35

2) Provide for a S.106 monitoring fee of £500

b) The following conditions:

01. It is considered that the proposed development is acceptable in principle and in relation to: the character and setting of the listed buildings; the landscape character; bats and birds; highway safety and parking; residential amenity; flood risk and noise pollution. As such, it is in accordance with saved policies ST3, ST5, ST6, EC3, EC8, EH3, EH5, EH7, ME7, CR3 of the South Somerset Local Plan (adopted 2006) and the National Planning Policy Framework 2012.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in accordance with the following approved plans (except where directed otherwise by the conditions below):

- 3312/SP06, date-stamped 03/03/2014;
- 3312/ABE01, date-stamped 03/03/2014;
- 3312/BAE01, date-stamped 03/03/2014;
- 3312/BBE01, date-stamped 03/03/2014;
- 3312/BCE01, date-stamped 03/03/2014;
- 3312/BDE01, date-stamped 03/03/2014;
- 3312/BEE01 A, date-stamped 13/05/2014;
- 3312/BFE01, date-stamped 03/03/2014;
- 3312/PO1 A, date-stamped 13/05/2014;
- 3312/PO2 A, date-stamped 13/05/2014;
- 3312/PO3, date-stamped 03/03/2014;
- 3312/PO4 A, date-stamped 13/05/2014;
- 3312/PO5 A, date-stamped 13/05/2014;
- 3312/PO6, date-stamped 03/03/2014;

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

02. 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.

03. 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 hard and soft 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. It shall also include details of surfacing and boundary treatments.

Reason: In the interests of the setting of the listed buildings, in accordance with saved policy EH5 of the South Somerset Local Plan (adopted 2006).

04. Before first occupation of any of the dwellings hereby approved, the proposed development shall be served by a new access constructed in accordance with the submitted plans.

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

05. 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 made before commencement and maintained thereafter at all times.

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

06. The areas allocated for parking and turning on the submitted plans shall be kept clear of obstruction at all times 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 (adopted 2006).

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

highway.

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

08. No development shall take place until detailed plans have been submitted to and approved in writing by the Local Planning Authority (in conjunction with the local highway authority) relating to line, level and layout of the improved access road junction onto Old Fosse Way and its means of construction and surface water drainage. The approved access road junction shall be laid out constructed in accordance with the requirements of a Section 278 Agreement under the provisions of the Highway Act 1980 and no part of the site be occupied until the works have been fully completed to the satisfaction of the LPA.

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

09. The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Somerset County Council). The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, measures to ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

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

10. No works shall commence on site unless a scheme of works for acoustic insulation is submitted to and approved in writing by the Local Planning Authority. Such a scheme shall refer to the measures recommended within the submitted O'Neill report. The scheme shall be implemented in strict accordance with the approved details, prior to the occupation of the dwellings hereby approved, and shall remain as such in perpetuity.

Reason: In the interests of residential amenity, in accordance with saved policies EP1 and ST5 of the South Somerset Local Plan (adopted 2006).

11. The development permitted by this planning permission shall only be carried out in accordance with the submitted Flood Risk Assessment (FRA) dated 30 October 2013 by Awcock Ward Partnership and the following mitigation measures detailed within the FRA:

- Finished floor levels should be set above the 1 in 100 year flood level or 300 mm above surrounding ground levels as indicated within the FRA.
- Flood resilient measures should be incorporated as detailed within the FRA.

- The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the LPA.

Reason: To prevent the increased risk of flooding, in accordance with saved policy ST5 of the South Somerset Local Plan (adopted 2006).

12. No works shall commence on site unless there has been submitted to and approved in writing by the Local Planning Authority, full details of a bat mitigation plan and method statement, prepared by a suitably qualified and Natural England licenced bat consultant, and full details of mitigation and compensation roosting/nesting provision for barn owls and swallows. The works shall be implemented in accordance with the approved details, as modified to meet the requirements of any 'European Protected Species Mitigation Licence' issued by Natural England, unless otherwise approved in writing by the local planning authority.

