

South Somerset District Council

Minutes of a meeting of the **Area North Committee** held at the **Edgar Hall, Somerton.**
on Wednesday 23 May 2018.

(2.05 pm - 4.05 pm)

Present:

Members: Councillor Graham Middleton (Chairman)

Clare Aparicio Paul	Sylvia Seal
Stephen Page	Sue Steele
Crispin Raikes	Gerard Tucker
Jo Roundell Greene	Derek Yeomans
Dean Ruddle	

Officers:

Helen Rutter	Communities Lead
Mary Ostler	Neighbourhood Development Officer
Andrew Gunn	Area Lead (West and North)
John Millar	Planning Officer
Becky Sanders	Case Services Officer (Support Services)

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

5. Minutes (Agenda Item 1)

The minutes of the previous meeting held on 25 April 2018 were approved as a correct record and signed by the Chairman.

6. Apologies for absence (Agenda Item 2)

Apologies for absence were received from Councillors Neil Bloomfield, Adam Dance and Tiffany Osborne.

7. Declarations of Interest (Agenda Item 3)

Councillors Gerard Tucker, Clare Aparicio Paul, Jo Roundell Greene and Derek Yeomans each declared a personal interest for planning application 18/00488/FUL as they had supported the charity located at the premises in some way, such as providing a small donation or attending a fundraising event. None of the councillors considered their interest to be prejudicial or material to the determination of the application.

8. Date of next meeting (Agenda Item 4)

Members noted the next meeting of Area North Committee was scheduled for 2.00pm on Wednesday 27 June 2018, at a venue to be confirmed.

9. Public question time (Agenda Item 5)

The Clerk to Barrington Parish Council addressed members regarding their application for a grant toward outdoor fitness equipment. She explained how the project had evolved and that much fundraising had been achieved. The project was well supported by the local community and funding had been secured from various sources. It was hoped the Area North Committee would support the request for grant funding.

10. Chairman's announcements (Agenda Item 6)

The Chairman thanked Councillor Derek Yeomans for his role as Chairman over the previous year.

11. Reports from members (Agenda Item 7)

Councillor Gerard Tucker, noted that the swimming pool at Huish Episcopi Leisure Centre was nearing completion and would open shortly.

12. Grant to Barrington Parish Council (Executive Decision) (Agenda Item 8)

The Neighbourhood Development Officer presented the grant application as detailed in the agenda, and reminded members of the representation made by the Parish Clerk earlier in the meeting. She explained that young people who had out-grown the play area had put the idea forward to the Parish Council, and a fitness trainer would hold a session to show people how to use the equipment. Revised parish population figures were verbally reported to members.

Ward member, Councillor Derek Yeomans, noted the community had worked hard to fundraise. He fully supported the project and proposed approval of the grant.

During a very brief discussion members indicated their support for the project. On being put to the vote, the proposal to approve the grant was carried unanimously.

RESOLVED: That a grant of £1,638 be awarded to Barrington Parish Council, the funding to be allocated from the Area North Capital Programme and subject to SSDC standard conditions for community grants (Appendix A to the agenda report).

Reason: To consider providing a grant towards the costs of purchasing and installing outdoor fitness equipment on the recreation ground adjoining Barrington Village Hall.

(Voting: Unanimous)

13. Area North Committee - Appointment of Members to Outside Organisations and Groups for 2019/19 (Executive Decision) (Agenda Item 9)

The Communities Lead presented the report as detailed in the agenda.

During a short discussion:

- The appointed representative for Strode College Community Education Advisory Committee noted that he believed the Advisory Committee had recently been incorporated into the Board of Governors and therefore there was no longer a need for the appointment to be made.

- It was noted that one of the Martock ward members was now also Chairman of Martock Parish Council. It was suggested to minimise any possible future conflicts of interest that the fellow Martock ward member be appointed as the representative for the Martock Community Planning Partnership, and this was agreed by members.

There being no further debate the Committee agreed, that subject to the changes being made as discussed, that appointments be made to the outside organisations and groups as detailed in the agenda report.

RESOLVED: It was resolved that:

- (1) Councillor Sue Steele be appointed as the member to represent Area North Committee regarding Community Safety / Neighbourhood Policing Liaison.
- (2) That the following members be appointed to the outside organisations and groups for 2018/19 as listed below:

Reason: To appoint district council representatives to outside organisations and groups.

