

South Somerset District Council

Minutes of a meeting of the **Area East Committee** held at the **Council Offices, Churchfield, Wincanton** on **Wednesday 10 May 2017**.

(9.00am – 14.15pm)

Present:

Members: Councillor Nick Weeks (Chairman)

Mike Beech (9.07am - 12.10pm)	Mike Lewis
Tony Capozzoli	David Norris
Nick Colbert	William Wallace (until 14.10pm)
Sarah Dyke	Colin Winder
Anna Groskop	Hayward Burt (until 13.50pm)
Henry Hobhouse (9.07am – 13.15pm)	

Officers:

Adrian Noon	Area Lead (North/East)
Helen Rutter	Assistant Director (Communities)
Kelly Wheeler	Democratic Services Officer
Paula Goddard	Senior Legal Executive
Sam Fox	Planning Assistant
Lee Walton	Planning Officer
Lynda Pincombe	Community Health and Leisure Manager
Adam Burgan	Arts and Entertainment Manager
Pauline Burr	Arts Development Officer

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

210. Minutes of Previous Meeting (Agenda Item 1)

The minutes of the previous meeting held on Wednesday 12th April 2017, copies of which had been circulated, were agreed and signed by the Chairman.

211. Apologies for absence (Agenda Item 2)

There were no apologies of absence received.

212. Declarations of Interest (Agenda Item 3)

The Chairman, Councillor Nick Weeks, declared a personal pecuniary interest in agenda item 14 as he had recently worked for the applicant. He advised members that he would leave the room during discussion of the item.

Councillor William Wallace declared a personal interest in agenda item 15 as he was friends with the applicant. He advised members that he would not participate in the vote.

Councillors Mike Lewis and Anna Groskop, members of SCC (Somerset County Council), would only declare an interest in any business on the agenda where there was a financial benefit or gain or advantage to SCC which would be at the cost or to the financial disadvantage to SSDC.

213. Date of Next Meeting (Agenda Item 4)

Members noted that the next scheduled meeting of the Area East Committee would be held on Wednesday 14th June at The Council Offices, Churchfields, Wincanton at 9am.

214. Public Question Time (Agenda Item 5)

Lilian Elson addressed the Committee. She commented that it was encouraging that the planning appeal decisions included within the agenda support decisions which have been made by the Area East Committee. She also commented that SSDC was lucky to have such capable planning officers and advised members that Holton no longer had a public house as it had closed down several weeks ago.

215. Chairman Announcements (Agenda Item 6)

The Chairman congratulated and welcomed Councillor Hayward Burt to the Committee.

He further offered congratulation and commiserations to members of the Committee who had stood as candidates in the recent Somerset County Council election.

The Chairman advised members that he had met the Development Control Manager for a very useful meeting. He explained that he had discussed any concerns which had been raised at the previous meeting. He advised members that if they have any further concerns to telephone the Development Control Manager directly.

216. Reports from Members (Agenda Item 7)

Councillor Winder expressed his concern that a bank in Wincanton was closing.

He further advised that the Friends of Wincanton Community Hospital had received a reply to their letter which confirmed that the hospital is looking into the concerns raised in the letter.

The Assistant Director (Communities) agreed that she was looking at the consultation process to ensure that the Council were able to formally comment on the proposal to close the hospital.

Councillor Mike Lewis advised members that there was still a problem with some parishes having access to Superfast Broadband. He explained that there was a sum of £640,000 which had been allocated to assist with the provision of Superfast Broadband and wondered whether there was anything which the Council could do to try to enable

the project to move forward. The Assistant Director suggested that it would be useful to have a report on the agenda for the next meeting of the Committee.

Councillor Nick Colbert expressed concern that the Community Hospital could be closing and that there was a shortage of doctors at the doctors practice in Wincanton. The Assistant Director (Communities) agreed that a letter would be sent to the doctor's surgery in Wincanton to express the concerns of the Committee.

217. Arts & Entertainment - Service Update (Agenda Item 8)

The Arts and Entertainment Manager presented his report to members to detail some of the services recent achievement and to welcome and ideas or suggestions.