Reason: For the conservation and protection of legally protected species of recognised nature conservation importance in accordance with Policy EC8 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981 and The Habitats Regulations 2010.

Informatives:

01. The applicant is advised of the following recommendations / informatives of the Environment Agency:

Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site as opposed to traditional drainage approaches which involve piping water off site as quickly as possible. SUDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, green roofs, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge absorbing diffuse pollutants and improving water quality. Ponds, reedbeds and seasonally flooded grasslands can be particularly attractive features within public open spaces.

The variety of SUDS techniques available means that virtually any development should be able to include a scheme based around these principles and provides multiple benefits, reducing costs and maintenance needs.

The Council's Emergency Planners should be consulted in relation to flood emergency response and evacuation arrangements for the site. We recommend the applicant contacts the Environment Agency on 0845 988 1188 to sign up for our free Floodline Warnings Direct service.

We do not normally comment on or approve the adequacy of flood emergency response and evacuation procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to

occupants/users.

There must be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively and that riparian owners upstream and downstream of the site are not adversely affected.

02. Before this development can commence, a European Protected Species Mitigation Licence (under The Conservation (Natural Habitats, &c.) Regulations 2010) will be required from Natural England. You will need to liaise with your ecological consultant for advice and assistance on the application for this licence. Natural England will normally only accept applications for such a licence after full planning permission has been granted and all relevant (protected species) conditions have been discharged. However, the information required for the Natural England licence application may also be suitable for submission to the Council when applying for discharge of the relevant condition.

(Voting: unanimous in favour)

Planning Application: 14/00926/LBC the carrying out of internal and external alterations to convert existing agricultural buildings to create 7 No. dwellings at Hainbury Farm Ilchester Yeovil for the Executors of Mrs PCH Young (Deceased)

The Planning Officer presented the report in conjunction with the previous application

It was proposed and seconded to approve the application as per the officers' recommendation. On being put to the vote the motion was unanimously approved.

RESOLVED:

That Planning Application: 14/00926/LBC be approved as per the officers recommendation with conditions

01. The proposal by reason of its size, scale, design, materials and position, and its limited/informed intervention into the historic fabric of these listed buildings, is considered to respect the historic and architectural interests of the buildings and is in accordance with the saved policies EH3 and EH5 of the South Somerset Local Plan (adopted 2006)

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in accordance with the following approved plans (except where directed otherwise by the conditions below):

3312/SP06, date-stamped 03/03/2014;
3312/ABE01, date-stamped 03/03/2014;
3312/BAE01, date-stamped 03/03/2014;
3312/BBE01, date-stamped 03/03/2014;
3312/BCE01, date-stamped 03/03/2014;
3312/BDE01, date-stamped 03/03/2014;
3312/BEE01 A, date-stamped 13/05/2014;
3312/BFE01, date-stamped 03/03/2014;
3312/PO1 A, date-stamped 13/05/2014;
3312/PO2 A, date-stamped 13/05/2014;
3312/PO3, date-stamped 03/03/2014;

3312/PO4 A, date-stamped 13/05/2014;

3312/PO5 A, date-stamped 13/05/2014;

3312/PO6, date-stamped 03/03/2014;

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

02. The works hereby granted consent shall be begun before the expiration of three years from the date of this consent.

Reason: As required by Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

03. 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 hard and soft 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. It shall also include details of surfacing and boundary treatments, including work to the gate piers.

Reason: In the interests of the setting of the listed buildings, in accordance with saved policy EH5 of the South Somerset Local Plan (adopted 2006)

- .04. No work shall be carried out unless a full building by building schedule has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include all building repairs including repointing, details of new floors, treatment and finishes to walls and ceilings, repairs and alterations to roof structure and the manner in which historic fabric and fittings will be retained (such as the stable partitions in Unit 5). Once agreed the work shall be carried out in strict accordance with this document, unless written consent is given by the LPA for any variation

Reason: In the interests of the historic value and significance of the listed buildings, in accordance with saved policy EH3 of the South Somerset Local Plan (adopted 2006)

05. No work shall be carried out unless a full window and door schedule has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the repair of historic joinery, details of like for like replacements where appropriate, and full details of all new windows and doors, including rooflights. Details of finishes shall also be included. Once agreed the work shall be carried out in strict accordance with this schedule, unless written consent if given by the LPA for any variation.