Outside Organisation/Group	2018/19 Representatives
Somerset Levels & Moors Local Action Group Executive Board	Gerard Tucker
Langport Abattoir Liaison Group	Clare Aparicio Paul Derek Yeomans
Martock Community Planning Partnership	Graham Middleton
Strode College Community Education Advisory Committee	Appointment no longer required.
Huish Episcopi Leisure Centre Board	Gerard Tucker Crispin Raikes

(Voting: Unanimous in favour)

14. Scheme of Delegation - Development Control - Nomination of Substitutes for Chairman and Vice Chairman for 2018/19 (Executive Decision) (Agenda Item 10)

The Committee agreed the appointment of members to serve as the substitutes for Chairman and Vice Chairman.

RESOLVED: That, in line with the Development Control Revised Scheme of Delegation, Crispin Raikes (first substitute) and Clare Aparicio Paul (second substitute) be appointed to act as substitutes for the Chairman and Vice Chairman to make decisions in the Chairman's and Vice Chairman's absence on whether an application should be considered by the Area Committee as requested by the Ward Member(s) for the year 2018/19.

Reason: To appoint two substitute members for the Chairman and Vice Chairman

in line with the Development Control Scheme of Delegation for 2018/19.

(Voting: Unanimous)

15. Area North Committee Forward Plan (Agenda Item 11)

The Communities Lead provided some updates to the Forward Plan:

- The report on Somerton Conservation Area would be made by Andrew Tucker as Greg Venn had left SSDC.
- The Locality Team Manager and the Lead Specialist (Strategic Planning) would be holding workshops with each Area Committee to discuss Area priorities, the format of the new style Area Plans and how they fit within the future Corporate Plan. It was suggested that the workshop could be held prior to the June meeting of Area North Committee and this would be confirmed nearer the time. It was recommended that the item on the Forward Plan regarding the Area Development Plan be removed as it would effectively be replaced by the workshop

During a brief discussion members asked for a report on Buildings at Risk to come forward for a future date.

RESOLVED: That the Area North Forward Plan be noted, including the following changes:

- Area Development Plan – Priorities – delete as will be replaced by a workshop
- Buildings at Risk – add to Forward Plan.

16. Planning Appeals (Agenda Item 12)

Members noted the report that detailed planning appeals which had been lodged, dismissed or allowed.

17. Schedule of Planning Applications to be Determined By Committee (Agenda Item 13)

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

18. Planning Application 17/04925/FUL - Drayton Manor, School Street, Drayton. (Agenda Item 14)

Proposal: Proposed tennis court with pavilion outbuilding including the change of use of land from agricultural to domestic use.

The Planning Officer introduced the report and updated members that a further letter had been received in objection to the proposal. He summarised the comments raised in the letter and noted that many of the issues were already covered in the officer report.

The application was presented to members and the key considerations highlighted. He noted that if approved, there were conditions proposed to prohibit lighting and further outbuildings, and drainage conditions were also included to deal with any flooding issues.

Two people addressed Committee in objection to the proposal, their comments included:

- The proposal would be an incursion into the countryside.
- Applicant has provided no justification as to why the proposal could not be sited elsewhere in within the domestic grounds.
- Proposed pavilion would be a significant building and was not a modest size.
- Many objections had been raised about potential noise and impact on residential amenity.
- Somerset Wildlife Trust had raised concerns about ecology.
- Concerns about flooding and impact upon neighbouring properties. Need reassurance that drainage will be maintained as per the officer recommendation.

The Agent noted the applicants had taken officer advice and withdrawn the original application. The court had been relocated and redesigned in order to have less impact on the listed building and adjoining landscape character. Due to the level of interest locally, the applicants had worked with officers in recent months to supply additional information as requested. The proposal was 125 metres from the nearest neighbouring dwelling and not visible from the public highway.

Ward member, Councillor Tiffany Osborne had tendered her apologies for the meeting and a statement was read out on her behalf by a fellow member. It was acknowledged this was a contentious application with many objections from the local community. Reference was also made to an unfortunate situation regarding opinions of one objector. Councillor Osborne had asked for the application to be at Committee to allow the concerns of the community to be taken into full consideration by members.

