

South Somerset District Council

Minutes of a meeting of the **Area North Committee** held in the **Council Chamber, Council Offices on Wednesday 25 July 2018.**

(2.05 pm - 4.10 pm)

Present:

Members: Councillor Graham Middleton (Chairman)

Clare Aparicio Paul	Jo Roundell Greene
Neil Bloomfield	Dean Ruddle
Adam Dance (to 3.45pm)	Sylvia Seal
Tiffany Osborne	Sue Steele
Stephen Page	Gerard Tucker
Crispin Raikes	Derek Yeomans

Officers:

Helen Rutter	Communities Lead
Chris Cooper	Environment Services Manager
Andrew Gunn	Area Lead (West and North)
Marc Dorfman	Senior Planning Advisor
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.

34. Minutes (Agenda Item 1)

The minutes of previous meetings held on 17 May 2018 and 27 June 2018 were approved as a correct record and signed by the Chairman.

35. Apologies for absence (Agenda Item 2)

All members of the Committee were present at the meeting.

36. Declarations of Interest (Agenda Item 3)

Councillors Neil Bloomfield and Graham Middleton both declared a personal interest for planning application 18/00143/OUT as they are also members of Martock Parish Council.

Councillor Dean Ruddle declared a personal interest for planning application 17/04121/FUL as he is also a member of Somerton Town Council.

Just before item 12 was presented, Councillor Sylvia Seal declared a personal interest for planning application 18/00143/OUT as she was friends with the applicant and agent. She did not consider the friendship close enough for the interest to be prejudicial, but she noted that she would abstain from voting.

37. Date of next meeting (Agenda Item 4)

Members noted the next meeting of Area North Committee was scheduled for 2.00pm on Wednesday 22 August 2018, at the Edgar Hall in Somerton.

38. Public question time (Agenda Item 5)

There were no questions from members of the public.

39. Chairman's announcements (Agenda Item 6)

The Chairmen informed members that four new graduate interns were present for part of the meeting to observe proceedings.

40. Reports from members (Agenda Item 7)

Councillor Neil Bloomfield provided a brief update following a recent meeting of the Police & Crime Panel, and noted there had been some discussion about PCSOs possibly being provided with electric bicycles in the near future. In response to a comment, he explained that PCSOs would not have any additional powers to those they have currently.

41. Performance of the Environmental Services Team - Area North (Agenda Item 8)

The Environmental Services Manager presented the report as detailed in the agenda, and highlighted key points including:

- Been an unusual year due to the extremes of weather with snow earlier in the year and currently the heatwave.
- Provision for dealing with litter in lay-bys and the central reservation along the A303.
- The team were analysing litter on the A303 to see what sort of waste is being dumped, with information being passed on to the Somerset Waste Partnership.
- The team were also analysing the types of waste deposited in the litter bins in town centre environments in order to investigate the recycling opportunities.
- An explanation of the work hoping to do during the winter including some proactive litter picks of quiet rural roads.
- The MOT testing station was now operational.

He explained that following Transformation, the department now included additional areas of work and noted future reports could include information about waste, recycling, the Crematorium and Cemetery. He reminded members that the Crematorium was being rebuilt with much work currently underway, but was currently on target and on budget.

The Manager responded to points of detail raised during discussion including:

- There is potential to look at trade related recycling.
- The new enforcement post would involve assessing fly-tips and pursuing with prosecutions where appropriate.

During discussion members thanked the team for their work and praised the service which they provided. The Chairman thanked the Manager for his informative report.

RESOLVED: That the report on the Performance of the Environmental Services Team in Area North be noted.

42. Area North Committee Forward Plan (Agenda Item 9)

The Communities Lead reminded Committee that a briefing note had been circulated to members regarding evaluation and feedback from the Annual Area North Parish Meeting.

She informed members of the following additions to the Forward Plan:

- An update report around October regarding the impact of closing the Langport Community Office.
- Some community grants were likely to come forward.
- An annual update from representatives of Avon & Somerset Police would be arranged for early in the new year.
- A workshop for members regarding the emerging Economic Development Strategy would take place before or after the September meeting.