Reason: In the interests of the historic value and significance of the listed buildings, in accordance with saved policy EH3 of the South Somerset Local Plan (adopted 2006).

06. No work shall be carried out on site unless particulars of the materials (including the provision of samples where appropriate) to be used for external walls and

roofs have been submitted to and approved in writing by the Local Planning Authority. Such particulars will include the detailed finish (rough sawn, hand tooled, etc.) Slate hooks shall not be used.

Reason: In the interests of the historic value and significance of the listed buildings, in accordance with saved policy EH3 of the South Somerset Local Plan (adopted 2006).

07. No work shall be carried out on site unless full details the new natural stonework and brickwork walls, including the materials, coursing, bonding, mortar profile, colour, and texture along with a written detail of the mortar mix, have been provided in writing; this shall be supported with a sample panel to be made available on site and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the agreed details, and the sample panel shall remain available for inspection throughout the duration of the work.

Reason: In the interests of the historic value and significance of the listed buildings, in accordance with saved policy EH3 of the South Somerset Local Plan (adopted 2006).

08. No work shall be carried out on site unless details of all new cast metal guttering, down pipes, other rainwater goods, and external plumbing have been submitted to and approved in writing by the Local Planning Authority. Such details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of the historic value and significance of the listed buildings, in accordance with saved policy EH3 of the South Somerset Local Plan (adopted 2006).

09. No work shall be carried out on site unless details of all new services to all bathrooms, kitchens etc, including details of routes of foul water and any ventilation or extraction have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of the historic value and significance of the listed buildings, in accordance with saved policy EH3 of the South Somerset Local Plan (adopted 2006).

10. No work shall be carried out on site unless details of all metre boxes, TV / satellite antennae, signage, lighting and other external fixtures have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of the historic value and significance of the listed buildings, in accordance with saved policy EH3 of the South Somerset Local Plan (adopted 2006).

11. The wood burner flues hereby consented shall have a matt black finish, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the historic value and significance of the listed buildings, in accordance with saved policy EH3 of the South Somerset Local Plan (adopted 2006).

(Voting: Unanimous in favour)

Planning Application: 14/01115/FUL ** Erection of a new bungalow and garage as a private dwelling for subsequent disabled use at Land Adj. Sandpits Lane Sandpit Lane Charlton Mackrell for Mr & Mrs Horridge

The Planning Officer explained that application 14/01115/FUL ** had been marked as 2 starred which meant that, should Area East members wish to support the proposal contrary to the officer recommendation the application would need to be referred to the Council's Regulation Committee for consideration.

Several Councillors objected to the application being marked as 2 starred. The Area Lead East explained the 2 star system was part of SSDC's scheme of delegation and was a policy decision. The previous planning application, 12/01058/FUL, for this site, had been marked as 2 starred, AEC had recommended approval and subsequently the Regulation Committee had voted to refuse it. There had been no fundamental changes to this application since then, it was not adjacent to the settlement boundary, and therefore it was considered that this application should not be dealt with any differently particularly as the material considerations were the same. The Highway issues had not been dealt with in this application therefore debate of the application was required.

A short discussion ensued where it was decided that it would only be fair to the applicant that AEC members considered the application and decided at the relevant time whether to cast their vote or not.

Cllr Mike Lewis wanted it noted that he was disappointed that an officer from Legal Services was not in attendance at the AEC meeting, the committee should be given the opportunity to remove the 2 starred reference.

The Area Lead East responded that the 2 starring of an application was not a one-way street and debate should continue

The officer continued to present the application as detailed in the agenda report, she confirmed that her recommendation was to refuse the application.