During discussion, varying comments were made including:

- Many concerns of objectors have been addressed and taken into consideration.
- Tennis is a summer game and feel applicant has done what they can to mitigate concerns.
- It's a large area and renders rest of field almost unusable for agriculture.
- Feel pavilion could be designed to be more in keeping with historic building.
- There will be noise which will be intrusive.
- Location seems insensitive.
- In planning terms see little reason to refuse the application.
- Perhaps the applicant could show some local goodwill by possibly allowing some occasional community use of the court.
- Tennis court will be installed professionally and likely to require correct drainage. Applicants unlikely to build a court that will flood.
- Photos seem to indicate that the land isn't being intensively used for farming.

The Planning Officer and Area Lead (North / West) responded to points of detail including:

- Conditions could not be required for maintenance of neighbouring ditches as SCC being Lead Local Flood Authority were the authority with the powers.
- Alternative locations for the court and pavilion had been considered, and the officers provided a brief explanation as to why each had been deemed unsuitable.
- No ground testing had been completed. If the court has a porous base it would be hoped there would be minimal change to the current situation regarding drainage.

A proposal had been made to approve the application, as per the officer recommendation. At the end of debate a vote was taken on the proposal which was carried 7 in favour, 2 against and 1 abstention.

RESOLVED: That planning application 17/04925/FUL be APPROVED, as per the officer recommendation, subject to the following:

Justification

01. The proposed development, by reason of size, scale and materials, is acceptable as it respects the character of the and appearance of the site and its surroundings, does not adversely affect the character and setting of the adjoining heritage assets, would not lead to increased risk of flooding and has no unacceptable detrimental impact on local ecology, highway safety or residential amenity. As such, the proposed development is considered to accord with the aims and objectives of policies SD1, TA5, EQ1, EQ2, EQ3, EQ4 and EQ7 of the South Somerset Local Plan (2006-2028) and the provisions of chapters 4, 7, 10, 11 12 and the core planning principles of the National Planning Policy Framework.

Subject to the following conditions:

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

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

02. The development hereby permitted shall be carried out in complete accordance with the approved plans: 'F351_LOCb', 'F1351_511e' and 'F1351_512a'.

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

03. No works shall be undertaken until there has been submitted to and approved in writing by the Local Planning Authority, a scheme of UK- provenance tree and shrub planting. Such a scheme shall include the planting locations, numbers of individual species, sizes at the time of planting, details concerning root-volumes - e.g. whether the trees are cell-grown or container-grown and the intended date of planting. Installation details regarding ground preparation, weed-suppression, staking, tying, strimmer-guarding and mulching shall also be included in the scheme. All planting comprised in the approved details shall be carried out within the first available dormant planting season following the commencement of any aspect of the development hereby approved; and if any trees or shrubs which within a period of ten years from the completion of the development die, are removed or in the opinion of the Council, become seriously damaged or diseased, they shall be replaced by the landowner in

the next dormant planting season with trees/shrubs of the same approved specification, in the same location; unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity, and to ensure the planting and healthy establishment of new trees and shrubs in accordance with policies EQ2, EQ4 and EQ5 of the South Somerset Local Plan (2006-2028) and the provisions of chapters 7 and 11 of the National Planning Policy Framework.

04. Details of foul and surface water drainage to serve the development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority prior to the development hereby approved being commenced. Such approved drainage details shall be completed and become fully operational before the dwellings hereby approved are first occupied. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To ensure that the site is adequately drained and will not have an adverse impact on flood risk elsewhere, in accordance with policies EQ1, EQ2 and EQ7 of the South Somerset Local Plan and the provisions of chapter 10 and the core planning principles of the National Planning Policy Framework.

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no means external illumination/lighting shall be installed or provided on the residential land and buildings hereby approved, without the prior express grant of planning permission.

Reason: In the interests of residential amenity, in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028) and the core planning principles of the National Planning Policy Framework.

06. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no system of public address, loudspeaker, amplifier, relay or other audio equipment shall be operated on the residential land and buildings hereby approved, without the prior express grant of planning permission.

Reason: In the interests of residential amenity, in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028) and the core planning principles of the National Planning Policy Framework.

07. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without

modification), no buildings or other structures including ponds, pools, walls, fences, gates or other means of enclosure are to be built on the residential land hereby approved without the prior express grant of planning permission.

Reason: In the interests of visual amenity in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of chapters 7 and 11 of the National Planning Policy Framework.