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

- An update report regarding the impact of closing the Langport Community Office - October
- Community Grants – dates to be confirmed
- An annual update from representatives of Avon & Somerset Police – early 2019
- A workshop for members - Economic Development Strategy - September

43. Planning Appeals (Agenda Item 10)

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

44. Schedule of Planning Applications to be Determined By Committee (Agenda Item 11)

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

45. Planning Application 18/00143/OUT - Land Rear of Manor House, Church Street, Martock (Agenda Item 12)

Proposal: The erection of a single dwellinghouse (Outline application with all matters reserved).

The Planning Officer presented the application as detailed in the agenda. He explained the indicative plans for the site which showed all of the existing trees were to be retained. He explained that the existing access was deemed acceptable by the Highway Authority, and use by one additional property was not considered to be so harmful as to warrant recommending refusal of the application.

Three members of the public made comments in objection to the proposal. Their points included:

- The site location was a beautiful spot with many trees and wildlife seen from the public footpath.
- Wildlife is important and otters have been seen nearby. Ask that the site is kept as a wildlife zone.
- There aren't many woodlands in Martock and it would be nice to see the area protected.
- Many historical and listed buildings neighbouring the site and nearby.
- Possible that the Conservation Area may be extended.
- If approved, the environmental harm will be irreversible.
- The proposal will be out of keeping with the area and will have a detrimental impact.
- The footprint of the building on the indicative plans is very large and will be bigger than the 7 bedroom Manor House.
- Concern about width of the private driveway as it's not wide enough along its length for two cars to pass.
- Feel there will be more traffic movements than those estimated and stated in this outline application.

One of the applicants and the agent, then addressed members. Their comments included:

- They wanted to move to the village due to the history and culture.
- Highways had no objections regarding the access.
- Advice from various officers had suggested that a building might be acceptable.
- It was felt there were misunderstandings about the size of a dwelling. There was no need for a five bedroom house as they currently lived in a three bedroom property.
- The proposal is clearly sustainable development, respects the local area, unlikely to have a detrimental impact, and doesn't go against any policies.
- It is a well screen site with all trees to be retained. No protected species would be affected by the proposal and surveys had been completed to the satisfaction of the Ecologist.

Ward member, Councillor Neil Bloomfield, noted that Martock has an emerging Neighbourhood Plan and referred to figures and policies within the Local Plan. He noted he had visited the site some time ago. He was concerned it was outline application, about what might be built and the indicative size of the dwelling. He felt there would be a detrimental impact on the setting of listed buildings collectively.

During discussion varying opinions were expressed including:

- Due to the dense screening it was difficult to see why the proposal would be detrimental.
- It's in a discrete area and see no reason to refuse.
- Martock is a beautiful village but it feels like its gradually being destroyed, feel this site is one that should be saved.
- Concerned about highway safety and the access.
- Statutory consultees have no issues with the application.
- It's a sensitive area and the reserved matters will be carefully considered.

- Difficult to see how the access meets visibility criteria, and the applicant will have no control over the neighbouring boundaries along the highway.
- There is restricted open space available for a build to be sited and will limit the size of a dwelling.
- Would be more in favour if the trees could be protected by preservation orders.
- See no reason to refuse at this stage but would like to have seen a better indication of the size of dwelling intended.
- If sold as a development site it may not be the current applicants building out the site

The Senior Planning Advisor and Planning Officer responded to points of detail raised during discussion, including:

- The recently published National Planning Policy Framework 2018 was not considered to be significantly different to that published in 2012.
- The officer report focussed on addressing the objections raised.
- Development would not stop just because a notional figure has been met.
- At the current time it was not possible for the Committee to insist that a future reserved matters application come back to Committee for consideration.
- An additional condition could be added to limit the number of dwellings to one.
- Private rights and ownership regarding the access track to the site were not a concern for the Committee, and were an issue for the applicants to resolve not members.
- Use of the existing access was deemed acceptable and with adequate visibility splays to the satisfaction of the Highway Authority.
- The trees would not have preservation orders but there would be a general protection condition during any construction and that they be retained.
- Tree Preservation Orders could be triggered by anyone at any time and the proposed conditions, if approved, would not provide for immediate protection. It was noted the applicant was present at the meeting and listening to the comments made and therefore was aware of concerns raised about the trees.

