

## South Somerset District Council

Minutes of a meeting of the **Area East Committee** held at the **Council Offices Churchfield Wincanton** on **Wednesday 9 November 2016**.

(9.00 am - 2.40 pm)

**Present:**

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

Mike Beech	Mike Lewis (until 1.15pm)
Tony Capozzoli	David Norris
Nick Colbert (until 11.20am)	William Wallace
Henry Hobhouse	Colin Winder
Tim Inglefield	

**Officers:**

Kelly Wheeler	Democratic Services Officer
Helen Rutter	Assistant Director (Communities)
Adrian Noon	Area Lead (North/East)
Angela Watson	Legal Services Manager
Lee Walton	Planning Officer
Tim Cook	Neighbourhood Development Officer (East)
Pam Williams	Neighbourhood Development Officer (East)

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

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### **102. Exclusion of the Press and Public (Agenda Item 1)**

The item to be considered in closed session was withdrawn from the agenda.

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### **103. Historic Buildings at Risk (Confidential) (Agenda Item 2)**

This item was withdrawn from the agenda.

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### **104. Minutes of Previous Meeting (Agenda Item 3)**

The minutes of the meeting held on Wednesday 12<sup>th</sup> October 2016, copies of which had been circulated, were agreed by the Chairman, subject to an amendment to the minute for agenda item 12 (planning application 16/02353/OUT).

It was agreed that the minute should include the following wording;

*Members expressed that this would be a huge asset to the village to allow local residents the opportunity to remain in that community and hoped that they should be given first priority.*

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### **105. Apologies for absence (Agenda Item 4)**

Apologies were received from Councillor Anna Groskop and Councillor Sarah Dyke.

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### **106. Declarations of Interest (Agenda Item 5)**

Councillor David Norris declared a personal and prejudicial interest in agenda item 12 as he was the Chairman of the Wincanton Sports Ground Trust. He would leave the room during discussion of the item.

Councillor Tim Inglefield declared a personal interest, non-prejudicial interest in agenda item 20 (planning application 16/02976/OUT) as he knew the applicant.

Councillor William Wallace declared a personal, non-prejudicial interest in agenda items 20 and 23 (planning applications 16/02976/OUT and 16/02788/FUL).

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### **107. Public Participation at Committees (Agenda Item 6)**

#### **Questions/Comments from members of the public**

There were no questions from members of the public.

#### **Questions/Comments from representations of Parish/Town Councils**

There were no comments or questions from members of the Parish/Town Councils present.

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### **108. Reports from Members Representing the District Council on Outside Organisations (Agenda Item 7)**

Councillor Tim Inglefield advised members that he had attended an Abbas and Templecombe Parish Council meeting. Following this meeting, it was apparent there were issues with the approved appeal for a development at Slades Hill, Templecombe. He felt that the views of the Committee had been ignored by The Planning Inspectorate when agreeing the terms of the section 106 agreement.

Councillor Tony Capozzoli advised that a member of staff from the Area East Development Team had been awarded a SSDC Gold Star Award. He further advised that grants, such as the Retail Support Initiative, were open to applications that fit the criteria and that new applications were welcomed and encouraged.

Councillor Colin Winder questioned whether the Historic Buildings at Risk in Area East report needed to be discussed in closed session. The Assistant Director (communities) agreed to get clarification from the Conservation Manager.

Councillor Mike Lewis advised that the Heart of Wessex Local Action Group now had available funds for grant aid that could be used towards local business projects.

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### **109. Date of Next Meeting (Agenda Item 8)**

Members noted that the next meeting of the Area East Committee would be held on Wednesday 7<sup>th</sup> December 2016 at the Council Offices, Churchfields, Wincanton at 9am.

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### **110. Chairman Announcements (Agenda Item 9)**

The Chairman made no announcements.

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### **111. Retail Support Initiative Grant Application - Wincanton and Wincanton 'Top Up' (Agenda Item 10)**

The Community Support Assistant presented her report to members. She explained that The Red Lion was a prominent building on Market Place, Wincanton and had closed last year. She further explained that the building was in a state of disrepair and that the frontage of the building was looking tired.

She advised members that the applicant had secured a 3 year lease of the property, however was subject to a 6 month break clause and was still being marketed as a freehold property.

The Neighbourhood Development Officer further explained to members that they would normally accept a minimum of 3 years lease in order to meet the criteria and that this application was close to the margins of the criteria. However, she did emphasise that this was a prominent building in Wincanton.