Informatives:

01. You are reminded of the contents of the Council Environmental Health Officer's email response of 7th February 2018, which is available on the council's web-site.
02. You are reminded of the contents of the Council Tree Officer's letter of 7th February 2018, which is available on the council's web-site.
03. You are reminded of the contents of Wessex Water's email response of 24th January 2018, which is available on the council's web-site.
04. You are reminded of the contents of the Council Ecologist's email response of 19th March 2018, which is available on the council's web-site.

(Voting: 7 in favour, 2 against, 1 abstention)

19. Planning Application 17/04485/OUT - Land OS 1854 Part, Poundway, Muchelney. (Agenda Item 15)

Proposal: Outline application for the erection of 2 No. new dwelling houses.

The Planning Officer presented the application and highlighted the comments of the SDDC Highways Consultant. He explained the key considerations and the reasons why his recommendation was for refusal of the application.

The agent addressed members, and commented that the only objection raised was due to the non-sustainable location. He noted the site was not in open countryside and the site had neighbouring dwellings both sides. The site was not considered remote and he referred to the NPPF and recent court cases where it was acknowledged that there would always be some reliance on vehicles. He also reminded members of other locations nearby such as Long Load and Pibsbury where similar applications had been approved. This infill proposal would not cause harm and there were no local objections.

Ward member, Councillor Derek Yeomans, noted there was no bus service in the village and so nearly all residents relied on motor vehicles for transport. He felt the site was suitable for housing and visibility splays could almost be adequately provided for and it was not a fast or busy road. He fully supported the application.

During a short discussion members expressed their support for the application, and comments included:

- The village did have some facilities – the church was often the meeting place, and there is a farm shop and tea shop, as well as other businesses.
- Need to support rural housing – would like to see it be homes that are affordable but not affordable housing.
- A good site for two dwellings

It was proposed to approve the proposal, contrary to the officer recommendation, on the grounds of it being an acceptable location with local services available nearby and no harm to residential amenity or highway safety.

The Planning Officer clarified the wording for the justification and advised that conditions would be required for:

- Time limit
- Plans
- Visibility splays and access
- No more than 2 dwellings

On being put to the vote, the proposal to approve the application was carried 9 in favour with 1 abstention.

RESOLVED: That planning application 17/04485/OUT be APPROVED, contrary to the officer recommendation, subject to the following:

Justification:

01. The proposed residential development of the site is considered to be acceptable in this location, which is reasonably located in respect to key local services, and could be carried out, subject to detail, with respect to the character of the area, and without causing demonstrable harm to residential amenity and highway safety, in accordance with policies SD1, SS1, TA5, TA6, EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and the provisions of chapters 4, 6, 7, 11, 12 and the core planning principles of the National Planning Policy Framework.

Subject to the following conditions:

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

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

02. All reserved matters shall be submitted in the form of one application to show a comprehensive and coherent scheme with respect to access, layout, appearance, landscaping and scale to the Local Planning Authority before the before the expiration of three years from the date of this permission, and before any development is commenced on site.

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

03. The site hereby approved for development shall be as shown on the submitted drawings '1:1250 Location Plan' and '1:250 Existing Site Plan'.

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

04. There shall be no obstruction to visibility greater than 900 millimetres above adjoining road level forward of a line drawn 2.4 metres back and parallel to the nearside carriageway edge over the entire site frontage. Such visibility shall be fully provided before any of the dwellings hereby permitted are first occupied and shall thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

05. The residential component of development hereby approved shall comprise no more than 2 dwellings.

Reason: To ensure that the level and density of development is appropriate to the location and commensurate with levels of contributions sought in accordance with policies SS6, HG4, EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and the provisions of chapters 7, 11 and the core planning principles of the National Planning Policy Framework.

NOTES (if any)

01. Please be advised that subsequent full or reserved matters approval by South Somerset District Council will attract a liability payment under the Community Infrastructure Levy. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL

Liability Notice.

(Voting: 9 in favour, 1 abstention)

20. Planning Application 18/00488/FUL - Home Farm, Main Street, Chilthorne Domer. (Agenda Item 16)

Proposal: Change of use from barn to business offices and existing farm building to storage.

The Planning Officer presented the application, as detailed in the agenda. He explained the use of various buildings on the farm and about the change of use classes required. He noted concerns had been raised about the access especially when events were being held at the site, but acknowledged there was little scope to improve the access due to existing buildings. He highlighted the key considerations and explained why his recommendation was for refusal of the application.

