

## South Somerset District Council

**Minutes** of a meeting of the **Area East Committee** held at the **Meeting Room, Churchfield Offices, Wincanton** on **Wednesday 13 June 2018**.

(9.00 – 11.55am)

**Present:**

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

Mike Beech	Mike Lewis
Hayward Burt	David Norris
Tony Capozzoli	William Wallace
Nick Colbert	Colin Winder
Sarah Dyke	

**Officers:**

Kelly Wheeler	Case Services Officer (Support Services)
Tim Cook	Locality Team Manager
Marc Dorfman	Senior Planning Adviser
Dominic Heath-Coleman	Planning Officer
Terena Isaacs	Community Support Assistant
Pam Williams	Neighbourhood Development Officer (East)

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

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### 5. Minutes of Previous Meeting (Agenda Item 1)

The minutes of the previous meetings held on Wednesday 9<sup>th</sup> May 2018 and Thursday 17<sup>th</sup> May, copies of which had been circulated, were agreed as a correct record and signed by the Chairman.

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### 6. Apologies for absence (Agenda Item 2)

An apology of absence was received from Councillors Anna Groskop and Henry Hobhouse.

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### 7. Declarations of Interest (Agenda Item 3)

Councillor Sarah Dyke declared a personal interest in agenda item number 9 (Community Grant application for Cucklington Village Hall) as she was a resident of Cucklington.

Councillors William Wallace and Mike Lewis, 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 SSCC.

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**8. Date of Next Meeting (Agenda Item 4)**

Members noted that the date of the next scheduled meeting of the committee will be at the Council Offices, Churchfields, Wincanton on Wednesday 11<sup>th</sup> July at 9am.

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**9. Public Question Time (Agenda Item 5)**

A member of the public expressed his disappointment that an enforcement notice had not been served to the owner of West Farm, Mudford in line with the decision made by Area East Committee in February 2018 to carry out enforcement action after the deadline of 4th June. He asked why another planning application was being considered after many years of debate, numerous retrospective planning applications and appeals, none of which had been supported by the Parish Council, The Planning Inspectorate or the Local Planning Authority.

The Chairman advised that the Lead Specialist (Planning) had been in contact with local residents and the Ward Member and that he had been assured that enforcement action would be taken.

Following the discussion, members agreed that they would like this item to be added to the July Area East Committee agenda to provide members with an update on the situation.

Another member raised concern that a further application for Vedelers Hay had been submitted to discharge their planning obligation.

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**10. Chairman Announcements (Agenda Item 6)**

The Chairman made no announcements.

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**11. Reports from Members (Agenda Item 7)**

There were no reports from members.

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**12. Retail Support Initiative - (Executive Decision) (Agenda Item 8)**

The Community Support Assistant presented her report to members. She explained that there were two recommendations on the report. The first recommendation was for a grant application for A Bishop Electricals in Castle Cary and the second recommendation was to address a change to the operating criteria of the grant scheme.

She explained that the application was for a grant of £1,500, which was 50% of the project cost, towards shop front improvements on this prominent building. She also explained that funding had previously been granted towards improvement works for this building which gave reason to amend the application to ensure that repeat applications could not be made within a 5 year period, except in exceptional circumstances.

Following the discussion, it was proposed and seconded that members agreed to award up to £1,500 towards shop front improvements to A Bishop Electricals, 4 High Street, Castle Cary and to approve an amendment to the operating criteria agreed in May 2018 so that, unless in exceptional circumstances, a 5 year period should lapse before a repeat application will be considered relating to the same premises and the same proprietor.

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

**RESOLVED:** that members **agreed** to;

1. Approve an award, under the current operating criteria, of up to £1,500 as a 50% contribution to A Bishop Electricals, 4 High Street, Castle Cary towards shop front improvements, which includes repainting render, wooden windows and railings, from the Community Development budget revenue element ring-fenced for the RSI.
2. Approve an amendment to the operating criteria agreed in May 2018 to that, except in exceptional circumstances, a 5-year period should lapse between applications relating to the same premises from the same proprietor.

*(Voting: unanimous)*

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### **13. Community Capital Grant Request (Executive Decision) (Agenda Item 9)**

The Community Support Assistant presented her report to members. She explained that each of the four grants would be considered in turn.

The Neighbourhood Development Officer advised members that the recommended grant amount detailed within the report were generally 25% lower than original grant amount applied for by the applicants. She explained that the value of the grants requested in this first round had been high and therefore the recommended level of grant was 25% or less for each applications to ensure that funding would be available in December.