Early in discussion it had been proposed to approve the application, as per the officer recommendation, but with an additional condition to limit the site to a single dwelling. Later a counter proposal was put forward to defer the application in order to gain more information about how to ensure the trees could be retained and protected into the future.

A vote was taken first on the initial proposal to approve the application, and this was carried 7 in favour, 4 against with 2 abstentions, and the counter proposal fell.

RESOLVED: That planning application 18/00143/OUT be APPROVED, as per the officer recommendation, subject to an additional condition to limit to a single dwelling, and subject to the following:

Justification:

01. The proposal represents the benefit of an appropriately-located additional unit of residential accommodation which, by reason of its siting, respects the character and appearance of the area and causes no demonstrable harm to residential amenity, highway safety, flood risk, biodiversity or designated heritage assets, in accordance with the aims of the NPPF and Policies SD1, SS1, SS4, SS5, EQ1, EQ2 ,EQ3, EQ4 of the South Somerset Local Plan.

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. Application for approval of the appearance, landscaping, layout and scale of the development, referred to in this permission as 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. All reserved matters referred to in Condition 2 above shall be submitted in the form of one application to show a comprehensive and coherent scheme with respect to design, layout, plot boundaries, internal ground floor levels, materials, and landscaping.

Reason: To ensure that the development of the site is dealt with in a comprehensive manner to protect the character and appearance of the local setting and to secure a high quality development in accordance with the NPPF and policies SD1, EQ2 and EQ3 of the South Somerset Local Plan, 2006.

04. No development hereby permitted shall be commenced unless details of a scheme for the management of surface water have been submitted to and approved in writing by the Local Planning Authority. Once approved, the scheme shall be fully implemented prior to occupation of the development and thereafter retained and maintained.

Reason: In the interests of sustainable development and appropriate management of surface water in accordance with the aims of the NPPF.

05. The access to the site shall be from Church Street as shown on the submitted plans reference LP1 and BZ1, as agreed by email on 24 May 2018.

Reason: In the interests of clarity and to safeguard the character and appearance of the area.

06. Before the commencement of the development hereby permitted the applicant, or their agents or successors in title, shall have secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) which has

been submitted and approved in writing by the Planning Authority. The WSI shall include details of the archaeological excavation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development hereby permitted shall be carried out in accordance with the approved scheme.

Reason: In the interests of safeguarding any archaeological remains on the site and to accord with the aims of the NPPF and Policy EQ3 of the South Somerset Local Plan.

07. Prior to commencement of this planning permission, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree protection measures, including protective fencing and signage; shall be installed and made ready for inspection. The locations and suitability of the tree protection measures shall be inspected by a representative of the Council (to arrange, please call 01935 462670) and confirmed in-writing by the Council to be satisfactory prior to commencement of the development. The approved tree protection requirements shall remain implemented in their entirety for the duration of the construction of the development and the protective fencing/signage may only be moved or dismantled with the prior consent of the Council in-writing.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees) in accordance with the following policies of The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

08. The residential component of development hereby approved shall comprise no more than 1 dwelling.

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, EQ2, EQ3, EQ4 and EQ5 of the South Somerset Local Plan (2006-2028) and the aims of the NPPF.

Informatives:

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.

You are required to complete and return Form 1 Assumption of Liability as soon as possible and to avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place. Please

complete and return Form 6 Commencement Notice.

You are advised to visit our website for further details
<https://www.southsomerset.gov.uk/cil> or email
cil@southsomerset.gov.uk

(Voting: 7 in favour, 4 against, 2 abstentions)

**46. Planning Application 17/04121/FUL - Mill Lane Farm, Mill Lane, Somerton
(Agenda Item 13)**

Proposal: Alterations to include demolition of 2 No. buildings and the erection of 1 No. dwelling (live / work unit).

The Area Lead presented the application and updated members that agent details were incorrectly shown on the printed agenda and advised of the correct details. Members were informed that comments had now been received from the SSDC Ecologist who was satisfied with the proposal subject to a condition for mitigation measures regarding bats. He explained the reasons for the officer recommendation of refusal, and noted the proposal was for a quite a large live / work unit, and that in the past some of these types of set up had failed elsewhere.