The Arts Development Officer advised that the arts development team worked in partnership with different arts companies to include Take Art, Actiontrack, Somerset Art Works and Somerset Film. She explained that these projects bought dance, music and art to village locations.

She further explained that the team had worked on projects which included King Arthurs School and Ilchester and Milborne Port schools.

The Arts and Entertainment Manager explained some of the achievements which had been made at The Octagon Theatre. He explained to members that;

- The theatre welcomes over 200,000 guests a year.
- Attendance and ticket sales was at a record high.
- Visitors attend from cities such as Bath and Bristol
- The theatre had received a Trip Advisor Certificate of Excellence and a Western Gazette Pride Award
- A wide range of performances were offered
- 8 performances of 'Mousetrap' were sold out
- The annual pantomime performance was breaking records year after year
- Local suppliers provide the refreshments sold at the venue
- The Foyer Club volunteers have raised approximately £76,000 through fundraising.

He advised members that following a large petition, Westlands Yeovil had been refurbished and re-opened. He advised that the venue now had 870 retractable seats and a floor capacity of around 1,000 for standing events. He explained that the venue had meeting spaces, a lounge bar and a variety of performances planned.

The official opening date of Westlands was 27th June, however prior to the official opening, 10,000 visitors had already been welcomed at the venue.

During the discussion, some members commented that there was limited transport to Yeovil from parts of Area East and the residents in some villages are unable to make use of the facilities in Yeovil.

The Chairman thanked the Arts and Entertainment Manager and the Arts Development Officer for attending.

RESOLVED: that members noted the report.

218. Area East Development Plan (Agenda Item 9)

The Area Lead Officer (East) presented his report to members. He referred to appendix 2 of the agenda report, which was the Area East Action Plan. He informed members that the economic priorities were priorities which had been highlighted at a member's workshop in February and included local and area priorities.

He advised that he would be open to any suggestions from members.

During the discussion, transport was discussed; however the Area Lead Officer (East) thought that this was broadly included within the plan.

Additional support and training for Parish Council clerks was discussed. The Area Lead Officer (East) suggested that a workshop to cover s106 was being considered.

Following the discussion, it was proposed and seconded that the Area East Development Plan be approved as detailed in the agenda report. On being put to the vote, this was carried unanimously in support.

RESOLVED: that members **approve** the Area East Development Plan (ADP) for 2017/18.

(Voting: Unanimous)

219. Community Health and Leisure Service Update (Agenda Item 10)

The Community Health and Leisure Manager presented her report to members to update them on the work of the Community Health and Leisure Service in Area East.

With the help of a PowerPoint presentation, she provided images of some of the achievements of the year and explained some of the priorities for the following year.

She explained that £800,000 of s106 money had been spent on 18 different projects across the district which included cricket nets in Castle Cary and play equipment in Wincanton. She advised that she was looking at future projects in Keinton Mandeville, Henstridge and Bruton.

She pointed out that due to the changes around s106 money and the introduction of CIL, the provision for play facilities will be within future development sites, rather than off-site.

She advised that two large strategic projects had been completed which were Westlands and a swimming pool cover in Huish Episcopi.

She pointed out to members that the Playing Pitch Strategy would soon be published for consultation and advised members to comment on the strategy.

She identified some of the projects which had or were taking place in Area East to include;

- 7 of the 27 walking groups were in Area East
- Walking Football was available in Wincanton
- In it together classes were available in Area East

- There have been successful play days in Charlton Adam, Keinton Mandeville, Castle Cary, Bruton, Wincanton and Sparkford.
- Play facilities in Wincanton had been provided and progress was being made on a play area in Wincanton.
- £193,000 had been secured from Sport England to support improvements to facilities at Wincanton Sports Centre and Goldenstones.

She responded to members questions. In response to one question, she clarified that there had been a reduction in staff hours within the Sports Development team and explained that this was due to limited funding.

One member asked why progress of the park at Cuckoo Hill had taken so long. She suggested that the problems at Cuckoo Hill could be due to a lack of enforcement of the development.

It was commented that the map on page 33 of the agenda identified a disproportionate spend of money across the district. She clarified for members that the map, which detailed where funding had been allocated was a snapshot in time and that further funding was planned for projects in Area East to include improvements to facilities at Wincanton Sports Centre.