1. Cucklington Parish Council.

The Community Support Assistant explained that Cucklington Parish Council had applied for a £8,000 contribution towards an upgrade of the car park, however advised that it was recommended that £6,000 be awarded from the Parish Infrastructure Fund budget. She explained that the project met the criteria.

Councillor Mike Beech, the Ward Member, offered his support to the application.

It was proposed and seconded that the application be approved as per the officer recommendation.

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

**RESOLVED:** that Members agreed a contribution of up to £6,000 (25% of the total project costs) from the Parish Infrastructure Fund budget to

Cucklington Parish Council towards the upgrade of the village hall car park, subject to the standard conditions set out in Appendix A.

*(Voting: Unanimous)*

## 2. Milborne Port Parish Council

The Community Support Assistant explained that Milborne Port Parish Council had applied for a grant of £3,910 towards improvements to the village hall which included the installation of lighting and an automatic barrier in the car park. She explained that this would discourage anti-social behaviour and should encourage further attendance at the village hall.

Councillor Sarah Dyke, the Ward Member, offered her support to the application and welcomed the measures to protect the hall and the car park. She agreed that this would increase the usage which would be a benefit to the village.

It was proposed and seconded that the application be approved as per the officer recommendation subject to written confirmation that the applicant has all necessary permissions to carry out the work.

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

**RESOLVED:** that members agreed a contribution of up to £3,910 (16% of the total project costs) £1,971 from the Parish Infrastructure Fund budget and £1,939 from the Community Grants Capital Budget to Milborne Port Parish Council towards the installation of lighting and automatic barrier at the village hall car park, subject to the standard conditions set out in Appendix A and written confirmation that the applicant has all necessary permissions to carry out the work.

*(Voting: unanimous)*

## 3. Ilchester Parish Council

The Community Support Assistant explained that Ilchester Parish Council had applied for a grant towards the purchase of some land to be used as allotments. She explained that this land was important to the community and advised that a 'Red Book' valuation would be carried out prior to the grant being finalised.

Councillor Tony Capozzoli, Ward Member, supported the application and explained that this would be good for the village and the community.

Following the discussion, it was proposed and seconded that the application be approved; subject to a condition to ensure a payback clause should the land cease to be used as allotments within 10 years.

**RESOLVED:** that members agree a contribution of up to £6,500 (25% of the total project costs) from the Community Grants Capital budget to Ilchester Parish Council for the purchase of Allotments Area, subject to the standard conditions set out in Appendix A and the drawing down of funds within 8 months, a repayment clause if the land ceases to be used as

allotments within 10 years of the award, undertaking an access audit and subject to a satisfactory professional valuation.

*(Voting: unanimous)*

4. Foddington Residents

The Neighbourhood Development Officer explained that it was her recommendation that this application be refused as Foddington was included within Connecting Devon and Somerset Superfast Broadband programme. However the timescales were unclear for the rollout of this programme. She further advised that by offering a grant to support this project, could be a breach of State Aid rules.

Following the discussion, it was proposed and seconded the application be refused. On being put to the vote, this was carried 6 votes in support with 3 abstentions.

**RESOLVED:** that members refused a contribution of up to £4,025 (25% of total project costs) from the Community Capital budget to Foddington Residents for the installation of fibre broadband system to 16 residents on the basis that the settlement is included within the next phase of the Connecting Devon and Somerset Superfast Broadband programme.

*(Voting: 6 in support, 3 abstentions)*

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**14. Area East Committee Working Groups and Outside Organisations - Appointment of Members 2018/19 (Executive Decision) (Agenda Item 10)**

**RESOLVED:** that members;

1. that members be appointed to serve on the groups and panels as follows:
2. that members be appointed to the outside organisations

**Reason:** for the municipal year 2018/19 as set out in the report.

**Area East Working Groups and outside organisations**

Dimmer Liaison Group:	Councillor Nick Weeks
Henstridge Consultative Committee:	Councillor's William Wallace and Hayward Burt
Heart of Wessex:	Councillor Mike Lewis

*(Voting: unanimous)*

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**15. Development Control Scheme of Delegation - Nomination of Substitutes for Area East Chairman and Vice Chairman - 2018/19 (Executive Decision) (Agenda Item 11)**

**RESOLVED:** that members agreed to appoint, in line with the revised Development Control Scheme of Delegation, Councillor Hayward Burt (first substitute)

and Councillor Colin Winder (second substitute) to act as substitutes for the Chairman and Vice Chairman

**Reason:** in line with the revised Development Control Scheme of Delegation.

*(Voting: unanimous)*

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**16. Area East Committee Forward Plan (Agenda Item 12)**

The Locality Team Manager advised that members would be attending a workshop to consider strategic priorities.