The Neighbourhood Development Officer and Community Support Assistant responded to questions from members.

During the discussion, members raised concern that the lease term was very short. If the building were to be sold to another party as it is still being marketed and the business ceases to trade, it may be impossible to reclaim funds back to the District Council, under the current claw back arrangements.

Following the discussion it was proposed and seconded that this application should be deferred to a later meeting of the Committee to allow legal advice to be sought on whether it would be possible to place a charge on the property to safeguard the grant in the event that the building is sold or the business fails.

On being put to the vote, this was carried unanimously.

**RESOLVED:** that the decision for an award for £1840.00, as a 50% contribution to The Red Lion, 3 Market Street, Wincanton be **deferred** to a later meeting of the Committee.

*(Voting: Unanimous)*

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### **112. Area Development Plan and Budget - Half Year Progress Report (Agenda Item 11)**

The Area Development Lead (East) presented his report to members. He explained to members that the demand study would be starting in the near future and that the asset transfer of the Market House was progressing well.

He pointed out that Community and Neighbourhood Plans had been a real focus of the last six months. There were 3 current plans which had now reached the draft stage and he pointed out that the Charlton Horethorne Community Plan had been formally endorsed at the last meeting of the Committee.

He also advised members that the team are continuing to support community hall projects.

He responded to questions from members.

During the discussion, it was suggested that the team look at other successful youth plans in other areas, which aren't youth club based, to help develop other youth project ideas.

Members raised concern over the funding for the Wincanton Sports Ground Project. The Neighbourhood Development Officer confirmed that this was a project which the team were committed to providing.

Members also discussed Neighbourhood Plans and hoped that they would remain relevant and fit for purpose as the Local Plan is revised. The Area Development Lead agreed that it was a complicated and evolving situation which required a high level of consultation with the Planning Policy and Development Control teams, but discouraged communities from putting off developing a Neighbourhood Plan for this particular reason.

**RESOLVED:** Members noted the report.

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### **113. Wincanton Sports Ground - Funding Contribution (Agenda Item 12)**

*(Having earlier declared a Disclosable Pecuniary Interest (DPI) in the application, Councillor David Norris left the room during consideration of the item)*

The Area Development Lead (East) presented his report to members. He explained to members that the Wincanton Sports Ground was set up 13 years ago with the support and guidance from SSDC. He further advised that last year, funding was agreed to support the work and to generate further use of the sports ground. He informed members that the organisation does not have formal charity status and requires support to review the future management arrangements. He further explained that this review is critical following changes to business rate fees which are payable on the site.

Councillor David Norris explained the current management structure and explained the need for a review. He pointed out to members that the business rates for the Sports Ground are set to increase and that the work needed to be carried out urgently. He left the room during discussion of the item.

During the short discussion, it was pointed out that money had been awarded by SSDC to the Sports Ground before and that there were alternative means of raising money. However, members agreed that this funding was for a fundamental and crucial review.

Following the discussion, it was proposed and seconded that the funding of £1800, be reallocated to the governance review, subject to the review being completed and delivered to the Council before the end of January 2017.

On being put to the vote, this was carried unanimously.

**RESOLVED:** that the funding of £1800, from the Members Discretionary budget, be reallocated to the governance review, subject to a contribution of 11% from WRT and subject to the review being completed and delivered to the Council before the end of January 2017.

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#### **114. Henstridge Airfield s106 Update Report (Agenda Item 13)**

The Area Lead Officer (North/East) presented his report to the Committee. He explained that negotiations were being carried out with the airfield owner to finalise the detail of the S106 agreement, with the involvement of the Councils' Senior Solicitor and Q.C Mr John Steel.

He advised that the latest draft S106 had been submitted to the airfield owner for his comments. He also advised that the management agreement was in a final form and that the airfield owner was seeking confirmation that the majority of the pilots that use the airfield would accept the terms of this agreement.

The Area Lead Officer was confident that the agreement would be signed before the end of the year.

The Chairman offered his thanks to the Area Lead Officer and to all others that have been involved.

Councillor Tim Inglefield, the Ward Member, also offered his thanks. He further suggested that it would helpful if a further review could be given to the Committee in January if the agreement had not been signed.

**RESOLVED:** that members noted the report and agreed that an update report would be included on the agenda for the January meeting of the Area East Committee.

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

The Assistant Director (Communities) added to the Forward Plan reference to the update report on the Henstridge Airfield S106 agreement on the agenda for the Area East Committee meeting in January. She further advised that the annual Countryside Service report would also be included on the agenda for the meeting in January.