RESOLVED: that members noted the report.

220. Area East Committee Forward Plan (Agenda Item 11)

The Assistant Director (Communities) informed members that a report on Superfast Broadband would be included on the agenda for the June agenda of the Area East Committee.

She advised that a report on the Wincanton Community Hospital would be included on an agenda when appropriate, as determined by the consultation process.

RESOLVED: that members noted the Area East Forward Plan and the suggested amendments to the plan.

221. Planning Appeals (For information only) (Agenda Item 12)

Members noted the planning appeals which had been received or dismissed by The Planning Inspectorate.

222. Schedule of Planning Applications to be Determined by Committee (Agenda Item 13)

Members noted the schedule of planning applications to be determined by the Committee.

223. 16/02621/OUT - Land OS 8565 West Of Pilgrims Way Lovington (Agenda Item 14)

Application Proposal: Outline application for six open market dwellings with land for up to two affordable dwellings and construction of new access and footway

(The Chairman, Councillor Nick Weeks, declared a personal and pecuniary interest and left the room during discussion of the agenda item. The Vice-Chairman took to the Chair and Councillor Anna Groskop acted as vice-chairman)

He explained to members that he had received no objection from the highways authority following receipt of further information from the applicant to detail the proposed footpath. He further confirmed that Carymoor Parish Council had recommended that the application be approved.

He advised members that since the agenda had been published he had received a letter from Foot Ansteys Solicitor's recommending that the application be refused as well as further letter from a consultant which raised concerns over the crossing point which would be close to an existing access. The Lead Planning Officer (North/East) advised that Somerset County Council highways department had reconsidered their comments, however still did not raise an objection.

He further advised members that he had received an additional letter of objection from a neighbour that was unable to attend the meeting. He summarised some of the details of the letter to include that there was no support for the development and that there had been a planning appeal refused for the land opposite for reasons similar to this site. The letter further explained that the development would involve the removal of hedgerows/fences which were not owned by the council or the applicant.

The Lead Planning Officer (North/East) explained to members that the applicant had asked a consultant to look at the proposed crossing point which would be close to the access to the neighbouring Sunnyholm property as concerns had been raised. The consultant felt that the crossing point would cause no conflict between vehicles and pedestrians. He further advised that SCC Highways have confirmed that they are both happy with the proposed footpath and that they owned the land on which the footpath was proposed.

The Lead Planning Officer (North/East) presented his report to members with the aid of a PowerPoint presentation which included photographs and proposed plans.

He explained that the development was outside of the flood zones and that as the council does not have a 5 year land supply, policy SS2 has reduced weight. He pointed out that the landscape officer has raised objection to the application. He advised that it was the planning officers recommendation that the planning application be refused.

David Bennett, the Chairman of Carymoor PC addressed the Committee. He informed members that in July 2015 the parish council supported the application and clarified that on being to the vote at the PC meeting, there were 4 votes in support, 2 against and 2 abstentions.

Martin Roberts, a Parish Councillor for Lovington, which is one of 4 separate parishes covered by Cary Moor Parish, advised that the community did not generally support the application and suggested that there was no need for further homes in Lovington. He advised members that he had concern over the access, the proposed pavement and highway safety. He informed members that he agreed with the comments of the

Landscape Officer and the Planning Officer and hoped that the planning application would be refused.

H Habershon, L Robinson, M Robinson, M Williams, D Stickland and F Robinson spoke in objection to the application. Their comments included;

- Lovington is a quiet urban village, doesn't need further homes
- Homes will be highly visible from road and the entrance to the village
- Development will ruin the character of the village
- There is no support for the development
- A similar application for land across the road was refused by The Planning Inspectorate. The same should apply to this site.
- Is the planning officers advice is not going to be used this is a waste of public money
- The pedestrian crossing will not be used and footpath is dangerous and not wide enough
- Too many homes have been built in Lovington. Any further is over-development
- The housing need in Lovington has been met
- Lovington does not have a pub, it has a high-end restaurant.
- The road is dangerous and the narrow footpath would put pedestrians in danger
- It has been claimed that neighbours support the application, but not all neighbours were spoken to. There had been little public consultation.