**RESOLVED:** that members noted the Area East Committee Forward Plan.

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**17. Action List (For Information Only) (Agenda Item 13)**

Members noted the Action List.

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**18. Planning Appeals (For Information Only) (Agenda Item 14)**

Members noted the list of Planning Appeals which had been allowed or dismissed by The Planning Inspectorate.

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

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

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**20. 17/04180/OUT - Land at Wyke Road, Ansford (Agenda Item 16)**

***Application Proposal: Outline application for the development of a farmhouse, associated agricultural buildings, amenity space, fodder store, machine store and livestock buildings***

The Planning Officer presented his report to members, advising there had been no updates since the report had been published. Using a PowerPoint presentation, he presented photographs of the proposed site and detailed the position of the proposed access from Wyke Road.

He advised members that should the application be approved, legal agreement would supplement the decision to ensure that the existing farm and farmhouse would be given-up at a suitable time. He also advised that following negotiations, the SSDC Highways Consultant had now found the access to be acceptable. He also confirmed that the Landscape Architect raised no objections to the application and commented that the proposed location was the favoured position within the applicants' ownership. It was the recommendation of the Planning Officer that the application be approved subject to planning conditions and a legal agreement to ensure that existing farmstead was given-up at a suitable time.

The applicant addressed the committee. He advised that the existing farm and farmhouse was located within an area of residential growth and would be demolished. He explained that he had begun farming many years ago and that he had built up a viable successful business which would be continued by his daughter. He explained that some of the breeds on the farm were rare breeds and hoped that the members would support the application to enable the family business to continue.

Councillor Nick Weeks, the Ward Member, offered his support to the application.

In response to a question from a member, the Planning Officer confirmed that the financial and functional need of the farm had been assessed.

In response to another question, the applicant confirmed that the proposed new location for the farm would be set in 88 acres of land.

It was proposed and seconded that the application be approved, as per the agenda report.

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

**RESOLVED:** that planning application 17/04180/OUT be **approved** as per the officer recommendation subject to;

- a) The prior completion of a section 106 agreement or unilateral undertaking (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to ensure that the existing dwelling and farm buildings are demolished prior to the occupation of the currently proposed development, or within a reasonable period of such occupation, as may be agreed with the local planning authority.
- b) The below conditions.

**For the following reason:**

01. The proposed relocation of an existing agricultural business (including an agricultural worker's dwelling), is considered to be acceptable in this location. Subject to suitable details at reserved matters stage, the proposed development on this site would respect the character of the locality with no demonstrable harm to residential amenity or highway safety. As such the proposal complies with policies SD1, SS1, TA5, TA6, EQ2 and HG9 of the local plan, and the aims and objectives of the NPPF.

**SUBJECT TO THE FOLLOWING CONDITIONS;**

01. The development hereby permitted shall be carried out in accordance with the following approved plans: 43406/5501/SK01C and 140804L0101 received 24 April 2018.

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

02. Details of the appearance and landscaping (herein after called the "reserved matters") shall be submitted to and approved in writing by the local planning

authority before any development begins and the development shall be carried out as approved.

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

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

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

04. The occupation of the dwelling hereby permitted shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

Reason: In the interests of sustainable development in accordance with policies SD1, SS1 and HG9 of the South Somerset Local Plan.

05. Before the development hereby permitted is commenced, foul and surface water drainage details to serve the development (including details of how surface water will be prevented from discharging onto the highway), 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: In the interests of local amenities and highway safety in accordance with policies TA5 and EQ2 of the South Somerset Local Plan.

06. Before the dwelling hereby permitted is first occupied, the access over the first 6 metres of its length shall be properly consolidated and surfaced (not loose stone or gravel) details of which shall have been submitted to and approved in writing by the Local Planning Authority, before works are carried out on the access.

Reason: In the interests of highway safety and in accordance with policy TA5 of the South Somerset Local Plan.

07. There shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the accesses and extending to points on the nearside carriageway edge 120m either side of the accesses. Such visibility shall be fully provided before the development hereby permitted is first brought into use and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and in accordance with policy TA5 of the South Somerset Local Plan.