It was hoped that the Historic Buildings at Risk in Area East report which had been withdrawn for the agenda this month, would be included on the agenda for the next month's meeting of the Committee.

**RESOLVED:** Members noted the Area East Forward Plan as attached to the agenda subject to the following amendments;

- Historic Buildings at Risk – December
  - Henstridge Airfield S106 agreement update – January
  - Countryside Service update report - January
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#### **116. Planning Appeals (For Information Only) (Agenda Item 15)**

Members noted the planning appeals which had been received.

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

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

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#### **118. 16/01832/REM - Land at Lake View, Chistles Lane, Keinton Mandeville (Agenda Item 17)**

***Application Proposal: Approval for reserved matters (appearance, landscaping, layout and design) following the approval of 14/01333/OUT (redevelopment and restoration of Lake View Quarry to provide 42 dwellinghouses, 1,000 sq. meters workspace for B1 use and associated community and recreation facilities.***

The Area Lead Officer (North/East) presented his report to members. He advised that there had been an extensive dialogue with the applicant over the drainage of the site. He advised members that the drainage scheme now proposed differed from the indicative layout approved at outline planning stage. He pointed out that the amended drainage point is not currently where the water runs to and was concerned that the proposed scheme could be problematic.

He read out an e-mail which had been received from the Somerset County Council Flood Risk Team stating that they were unhappy with the proposed drainage system. The e-mail stated that they were doubtful that the proposed system would be successful due to little capacity for infiltration on the site and were concerned that the current proposal would not adequately address the potential increase in surface water runoff.

He suggested to members that the application should be deferred to allow the agent to provide adequate information in relation to the drainage of the site.

Councillor David Norris, Ward Member, agreed to the suggestion that the application be deferred to a later meeting.

Following the discussion, it was proposed and seconded that the planning application be deferred.

On being put to the vote, this was carried unanimously.

**RESOLVED:** that planning permission 16/01832/REM be **deferred** to allow further information to be provided to resolve drainage issues.

(Voting: *Unanimous*)

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**119. 16/02679/FUL - Swanton Farm, Street Lane, Brewham (Agenda Item 18)**

***Application Proposal: Change of use of field no.5176 from agriculture to mixed use of land for agriculture and keeping of game birds and construction of access track***

The Planning Officer presented his report to the Committee. He informed members that since writing the report, a further letter of objection had been received which raised concern over the height of the pens and concern that there were conflicting highway and staff details contained in the application form and highway statement.

He further advised that he had received some late plans from the applicant which detailed the sizes of the pens and their positioning on the site.

He informed members that should this application be approved, he suggested that conditions 2, 3 and 6 be amended to include the additional plan numbers which had been received on 31<sup>st</sup> October and to include the words 'with units no more than 1.5 meters in height' on condition 2.

He also suggested an additional condition 7 which would identify the area in which the flat packed pens would be stored and an amendment to condition 4 which would further clarify the storage of the flat packed pens.

He explained that there were no objections from Natural England, the Environment Agency or the Landscape Architect since an additional plan showing an amended planting scheme had been provided. He also advised members that the SCC Highways did not consider that there would be a significant increase in traffic.

He advised that he had visited the site with the pens in situ and recommended that the application be approved.

Mrs Stainton, the Vice-Chairman of Brewham Parish Council spoke in objection to the proposal. She explained that the PC were concerned about how the different planning applications for the site had been handled and informed members that they would have been happier if all the applications for the site had been referred to Area East Committee for determination at the same time. She advised that the site was overdeveloped and situated on a country lane, which had no passing places and that traffic was a concern.

Mr Leay, a local resident, spoke in objection to the application. It was his view that this was not a suitable location for the proposal and raised concern that there was inconsistent information within the application in respect of staff numbers. He further pointed out that a full transport assessment was missing from the submission. Should the application be approved, he hoped that there would be a condition to control the hours of operation. He further raised concern over wet ground and the potential for disease and an increase in traffic.

Mr Clayton, the applicant, addressed the Committee. He informed members that he had begun trading on the site in 2011. He explained that Swanton Farm was a suitable location and that the farm had a fantastic reputation where he wanted to remain long-term. He pointed out that he provides employment in the area and that the first years rearing had been problem free.