Mr J Farthing, the applicant, addressed the Committee. He advised that he had farmed and provided employment in the community for many years. He advised members that he had ensured that the community were consulted and that the Parish Council supported the application. He pointed out that any concern over the footpath had now been resolved.

Mr B Carlisle, the agent, addressed the Committee. He advised that he had been working on the project for approximately 2 years and that during this time, the community had been involved. He had attended a number of Parish Council meetings and supplied public documents to the immediate neighbours. He advised that Yarlinton Homes, jointly own with SCC, the area of land on which the footpath was proposed. The joint owners of this land are happy to allow land to be used to ensure that the footpath is provided and advised that the site includes plots for 2 affordable homes.

Councillor Henry Hobhouse, Ward Member, advised members that he has concerns over the road and highway safety. He advised that the road is over-used and not need any further traffic. However, he pointed out that flooding of the site was not a problem and that the loss of countryside was not an argument that he supported.

During the discussion, it was suggested that the village boundary was not clear as there were further dwellings further outside the village boundary.

One member suggested that a full planning application which included details of in-keeping local materials might have been looked at more favourably.

Following the discussion, it was proposed and seconded that the planning application be refused on highway grounds, however no vote was taken.

It was subsequently proposed and seconded that the planning application be refused, as detailed in the officer's report. On being put to the vote, this was carried 5 votes in support, 3 against and 3 abstentions.

RESOLVED: that planning application 16/02621/OUT be **refused** as detailed in the officers report.

For the following reason;

01. The proposed development, by reason of its location and scale, will result in the extension, projection and consolidation of built form that is both intrusive within the local landscape and contrary to the dispersed pattern of development and rural nature that characterises the settlement of Lovington and which fails to reinforce local distinctiveness, respect local context or to conserve or enhance the landscape character of the area. Such harms are considered to be substantial and to outweigh the positive contribution the scheme would make towards meeting the district's five-year land supply and to therefore be contrary to the aims and objectives of policies SS2 and EQ2 of the South Somerset Local Plan as well as the provisions of the National Planning Policy Framework.

Informatives;

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case, the applicant/agent did not take the opportunity to enter into pre-application discussions and there were no minor or obvious solutions to overcome the significant concerns caused by the proposals.

(Voting: 5 votes in support, 3 against and 3 abstentions)

224. 16/05421/FUL - Manor Dairy Farm, Charn Hill, Charlton Horethorne (Agenda Item 15)

Application Proposal: Agricultural building

(Councillor William Wallace declared a personal, non-prejudicial interest in the application and advised that he would not vote on this item)

The Planning Officer presented his report to members with the aid of a PowerPoint presentation which included photographs and plans to show the proposed agricultural building.

He informed members that he had received an additional letter of objection which explained that the proposed building was too close to a bungalow opposite the site entrance.

The Planning Officer explained that any enforcement issues on the site had now been resolved; however this had caused a delay in the planning application. He advised that the application was for a large building in a sensitive area and recommended that the application be refused.

Ann Reeder, the Chairman of Charlton Horethorne Parish Council, addressed the Committee. She advised that the PC were unanimous in supporting this application and have met the applicant on site and spoke to several of the households surrounding the site. She advised that only one of these households objected. She suggested that agriculture had changed and larger machinery was now required, which therefore required larger storage buildings. She pointed out that there will be little impact on traffic and that the replacement building would be screened by hedgerow.

Mr G Selby, Mrs J Selby and Ms L Elson spoke in objection to the planning application. Their comments included;

- The CPRE has raised objection to this planning application.
- 1 of the supporters has now moved away and 2 other supporters are tenants.
- The replacement building is not the same footprint, it is larger and taller.
- The building will be 2.4m higher than other buildings on the site and will have a very dominant north-eastern elevation.
- Building materials are not in-keeping, looks like an industrial building.
- Building will have a detrimental effect on Charn House, which is a listed building and the wider landscape.
- The new building will be 6 meters closer to the boundary which will be more imposing with little screening.
- The lane is very narrow, busy and dangerous. In some parts there are no places for vehicles to pass.
- Charn House is a magnificent listed building and should be protected.