The agent addressed members and noted the proposal was for a new dwelling on the site of an existing steel barn and the design proposed used some of the style. He commented that the key to the application was whether the barn was suitable for conversion, and referring to the works required, he felt with some repairs the barn could be converted. He noted similar proposals had been approved elsewhere in the district, and he considered that with repairs the conversion would meet Class Q permitted development.

Prior to discussion, the Area Lead advised members that the officer opinion was the proposal did not meet the criteria for a Class Q conversion.

Ward member, Councillor Stephen Page, noted that had the applicant entered into pre-application advice some of the issues may have been addressed. He see reasons for and against the proposal.

Ward member, Councillor Dean Ruddle, disagreed with officer comments and noted that very nearby there were large industrial units with businesses, and referred to the history of the site and why the buildings were now redundant. He noted the site was within an easy walk to the town centre and he felt the proposal would tidy up the site.

During a short discussion varying views were expressed including:

- Struggle with the live / work use as seen several times before that the set up works for the initial occupier but it can then be difficult to sell on.
- This is a brownfield site and within walking distance of facilities.
- Could argue about the Class Q aspect.
- Feel this is in the wrong place and not of an appropriate design for the location.
- Site needs tidying up.
- Acknowledge doesn't look attractive, but need to give it a try as people keep asking for places to work in the district.

It was initially proposed to approve the application, contrary to the officer recommendation, due to the proposal being considered acceptable, will tidy up the site, provide employment, and not be detrimental. There was a later a counter proposal made to refuse the application, as per the officer recommendation.

The Area Lead suggested the wording for the justification, if approved, and advised that conditions would be required for:

- Time limit
- Approved plans
- Ecology
- Non-fragmentation
- Materials
- Drainage
- Parking and turning

A vote was taken first on the initial proposal to approve the application, contrary to the officer recommendation, and this was carried 6 in favour, 5 against with 1 abstention, and the counter proposal fell.

RESOLVED: That planning application 17/04121/FUL be APPROVED, contrary to the officer recommendation, subject to the following:

Justification:

The proposed development is considered to represent a sustainable form of development and providing employment opportunities, it will improve the visual appearance of the site, provide a safe means of access nor harm residential amenity. The scheme will be in accordance with the Policies SD1, EP7, TA5, TA6, EQ2 and EQ4 of the South Somerset Local Plan and the NPPF.

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 approved shall be carried out in accordance with the following approved plans: Drawing numbers : 965 003 D, 965 044 B, 500/001 965/004 A, 965/030/040/041/042A/043/044/045/050.

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

03. The development shall not commence (including any demolition) until there has been submitted to and approved in writing by the Local Planning Authority, full details of a Bat Mitigation Plan detailing timing restrictions and protective measures to avoid, mitigate and compensate for harm to bats and their roosts. The works shall be implemented in accordance with the approved details

and timing of the mitigation plan and method statement, as modified to meet the requirements of any 'European Protected Species Mitigation Licence' issued by Natural England, unless otherwise approved in writing by the local planning authority.

Reason: For the conservation and protection of species of biodiversity importance in accordance with NPPF and Policy EQ4 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981 and The Habitats Regulations 2017.

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: To protect the amenity of the area to accord with Policy EQ2 of the South Somerset Local Plan.

05. Before the development hereby permitted is commenced, foul and surface water drainage details to serve the development, shall be submitted to and approved in writing by the Local Planning Authority and such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To ensure that the development is satisfactorily drained to accord with the NPPF.

06. The dwellings hereby permitted shall not be first occupied until the approved parking spaces have been constructed and surfaced to the written satisfaction of the Local Planning Authority. The said spaces shall thereafter be kept clear of obstruction and not used other than for the parking of vehicles.

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

07. The development hereby approved shall not be occupied until the vehicular access and visibility splays have been fully constructed and provided in accordance with the approved plans.

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

08. The workplace unit hereby approved shall be occupied only for purposes ancillary to the residential use of the dwelling known as Mill Lane Farm.

Reason: To ensure that the site remains as 1 planning unit.

Informatives:

01. The applicant's attention is drawn to the advice provided by the Environmental Health Officer, dated 27th October 2017, in regard to the proximity to a landfill site.

(Voting: 6 in favour, 5 against, 1 abstention)

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Chairman