Mr N Salmon, the agent, addressed the Committee. He advised members that although this was not an application for agricultural use, the site needed to be situated in a rural location. He advised that this was a seasonal activity and felt that this was an appropriate use of the land. He pointed out to members that there would be a small number of deliveries to the site, approximately 38 per annum and that it would be inappropriate to limit the hours of use for an agricultural activity and felt that this would be inappropriate for this application.

Councillor Mike Beech, Ward Member, advised members that the Parish Council had raised an objection to the proposal, however he pointed out that Swanton Farm had been operating in this way for a season without objection. He advised members that the Environment Agency, Natural England, Landscape Officer or County Highways had raised no objection and further offered his support to the application.

During the discussion, the planning officer confirmed that the County Highways department were aware of the differing numbers of staff mentioned in the submission and had not raised an objection.

Following the discussion, it was proposed and seconded that the planning application be approved subject to the amendments to conditions 2 (to refer to additional plans), 3 (to refer to additional plans and limit pen height to 1.5m), 4 (specify assembled pens between 1 March and 30 October and flat pack pens to be stored in the area agreed by condition 7) and 6 (to refer to additional plans) and an additional condition 7 to specify the storage of the flat packed pens.

On being put to the vote, this was carried unanimously.

**RESOLVED:** that planning permission 16/02679/FUL be **approved** as per officer recommendation, subject to amendments to conditions 2, 3, 4 and 6 and an additional condition 7 for the following reason;

01. The access track in combination with the temporary and seasonal change of use made of the land; the resulting scale and location of pens would not demonstrably harm visual amenity, character and appearance, nor have a detrimental effect on water and air quality, highway safety or residential amenity. Accordingly the proposal complies with policy EQ2, EQ3, EQ7 and TA5 of the South Somerset Local Plan 2006- 2028.

**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 generally in accordance with the following approved plan: PL3636/1A received 2 September 2016; PL3636/3, and 'Rearing Unit' received 31 October 2016.

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



03. No more than 115 rearing pens shall be set out on the land at any one time. Each pen shall comprise a hut, abutting wire run and associated equipment in accordance with drawing 'Rearing Unit' received 31 October 2016, and with units no higher than 1.5 metres as set out in the Planning, Access and Design Statement June 2016.

Reason: To enable the Local Planning Authority to retain adequate control over numbers in the interests of landscape character and highway safety further to Policy EQ2 and TA5 of the South Somerset Local Plan 2006- 2028.

04. The rearing pens in their assembled form as detailed in condition 3 (above) shall not be sited on the land between 30 September and 1 March in any year. At all other times the pens shall be retained on site only in accordance with the details of condition 7 (below).

Reason: To enable the Local Planning Authority to retain adequate control over the appearance of the site in the interests of landscape character, further to Policy EQ2 of the South Somerset Local Plan 2006- 2028.

05. No external lighting shall at any time be installed and/ or operated on any part of the site without the prior written agreement of the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain adequate control over lighting in the interests of landscape character further to Policy EQ2 of the South Somerset Local Plan 2006- 2028.

06. The landscaping scheme PL3636/3 received 31 October 2016 shall be undertaken during the coming planting season. 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 landscape character and appearance, further to Policy EQ2 of the South Somerset Local Plan 2006- 2028.

07. Within 1 month of this decision an area allocated on site for winter storage of flat pack units and associated materials in connection with the bird rearing use hereby permitted shall be identified and submitted to and agreed in writing by the Local Planning Authority. Such detail shall be adhered to and no other areas used in connection with winter storage.

Reason: In the interests of landscape character further to Policy EQ2 of the South Somerset Local Plan 2006- 2028.

(Voting: *Unanimous*)

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**120. 16/01225/FUL - Easy Bean, Fosters Farm, Fosters Lane, South Barrow (Agenda Item 19)**

***Application Proposal: Erection of food processing and packaging building, with new access and parking area and retention of existing building as offices.***

The Planning Officer presented his report to members with the aid of a powerpoint presentation. He advised members that following the publication of his report, he now suggested a further condition 8 which would control the external lighting at the application site.

He explained that the application was for a building which would be used for food processing and packaging. He explained that the business was growing but that the application was not for an extension as other buildings would be demolished and recommended that the application be approved.

Dr Dinge, representing the Parish Council, spoke in objection to the planning application. He explained that a B2 use of the site would result in an increase in noise, smells and light pollution and could result in a terrible precedent for the village. He advised that South Barrow had no infrastructure, no school, bad roads, and slow internet. He further advised that there had been no local support for this application and that there are plenty of other sites which would be suitable.