Lord Zouche addressed the committee in support of the application, he had known the applicant for several years and understood that the only reason the application had been resubmitted was due to the deterioration of the health of the applicants' wife. Although the applicant had been advised to wait until the emerging local plan had been approved he had wanted to start the development as soon as possible to accommodate his wife's needs. In the opinion of Lord Zouche the site was not in open countryside as there was agricultural land on one side and houses on the other. He urged members to support the application.

The applicant Mr C Horridge referred to the agenda report that made reference to the substandard access due to the poor visibility to the southeast for emerging vehicles, and the fact that there had been no alterations to the junction since the previous application had been considered. The junction remained substandard in nature. Mr Horridge could confirm that there had been no accidents at all at the access point. Was aware that the Local Plan had not as yet been adopted but he understood that reference to it had already been used in other applications, his wife's conditions had worsened and she very much needed a single storey dwelling. He did have a letter from Mrs Horridge's doctor to confirm her medical situation that members could look at.

It was not considered relevant to read the confidential medical report

Ward Member Cllr John Calvert commented that the first application considered by AEC today had been recommended for approval even though there had been a recorded road traffic accident involving the Air Ambulance. This application was the complete opposite as it involved a quiet, all be it narrow, country lane with no reported accidents yet the recommendation was for refusal. Cllr Calvert proposed to approve the application.

During discussion, members expressed their support for the application.

- Disappointed that the application was 2 starred again;
- Concerned for the applicant who had felt the need to re-apply;
- Did not agree with the officers' reasons for refusal;
- The proposal should be classed as infill as there were properties either side of the site;
- Referred to a part of SSDC's Corporate Aim -*'We want communities that are healthy, self-reliant and have individuals who are willing to help each other'*;
- The applicant wanted to be looked after in her own home;
- If this application was for more dwellings the recommendation would be different, consistency was required;
- This modest single storey dwelling would benefit the community as there were very few similar property types in the village;
- Local public opinion considered that the Highway opinion was incorrect.

The Area Lead East explained that he had tried to persuade the applicant to wait to re-apply until the Local Plan had been adopted, he referred to the changing policy and the balancing exercise required in order to reach a decision. After debate AEC could have the choice whether to remove the 2 stars from the application.

The Area Lead East was thanked for his guidance and further discussion ensued regarding the reasons the 2 starring should be removed.

- There was an identified need for single storey properties in the village therefore the proposal would be of community benefit;
- The Charltons were sustainable there was a church; playing fields, village hall etc
- The applicant wished to remain in the community;
- It was not the fault of the applicant that the Local Plan had not been adopted if it had would the application have been approved?

The Area Lead East in response to a question replied that a temporary accommodation would not be of benefit and the applicant had not requested a temporary permission. He again referred to policy and advised members that if they agreed that this application

was sustainable they should be mindful that other applications could come forward. Infill plots in the middle of nowhere would still be 2 starred.

It was proposed and seconded to remove the 2 star from the application. The motion was carried unanimously in favour.

It was subsequently proposed and seconded to approve the application for a modest bungalow in this location on the edge of Charlton Mackrell, which is a sustainable settlement and would meet a need for local housing without harm to residential or visual amenity or highways safety plus conditions. On being put to the vote the motion was carried unanimously in favour.

RESOLVED

That Planning Application: 14/01115/FUL ** NOT 2 STARRED – be approved contrary to officer recommendation:-

Justification

The proposal for a modest bungalow in this location on the edge of Charlton Mackrell, which is a sustainable settlement, would meet a need for local housing without harm to residential or visual amenity or highways safety. As such the proposal complies with the saved policies of South Somerset Local Plan (2006) and the policies contained within the NPPF.

Conditions:

1. Time limit
2. Approved plans
3. Material
4. PD rights removed for extensions and outbuildings to ensure that the house remains commensurate with the identified need.

(Voting: Unanimously in favour)



.....
Chairman

.....
Date