Mr Nick Griffin, the agent, addressed the Committee. He advised that some additional screening in the way of hedgerows could be planted. He advised members that agriculture in a type of industry and that larger secure buildings were needed, and that insurance companies insist on secure storage as there had been an increase in farm theft. He confirmed that noise would be confined to the building. He pointed out that the site was outside of the conservation area and that the Planning Officer had not contacted him to discuss this application.

Mr T Archer, the applicant, addressed members to speak on behalf of his father who was the owner of the farm. He advised members that his father had not sought to influence the opinion of the neighbours. He further pointed out the farm was previously a dairy site and that articulated lorries frequently used the road without problems. He advised members that the existing building was in poor condition, was redundant and needed updating. He explained that he would be willing to extend the current hedging and to encourage growth of the hedge, however he pointed out that there was already a road, a garden and a hedge between the building and Charn House. He explained that refusal of the application would affect the long-term sustainability of the farm.

Councillor William Wallace, Ward Member, explained that he knew the applicant and would not vote on the application. He pointed out that the footprint of the replacement building was larger, but remained on the same site. He felt that there was a mixture

of different types of building on the site and suggested that development on the site was needed, but noted that this would affect Charn House and that the height of the eaves closest to Charn House was an important issue.

Councillor Hayward Burt, Ward Member, explained that having visited the site, he was concerned over the height of the proposed building, however accepted that due to modern machinery sizes, this was necessary. He questioned whether additional screening was possible.

During the discussion, the Planning Officer and agent clarified that the ridge of the proposed building would be the same as the existing building and the possibility of moving the building to another location on the site were discussed. The Planning Officer confirmed that amending the position of the building would require a further planning application and that it was only this location which could be considered at the meeting.

Members noted that no pre-application advice had been sought prior to submission of the planning application.

One member suggested that a noise prevention condition would be useful. The Planning Officer confirmed that this could be added as a planning condition should planning approval be granted.

The Planning Officer advised that if substantial harm is given to the listed building, this must be reviewed. However, this harm should be weighed against public benefit.

Following the discussion, it was proposed and seconded that the planning application be approved subject to conditions to restrict the time limit for implementation, detail the approved plans, ensure approval of a landscape plan (to be maintained in perpetuity), to ensure sound mitigation measures and to approve external materials and finishes.

On being put to the vote, this was carried 6 votes in support, 2 against and 1 abstention.

RESOLVED: that planning application 16/05421/FUL be **approved**, contrary to the planning officers recommendation for the following reason and subject to the following conditions;

For the following reason;

01. The proposed building, as a replacement for the existing unsightly structure, would have a less than substantial harm on the significance of the grade II listed Charn House. Such harm would be outweighed by the benefits of securing the rationalisation of the farmyard and the viability of the farming enterprises. The new building would have no undue impact on residential amenity, highways safety or visual amenity. As such the proposal complies with policies EQ2 and EQ3 of the South Somerset Local Plan 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: 251116/1; /2; /3; /4; Location Plan and Block Plan received 7 December 2016.

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

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 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 all planting 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. The trees and plants comprised in the landscaping shall be maintained in perpetuity and any that 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 neighbour amenity and visual appearance further to Policy EQ2 of the South Somerset Local Plan 2006-2028.

04. Prior to commencement of the development hereby permitted full particulars detailing the sound mitigation measures for the building shall be submitted to and agreed in writing by the Local Planning Authority. Such detail as agreed shall be undertaken as part of the development and thereafter retained.

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

05. 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 character and appearance further to policy EQ2 of the South Somerset Local Plan 2006- 2028.

(Voting: 6 votes in support, 2 against and 1 abstention)

225. 17/00218/FUL - 55 High Street, Wincanton (Agenda Item 16)

Application Proposal: The erection of a tool shed and a summerhouse in the rear garden

The Planning Officer presented her report to members with the aid of a PowerPoint presentation which included photographs taken by a neighbour to the site. She explained that the application was a retrospective application for a shed and a summerhouse.

Mrs M Emery, spoke in objection to the planning application. She explained that she lived next door to the site in a grade II listed building within a conservation area. She advised that the structures in the garden were made from recycled wood and that shrubs and trees had been removed without permission. She advised that the applicant would often have loud music playing in his garden.