Mrs J Chaudoir, Mrs J Cox, Mr S Chaudoir, Mr A Martin and Mr D Harrison spoke in objection to the application. Their comments included;

- Buildings are dominant structures which impact the village.
- Concern over future use of the building for commercial use
- Site already has permission for 16 'glamping' units and barn conversions which will increase traffic through the village.
- Concern was raised over light pollution.
- The business should move to a purpose built business park as the site is unsuitable.
- Traffic is a major consideration. There are no street lights or footpaths and the road is used by school buses.
- Road is unsuitable for large vehicles.
- Permission was granted for a small start-up business only. Current activity is unlawful and the business is operating without permission.
- The statement that says the site is beyond the 30mph speed limit is incorrect.
- No benefit is provided to the village.

Mr N Forrest, the agent, addressed the Committee. He described this as a small enterprise which provided local employment. He explained that the planning application provided less total floor area than existing as existing buildings would be demolished. He further advised that lorries would be able to turn around on the site which would reduce existing problems with lorries manoeuvring in the road. He pointed out that the roof ridge had been lowered and the parking, trees and hedges had been identified and thought that the application was acceptable in planning terms.

Councillor Nick Weeks, the Ward Member, advised members that although he wanted to support local businesses, he felt that the roads were inadequate. He further advised that he did not want to see jobs lost or future traffic problems in the village.

Councillor Henry Hobhouse, also Ward Member, advised members that the applicant had done well to develop a successful business. However, he further pointed out that the planning permission which had been approved was for 3 members of staff, not for 10 and

could see the business growing further. For this reason, he suggested that the business should be relocated to a site on a larger road, with sufficient parking and on a site which could be easily developed.

During the discussion, the Area Lead (North/East) clarified that the original permission was for food production and not specifically B1 or B2 use and that there was no restriction on the number of staff. He further clarified that if the land were sold, the permission and use would continue on the land and to any further occupiers on the site.

Concern was also raised over the possibility of odours from the site and it was suggested that filters could be conditioned.

It was proposed that the application be approved, as per the officer's recommendation, subject to an additional condition to ensure that filters are provided to limit odours from the site. This proposal was not seconded.

It was subsequently proposed and seconded that the application be refused, contrary to the officer recommendation.

On being put to the vote, this was carried 7 in support and 1 against.

Members agreed that the Development Control team were to investigate the options for enforcement against the unauthorised use of parts of the site by the applicant in consultation with the Ward Member and Chairman of Area East Committee.

**RESOLVED:** that planning permission 16/01225/FUL be **refused** contrary to the officer recommendation for the following reason;

01. The proposal, by reason of its rural location, scale and design of the building and increased odours and traffic movements, would fail to respect the character of the locality and would give rise to unacceptable impacts on residential amenity and highways safety. As such the proposal is contrary to policies SS2, EQ2, EQ7, TA5 and EP4 of the South Somerset Local Plan 2006-2028 and the policies contained within the National Planning Policy Framework

*(Voting: 7 in favour and 1 against)*

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## **121. 16/02976/OUT - Land at Park House, Whitechurch Lane, Henstridge (Agenda Item 20)**

***Application Proposal: Outline application for the erection of a retirement bungalow with a new vehicular access onto Whitechurch Lane***

The Planning Officer presented his report to members with the aid of a PowerPoint presentation. He informed members that a late letter of objection had been received from a local resident who had concerns over the access to the site.

He advised members that the application site was within the rural hamlet of Whitechurch and recommended that the application be refused.

Mr N Ball, who urgently had to leave the meeting before discussion of the item, left a short summary of his comments with the Chairman before he left, which were read out. His comments included;

- The applicant has enjoyed the view from Park House for many years and now seeks to deprive the villagers of this view.
- Inappropriate rural location.
- Will set a precedent for the adjoining paddock

Mr J Allen and Mr J Dyer spoke in objection to the application. Their comments included;

- This is not an advantage for the village
- A precedent could be set by allowing this application
- Other land is available within the village
- Concern raised over the consultation process

Mrs A Barton, Mrs Courtenay and Mrs E Archer spoke in support of the application. Their comments included;

- The site is a small open site and is in the centre of the hamlet
- The site is opposite a farm building and if the bungalow is built suitably to match, it would fit into the area.
- It is not relevant that a view could be lost.
- Applicant has resided in the village for a long time and wants to remain in the village that is familiar to her.
- If designed correctly, the bungalow could be an advantage to the village.
- This application is not for an offensive dwelling.