The applicant addressed members and explained the history of the charity and the associated use of some of the buildings at the farm. He noted the access from Main Street was also in agricultural use. The number of events taking place at the site had increased and now 4 or 5 events a year required use of overflow parking in the neighbouring fields. When such events took place they engaged experienced stewards to oversee parking using the existing access, and it was a tried and tested system with no issues to date. He asked members to approve the application to allow them to continue with the charity, which benefitted thousands of children in many countries.

Ward member, Council Jo Roundell Greene, noted use of the buildings was accepted but comments raised about the access and Highways were the issue. She hoped the applicant had explained, and reassured members, that the site access was adequate and stewarding was in place for large events. She fully supported the application and proposed approval on the grounds of the access being adequate.

During a short discussion members generally expressed their support for the application. Comments included:

- Not against application but feel with the number of events there may be an impact on highway safety and also residential amenity.
- Events have happened for several years without any issues.
- Feel there should be a restriction on the number of large events to protect highway safety.
- No issues with what is proposed.

On hearing the comments made and as members appeared minded to approve the application, the Area Lead suggested it may be helpful to have a condition to clarify the maximum number of events that could be held.

At this point in the proceedings, the meeting was adjourned for a few minutes in order for the planning officers to liaise with the applicant to confirm how many large events were held annually and the attendances. Upon reconvening, the Area Lead informed members and public of the issues discussed during the adjournment. He noted that three to five large events were held at the barn each year for approximately 70 to 100 people, and it could be conditioned that the number of such events be recorded and made available to the Local Planning Authority.

As members were minded to approve the application, and based on comments raised during discussion, the Planning Officer suggested wording for the justification, and also advised that conditions would be required for:

- A traffic management plan.
- Approved plans
- Only to be used for agriculture or by School in a Bag Charity and associated fundraising or education events.
- D1 use restricted to no more than 15 events attracting more than 70 attendees each year.

On being put to the vote, the proposal to approve the application, contrary to the officer recommendation, was carried 9 in favour with 1 abstention.

RESOLVED: That planning application 18/00488/FUL be APPROVED, contrary to the officer recommendation, subject to the following:

Justification:

01. The proposed development, by reason of its location, nature, scale and design, is not considered to cause any demonstrable harm to visual amenity, residential amenity or highway safety and will have no adverse impact on the character of the listed building. It is therefore in accordance with the aims and objectives of policies EQ2, EQ3, TA5 and TA6 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

Subject to the following conditions:

01. Within three months of the date of this permission, a traffic management plan should be submitted to and agreed by the Local Planning Authority for all functions and events held at Home Farm Barn. Such details shall be implemented for all functions and events as agreed.

Reason: In the interest of highway safety in accordance with policy EQ2 and TA5 of the South Somerset Local Plan 2006 - 2028.

02. The following approved plans are acknowledged and form the basis of this retrospective application:
Drawing Number HFB-LP - Location Plan (scale 1:2500) - date stamped as received 14.02.2018
Drawing Number HFB-BP Block Plan (scale 1:200) - date stamped as received 14.02.18
Drawing Number HFB1 - Plans / Section / Elevations - Existing and altered – date stamped as received 14.02.18
Drawing Number HFB - Pkng (scale 1:400) - date stamped as received 11.04.18
Drawing Number HFB - V&P (scale 1:200) - date stamped as received 16.03.2018

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

03. 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 14 February 2018.

Reason: To comply with Section 73A of the Town and Country Planning Act 1990.

04. The subject land including any building(s) thereon shall be used for agricultural purposes and for the purposes of running the School in a Bag charity and any associated fundraising and/or educational events and for no other purpose (including any other purpose in Class B1, B8 and D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to

that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To safeguard the amenities and character of the area, in the interests of highway safety and including assuring adequate parking remains available for any alternative use to accord with policies SD1, TA5, TA6 and EQ2 of the South Somerset Local Plan 2006-28 and the National Planning Policy Framework objectives for sustainable development.

05. The D1 use hereby approved is restricted to no more than 15 large events attracting more than 70 attendees in each calendar year. These should be formally recorded and the record made available to the Local Planning Authority by request at any time. There is no limit to the number of smaller events of less than 70 attendees.

Reason: In the interests of highway safety and residential amenity in accordance with EQ2 and TA5 and TA6 of the South Somerset Local Plan 2006-28 and the National Planning Policy Framework objectives for sustainable development.

(Voting: 9 in favour, 1 abstention)

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Chairman