Mr J Conlan, the applicant, addressed the Committee. He informed members that any noise created was from his hand tools and that this stopped no later than 7pm and that there were plenty of other noises around from living on the High Street. He explained that the summerhouse was used to store his tools as he had nowhere else to store them and pointed out that recycling wood to make things was his hobby.

Councillor Colin Winder, Ward Member, spoke in objection to the application. He advised members that this was in a conservation area and he thought that these structures did not enhance the area and that there were too many structures within the garden.

During the discussion, the Planning Officer, confirmed that a tree had been significantly cut back, but had not seen any evidence of any trees having been removed from the site.

The applicant further clarified that the tree which had been significantly cut back, had actually been burned down by the previous occupier of the property. He further pointed out that the sheds were solely used for his hobby.

Following the discussion, it was proposed and seconded that the application be approved. On being put to the vote, this was not carried.

It was subsequently proposed and seconded that the application be refused, contrary to the Planning Officer's recommendation as the structures do not preserve nor enhance the appearance of the conservation area and result in substantial harm to the setting of the listed building.

On being put to the vote, this was carried 5 votes in support and 4 against.

RESOLVED: that planning application 17/00218/FUL be **refused** contrary to the officer's recommendation

For the following reason;

01. The retention of these structures would neither preserve nor enhance the character and appearance of the conservation area and would result in substantial harm to the setting of the listed building at 53 High Street such the proposal is contrary to policy EQ3 of the South Somerset Local Plan and the policies contained within the National Planning Policy Framework. (2006-2028)

(Voting: 5 votes in support, 4 against)

226. 17/00667/LBC - The Old Farmhouse, Redlynch Park, Redlynch Road, Pitcombe (Agenda Item 17)

Application Proposal: Application for listed building consent for the replacement of the windows on the north elevation of the Old Farmhouse, Redlynch, Bruton BA10 0NH

The Planning Officer presented her report to members with the aid of a PowerPoint presentation which included photographs and detailed plans of the proposed windows.

She explained that some of the windows had already been replaced.

Mrs McIntosh, the applicant, addressed the members. She explained that some of the house was in a bad state of repair; further works would include looking at roof repairs. She explained that she would be using a local carpenter and that some of the current windows were nailed shut and in some cases, light was able to show through the rotten and damaged frames.

Councillor Anna Groskop, the Ward Member, explained that she disagreed with the Planning Officer's report and hoped that the application would be approved.

Following the short discussion, it was proposed and seconded that the application be approved, contrary to the officer's recommendation as the windows would cause no harm to the significance of the listed building.

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

RESOLVED: that planning application 17/00667/LBC be approved, contrary to the officer's recommendation subject to conditions to a time limit on implementation and for the materials and finished to be agreed.

For the following reason;

01. The installation of double glazed windows would cause no harm to the significance of the listed building. As such the proposal complies with policy EQ3 of the South Somerset Local Plan (2006-2028) and Chapter 12 of the National Planning Policy Framework.

Subject to the following;

01. 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.

(Voting: Unanimous)

227. 17/00561/COU - Warehouse and premises at High Winds, Higher Holton (Agenda Item 18)

Application Proposal: Change of use of redundant agricultural buildings to B1 (Business), B2 (General Industrial) and B8 (Storage and Distribution)

The Planning Officer presented his report to members with the aid of a PowerPoint presentation which included photographs and proposed plans.

He explained that the buildings had not been used for agricultural purposes and that there was a high demand for storage facilities, however the site was situated some distance from the town and therefore he recommended that the planning application be refused. He further pointed out that he was disappointed that a farm diversification plan had not been submitted as part of the application.

Ms Lilian Elson spoke in objection to the application. She was concerned that the site was situated down a narrow lane which was busy with lots of traffic. She also raised concern that if the nursing home was to be re-built, ambulances would need to gain access.

Mr Giles Garten, the agent, addressed the Committee. He explained that there were tenants ready to move into the units, which were looking for storage space, rather than office space. He advised that the access road was wide and has been used by articulated vehicles in the past.