Mrs D Heath, the applicant, addressed the Committee. She advised members that she wished to remain in the village that she knows, alongside her close circle of friends. She pointed out that this was a small site and the dwelling would be single storey.

Mr M Williams, the planning agent, addressed the Committee. He advised members that the SSDC Local Plan supports downsize retirement bungalows and that the Parish Council had offered support to the proposal. He further advised that the single storey bungalow will relate well to existing properties and received no objections from Somerset County Highways.

Councillor Tim Inglefield, Ward Member, advised that Henstridge Parish Council offered support to the application.

Councillor William Wallace, also Ward Member, offered his support to the application and suggested that there were good reasons to grant approval.

During discussion of the item, it was suggested that a condition to ensure that the bungalow could only be used by the applicant or as a retirement bungalow could be included. However, the Legal Services Manager suggested that this restriction would be unsuitable.

Following the discussion, it was proposed and seconded that the application be approved, contrary to the officer recommendation, subject to conditions to restrict the time limit for implementation and for submission of the reserved matters application, list

the approved plans and confirm visibility splay requirements and to ensure that the dwelling is single storey only.

On being put to the vote, this was carried unanimously.

**RESOLVED:** that planning permission **16/02976/OUT** be approved, contrary to the officer recommendation for the following reason, subject to the following conditions;

01. The proposal constitutes an acceptable form of development of an infill site in a sustainable location that would meet a local need without detriment to visual or residential amenity or highways safety. As such the proposal complies with policies SS2, EQ2 and TA5 of the South Somerset Local Plan 2006-2028 and the policies contained within the National Planning Policy Framework.

**SUBJECT TO THE FOLLOWING CONDITIONS;**

01. Approval of access, appearance, landscaping, 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 3 of the Town and Country Planning (General Development Procedure) Order 2015.

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. The development hereby permitted shall be begun, not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with the provisions of S92 (2) Town and Country Planning Act 1990 (as amended by S51 (2) Planning and Compulsory Purchase Act 2004)

04. The development hereby permitted shall be carried out in accordance with the following approved plans: 16115-1 RevA received 1 July 2016.

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

05. The dwelling hereby approved shall be single storey only.

Reason: In the interests of meeting local need and character and appearance further to Policy EQ2 of the South Somerset Local Plan 2006- 2028.

06. Visibility splays shall be provided on the basis of no obstruction over 43 metres in either direction measured from a point 2.4m back from the highway edge centred on the proposed access point.

Reason: In the interests of highway safety further to Policy TA5 of the South Somerset Local Plan 2006- 2028.

(Voting: *Unanimous*)

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**122. 16/03866/FUL - Laurel Cottage, Mill Lane, Pitcombe (Agenda Item 21)**

***Application Proposal: Erection of a two storey extension at rear of property***

The Planning Officer presented his report to members with the aid of a PowerPoint presentation. He advised members that the extension is to the rear of the property and cannot be seen from the surrounding conservation area. He advised members that he was recommending that the application be approved.

Mr Knight, representing the Parish Council, addressed the Committee. He pointed out to members that the extension was complete. He advised that the PC supported the earlier 'L shape' extension which complemented the adjoining cottage, however he was concerned that this was over-development of the site within the conservation area.

Mr G Fysh, representing his father who was the applicant, addressed the Committee. He explained that the property has suffered from damp problems and following the earlier extension, his father had seen this as an opportunity to add an extension which had the potential to be used as wheelchair access for his retired father. He pointed out that the extension was invisible from the road and local materials had been used.

Councillor Mike Beech, Ward Member, offered support to the application. However, he pointed out that this was a retrospective application for a site within a conservation area.

Following the short discussion, it was proposed and seconded that the application be approved as per the officer recommendation.

On being put to the vote, this was carried unanimously.

**RESOLVED:** that planning application 16/03866/FUL be **approved** as per the officer report, for the following reason, subject to conditions;

01. The proposal by reason of its size, scale and materials, respects the character of the conservation area, and causes no demonstrable harm to residential amenity or highway safety in accordance with the aims and objectives of Policies TA5, TA6, EQ2 and EQ3 of the South Somerset Local Plan and the aims and provisions of the NPPF.

**SUBJECT TO THE FOLLOWING CONDITIONS:**

01. The development hereby permitted shall be carried out in accordance with the following approved plans: 226.200.SS.X/P and 226.200.SL.P, 226.100.01PP, 226.100.02PP, and 226.100.03PP received 31 August 2016

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

02. No further work shall be carried out on site unless details of the roof and wall materials 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 order to ensure that the development accords with the character of the area in accordance with Policies EQ2 and EQ3 of the South Somerset Local Plan.