Councillor Hayward Burt, Ward Member, explained that there had been no highway, rights of way or Parish Council objections and that the road was wide. He suggested that there was a need for more jobs and businesses in the area and offered his support to the application.

Councillor William Wallace, also Ward Member, explained that he agreed with the comments made by Councillor Hayward Burt and also offered his support to application.

Following a short discussion, it was proposed and seconded that the planning application be approved subject to conditions to ensure a time limit for implementation, noise mitigation measures and to detail approved plans.

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

RESOLVED: that planning application 17/00561/COU be **approved**, contrary to the planning officers recommendation, for the following reason;

- 01 The proposal would constitute an acceptable form of farm diversification making good use of existing buildings without detriment to residential or visual amenity or highways safety. As such the proposal complies with policies SD1, TA5, EP5 and EQ2 of the South Somerset Local Plan (2006-2028) and Chapter 12 of the National Planning Policy Framework.

Subject to the following conditions;

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, and 15/01/4 received 6 February 2017.

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

03. Prior to a B2 Use being undertaken in any unit hereby approved details to show the noise mitigation measures for the unit shall be submitted to and agreed in writing by the Local Planning Authority. The details as agreed shall be undertaken as part of the development hereby approved and thereafter retained.

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

(Voting: 7 in support, 1 against)

228. 17/00225/S73A - Solar Site at Southfield Farm, Smithy Lane, Yeovilton (Agenda Item 19)

Application Proposal: Application to vary planning condition 3 of approval 14/00215/FUL to allow the developer a 25 year period from the date of first generation of the solar park and not from the date of the planning permission

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

He explained that the application was only to extend the time period from the first generation of power from the solar park. He advised that the layout would be the same and that the reason that this application had been referred to the Committee for resolution was only due to the size of the site, in line with the scheme of delegation.

Councillor Mike Lewis, the Ward Member, expressed his support for the application.

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

On being put to the vote, this was carried 4 votes in support, 1 against with 1 abstention.

RESOLVED: that planning application 17/00225/S73 be **approved** as detailed in the agenda 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, are considered to outweigh the limited impact the proposal will have on the local landscape character. As such the proposal accords with the aims and objectives of Policies SD1, TA5, TA6, EQ1, EQ2, EQ3, EQ4 and EQ7 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

Subject to the following conditions;

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 31 March 2006.

Reason: To accord with the provisions of section 73A of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans drawings numbered:

- 2466_201_Rev E, 1095-0201-01 (issue 12), 2466_200_Rev G received 11/06/2015; and
- Site location, block plan, 001 (issue 01), 004 (issue 01), 9999-0208-71, XXXX-0206-00, 34523-01-00 (issue B) and 002 (01) received 20/01/2014.

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

03. The development hereby permitted shall be removed and the land restored to its former condition before 31 March 2041, or within six months of the cessation of the use of the solar farm for the generation of electricity, whichever is the sooner, in accordance with a restoration plan to be submitted to and approved in writing by the local planning authority. The restoration plan will need to include all the works necessary to revert the site to open agricultural land including the removal of all structures, materials and any associated goods and chattels from the site.

Reason: In the interest of landscape character and visual amenity in accordance with Policy EQ2 of the South Somerset Local Plan.

04. The position and heights of the panels and bund structure (across its entire length) shall accord with the details set out on drawings numbered 1095-0201-01 (issue 12), 2466- 200 (Rev. G) and 2466 - 201 (Rev. E) and the associated schedule of the coordinates received 11 June 2015. The position and height of the bund and panels shall thereafter be permanently maintained.

Reason: In the interest of aviation safety.

05. The bund structure shall be installed in full accordance with approved drawings numbered 1095-0201-01 (issue 12), 2466- 200 (Rev. H) and 2466 - 201 (Rev. H) and the associated schedule of the coordinates received 11 June 2015 prior to the commencement of any works relating to the solar park element of the permission hereby granted, unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of aviation safety.