03. No further work shall be carried out on site unless full details the new natural stonework 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 order to ensure that the development accords with the character of the area in accordance with Policies EQ2 and EQ3 of the South Somerset Local Plan.

04. No further work shall be carried out on site unless details of the design, materials and external finish for all new doors, windows, boarding and openings have been submitted to and approved in writing by the Local Planning Authority. This will include detailed drawings including sections of at least 1:5. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In order to ensure that the development accords with the character of the area in accordance with Policies EQ2 and EQ3 of the South Somerset Local Plan.

05. No further work shall be carried out on site unless design details of all roof eaves, verges and abutments, including detail drawings at a scale of 1:5, and all new cast metal guttering, down pipes, other rainwater goods, and external plumbing shall be 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 order to ensure that the development accords with the character of the area in accordance with Policies EQ2 and EQ3 of the South Somerset Local Plan.

06. No further work shall be carried out on site unless details of all new vents 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 order to ensure that the development accords with the character of the area in accordance with Policies EQ2 and EQ3 of the South Somerset Local Plan.

(Voting: *Unanimous*)

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**123. 16/03675/S73A - Solar Site at Sutor Farm, Moor Lane, Wincanton  
(Agenda Item 22)**

***Application Proposal: Application to vary condition 2 of planning permission 14/05472/FUL to require restoration of the land within 30 years of the permission rather than 25 years as originally permitted.***

The Planning Officer presented his report to members with the aid of a PowerPoint presentation. He advised members that the application was to extend the time period of the approved solar farm from 25 to 30 years.

He emphasised that this increase to the time period was the only change to the approved application and that the application had been referred to the Committee in line with the scheme of delegation, as the application was considered to be a 'major major' planning application.

Councillor Colin Winder, the Ward Member, spoke in support of the application.

Councillor Nick Colbert, also Ward Member, spoke in support of the application.

Following the short discussion, it was proposed and seconded that the planning application be approved as per the officer's report. On being put to the vote, this was carried unanimously.

**RESOLVED:** that planning application 16/03675/S75A be **approved** as per the officer report for the following reason;

01. The benefits in terms of the provision of a renewable source of energy, which will make a valuable contribution towards cutting greenhouse gas emissions, outweigh the limited impact originally envisaged of the proposed PV panels on the local landscape character. As such the proposal accords with the Government's objective to encourage the provision of renewable energy sources and the aims and objectives of the National Planning Policy Framework, and Policies SD1, EQ1 and EQ2 of the South Somerset Local Plan 2006- 2028.

**SUBJECT TO THE FOLLOWING:**

01. Notwithstanding the time limits given to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission (being granted under section 73A of the Act in respect of development already carried out) shall have effect from the 12 March 2015.

Reason: To comply with Section 73A of the Act.

02. The development hereby permitted shall be removed and the land restored to its former condition within 30 years of the date of this permission or within 6 months of the cessation of the use of the solar farm for the generation of electricity, whichever is the sooner, in accordance with a restoration plan to be submitted to and approved in writing by the local planning authority. The restoration plan will need to include all the works necessary to revert the site to open agricultural land including the removal of all the structures, materials and any ancillary equipment which shall be removed from the site.

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



03. Details of the consolidated and surfaced access shall accord with those agreed in the council's letter of 22.12.2015 (ref: 14/05472/FUL) to be maintained at all times for the life of the development.

Reason: In the interests of highway safety further to Policy EQ2 of the South Somerset Local Plan 2006- 2028.

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

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

05. The approved on-site planting scheme (Drawing No. 1014/PL10 received 9th December 2014) shall be implemented in the first planting season following the completion of the development. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and landscape character further to policy EQ2 of the South Somerset Local Plan (2006- 2028), and the NPPF

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

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

07. The scheme of off-site landscaping along the eastern boundary of the site shall accord with details agreed by the council's email of 24.11.2015 (ref: 14/05472/FUL). Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of landscape character and visual appearance further to policy EQ2 of the South Somerset Local Plan, and the NPPF.

(Voting: *Unanimous*)

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**124. 16/02788/FUL - Land to the South of 1 Wood Lane, South Cheriton  
(Agenda Item 23)**

***Application Proposal: Erect treehouse around an oak tree for ancillary residential use in connection with Little Cheriton House or for holiday letting purposes.***

*(Having earlier declared a personal interest in the application, Councillor William Wallace agreed that he would abstain from voting)*

The Planning Officer presented his report to members with the aid of a PowerPoint presentation.