06. Any further works carried out on site shall be carried out in full accordance with the plant equipment, crane and other temporary structure and air navigation warning lighting details agreed by the Local Planning Authority under application 15/03429/DOC (Discharge of Conditions for application 14/00215/FUL), unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of aviation safety and to ensure that any plant equipment and temporary structures will not impede the operation of the transmitter / receiver installation at RNAS Yeovilton or otherwise obstruct the movements of air traffic to and from the aerodrome.

07. The scheme of monitoring and maintenance of the earth bund (to ensure that it continues to be an effective screen to the solar farm from the PAR at RNAS

Yeovilton over the lifetime of the development) agreed by the Local Planning Authority under application 15/03429/DOC (Discharge of Conditions for application 14/00215/FUL) shall be fully implemented and maintained for the lifetime of the solar park.

Reason: In the interest of aviation safety.

08. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) there shall be no alterations to the approved design or layout of the solar park and bund without the prior express grant of planning permission from the local planning authority.

Reason: In the interest of aviation safety.

09. The programme of archaeological work agreed by the Local Planning Authority under application 15/03429/DOC (Discharge of Conditions for application 14/00215/FUL) shall be fully carried out.

Reason: To safeguard the archaeological interest of the site in accordance with policy EQ3 of the South Somerset Local Plan.

10. The development hereby permitted by this planning application shall only be undertaken in accordance with the approved Flood Risk Assessment (Ref: J-4119.12-FM dated March 2013 and prepared by H20K) specifically including the following measures detailed within the FRA:

1. All access routes to have permeable surfaces constructed of either mown grass or unbound stones.
2. Swale features are installed prior to any other construction works associated with the proposed development.
3. All surface water drainage features are maintained appropriately, over the lifetime of the development.
4. No culverting of the drainage ditch.

Reason: To prevent any increased risk of flooding associated with installation of the solar park development.

11. The surface water run-off limitation scheme for the site, as shown in the Flood Risk Assessment (Ref: J-4119.12-FM dated March 2013 and prepared by H20K), shall be implemented and maintained in accordance with the ownership and management plan agreed by the Local Planning Authority under application 15/03429/DOC (Discharge of Condition for application 14/00215/FUL).

Reason: To prevent any increased risk of surface water flooding associated with installation of the solar park development.

12. All site works shall comply with the Construction Traffic Management Plan agreed by the Local Planning Authority under application 15/03514/DOC (Discharge of Condition for application 14/00215/FUL), unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety to accord with TA5 of the South Somerset Local Plan.

13. The applicant shall 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. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, in accordance with details approved by the Local Planning Authority under application 15/03514/DOC (Discharge of Condition of application 14/00215/FUL).

Reason: In the interest of highway safety to accord with TA5 of the South Somerset Local Plan.

14. The development shall be carried out in accordance with the proposed recommendations and actions set out within the Badger Licence Method Statement by Tyler Grange dated 20 July 2015.

Reason: For the conservation and protection of legally protected species in accordance with Policy EQ4 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981, and The Protection of Badgers Act 1992.

15. The development hereby permitted shall be carried out in accordance with the ecological enhancements set out within section 8.2 of the Ecological Appraisal dated November 2012, unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of conservation and to accord with policy EQ4 of the South Somerset Local Plan and paragraph 188 of the National Planning Policy Framework.

16. The scheme of landscaping and planting approved by the Local Planning Authority under application 16/02959/DOC (Discharge of Condition for application 14/00215/FUL), shall be completely carried out within the first available planting season from the date of commencement of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of landscape character and visual amenity in accordance with Policy EQ2 of the South Somerset Local Plan.

17. The finished colour of the security fencing and the finished colour and position of the CCTV equipment shall accord with the details agreed by the Local Planning Authority under application 15/03429/DOC (Discharge of Condition for application 14/00215/FUL), unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of landscape character and visual amenity in accordance with Policy EQ2 of the South Somerset Local Plan.

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

Reason: In the interest of residential amenity and the rural amenities of the area to accord with Policy EQ2 of the South Somerset Local Plan.

19. No means of external illumination / lighting shall be installed without the prior written consent of the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies EQ2 and EQ7 of the South Somerset Local Plan.

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

Reason: In the interest of sustainable construction and to accord with part 10 of the National Planning Policy Framework.

(Voting: 4 in support, 1 against and 1 abstention)

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Chairman