He explained that the structure stood on the ground and was not supported by the tree. He further advised that the position of this treehouse was in the middle of a field and he felt this to be inappropriate. He therefore recommended that this planning application be refused.

Mrs J Montgomery, the Planning Agent, addressed the Committee. She advised members that no objections had been received, including from the SSDC Tree Officer and advised that the treehouse was in a discreet location. She further advised that the treehouse would be bespoke tourist accommodation and would bring economic benefits to the local area. She felt that there was a good demand for this facility which was supported by the local pub and the Parish Council.

Councillor William Wallace, Ward Member, agreed that local amenities such as shops would benefit.

Councillor Tim Inglefield, also Ward Member, spoke in support of the application. He pointed out that the tree is hidden in a valley and that the track, which also cannot be seen, is already there.

During the discussion, it was suggested that should the application be approved, it should be conditioned for holiday use only and that should the tree die or be removed, that the structure would also be removed.

Following the discussion, it was proposed and seconded that the planning application be approved, contrary to the officer recommendation.

On being put to the vote, this was carried 6 in favour with 1 abstention.

**RESOLVED:** that planning application 16/02788/FUL be **approved**, contrary to the officer recommendation for the following reason and subject to the following conditions;

01. The proposal would provide an additional unit of holiday accommodation to the benefit of the rural economy without adverse impact on the character of the locality or highways safety. As such the proposal complies with policies EP8, TA5 and EQ2 of the South Somerset Local Plan 2006-2028 and the policies contained within the National Planning Policy Framework.

**SUBJECT TO THE FOLLOWING CONDITIONS:**

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans: 07181-17; Plans and Sections; Elevations A-A, B-B, C-C and D-D; and Proposed Parkland Planting received 27 June 2016.

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

03. The occupation of the holiday accommodation hereby permitted shall be restricted to bona fide holiday makers for individual periods not exceeding 4 weeks in total in any period of twelve weeks. A register of holidaymakers shall be kept and made available for inspection by an authorised officer of the Local Planning Authority at all reasonable times.

Reason: The accommodation provided is unsuitable for use as a permanent dwelling because of its limited size and inadequate facilities on site and the Local Planning Authority wish to ensure the accommodation is available for tourism.

04. The development hereby permitted shall not be commenced until 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.

Reason: In the interests of visual amenity further to Policy EQ2 of the South Somerset Local Plan 2006- 2028.

05. Prior to commencement of the development hereby permitted full particulars detailing hardsurfacing and boundary details shall be submitted to and agreed in writing by the Local Planning Authority. Such details as agreed shall be undertaken on site and thereafter retained.

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

06. In the event the tree dies or is removed the tree house structure, including all materials, shall be removed from site within 3 months of the tree's loss.

Reason: In the interests of visual amenity and rural character further to Policy EQ2 of South Somerset Local Plan 2006- 2028.

(Voting: 6 in favour with 1 abstention)

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**125. 16/02150/DPO - Southlands, Marsh Lane, South Cheriton (Agenda Item 24)**

***Application Proposal: Application to discharge section 106 agreement 02/00896/FUL (agricultural tie) dated 18<sup>th</sup> December 2002***

The Planning Officer presented his report to members with the aid of a PowerPoint presentation. He explained that the application was for the discharge of a S106 which ties the land to the dwelling. He explained that it was his recommendation that the application be approved.

Mr N Forrest, the Planning Agent, addressed the Committee. He explained that the application was to discharge a S106 agreement which had been in place since approval was given for an agricultural dwelling in 2002. He explained that there were no current plans for the applicant to seek removal of the agricultural occupancy condition on the dwelling. He pointed out that following policy changes, it is now unreasonable for these ties to be added to permissions and requested that the application be approved.

Councillor William Wallace, Ward Member, pointed out that the Parish Council had objected to the application.

Councillor Tim Inglefield, also Ward Member, informed members that the Parish Council were concerned about the future of the land and buildings. He offered his support to the application.

Following the short discussion, it was proposed and seconded that the application be approved, as per the officer report.

On being put to the vote, this was carried unanimously.

**RESOLVED:** that planning obligation 16/02150/DPO be discharged as per the officer recommendation as detailed in the agenda report.

(Voting: *unanimous*)

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Chairman