08. Any entrance gates shall be hung to open inwards and set back a minimum distance of 5m from the highway at all times.

Reason: In the interests of highway safety and in accordance with policy TA5 of the South Somerset Local Plan.

**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](mailto:cil@southsomerset.gov.uk)

(Voting: unanimous)

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**21. 18/00990/FUL - Land OS 7183 High Road, Horsington (Agenda Item 17)**

***Application Proposal: The erection of a detached single storey dwelling with associated landscaping works***

The Planning Officer presented his report to members. Using a PowerPoint presentation, he identified the site on a map and provided images of the site. He described the bungalow as being a modest size, however he further explained that the site was situated in open countryside and that the village could not be reached by pavement. He explained to members that it was view that the application failed policy SS2 of the SSDC Local Plan as well as paragraph 55 of the NPPF and recommended that the application be refused.

A member of the public spoke in objection to the application. She advised that was she concerned about the how busy the road was and that the access would be dangerous and suggested that a pavement was required along this stretch of road. She also explained that she was concerned that additional buildings or extensions may follow on the site.

The agent addressed the committee. He explained that he had discussed the proposal with the Parish Council prior to submitting an application and that they had offered support to the proposal. He advised that bungalows were needed and that he would be happy for a condition to remove PD rights to be added to a permission. He felt that the bungalow would offer social and economic benefits.

The applicant addressed the committee. He advised that his family had lived in the village for 4 generations and hoped to remain in the village and suggested that the bungalow would benefit others in the future.

Councillor Hayward Burt, Ward Member, offered his support for the application. He explained that there were more than 2 services in Horsington and argued that the site

complied with the SSDC Local Plan policy SS2 and agreed that there was a shortage of bungalows, however he did point out that this was a dangerous stretch of road.

Councillor William Wallace, also Ward Member, declared a personal interest in the application as he knew the applicant well and advised that he would abstain from the vote.

In response to a question, the Lead Planning Officer confirmed that a condition to ensure adequate screening could be added should the application be approved.

Following the discussion, it was proposed and seconded that the application should be approved, without a condition to remove permitted development rights.

It was subsequently proposed and seconded that the application be approved, with the inclusion of a condition to remove permitted development rights, however no vote was taken.

A vote was taken on the first proposal, which was to approve without a condition to remove the permitted development rights, subject to conditions to specify approved plans, a time limit, material, landscaping, visibility splays and to secure appropriate access arrangements. This was carried 7 votes in support, 1 against and 1 abstention.

**RESOLVED:** that planning application 18/00990/FUL be **approved**, contrary to the officer recommendation, subject to conditions to specify approved plans, a time limit, material, landscaping, visibility splays and to secure appropriate access arrangements

**For the following reason;**

01. The proposed development is acceptable in this location as it is within a rural settlement that contains at least two services and facilities, and the lack of specific local benefits is outweighed by the contribution towards housing supply in the district. Furthermore, the dwelling, by reason of its size, design and position, respects the character of the area and will have no adverse impact on the setting of the nearby listed buildings, highways safety or residential amenity. As such the proposal accords with policies SS1, SD1, SS2, TA5, TA6, EQ2 and EQ3 of the South Somerset Local Plan and the aims and objectives of the NPPF.

**SUBJECT TO THE FOLLOWING CONDITIONS;**

01. The development hereby permitted shall be carried out in accordance with the following approved plans: 1393/1; 1393/2 and 1393/3 received 26th March 2018 and 1393-4; 1393-3B and 1393-3B (large scale) drawings received 16th May 2018.

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

02. A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the dwelling hereby approved. The landscaping scheme shall include details (plant mix, sizes, protection) of a new hedge to be planted along the south western boundary of the site. The landscaping shall be planted in accordance with the approved details in the next

planting season. Any gaps resulting from specimens that die within 5 years of planting shall be replanted in the next planting season.

Reason: To screen the site and provide satisfactory appearance.

03. A written schedule of materials to be used in the construction of all external surfaces, openings and rainwater goods shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works above DPC level. The development shall only then be developed in accordance with the approved materials.

Reason: To ensure that the development has a satisfactory appearance.

04. The visibility splays, surfacing, geometry, gradient, surface water drainage and gate position shown on drawings 1393-4; 1393-3B and 1393-3B (large scale) shall be fully implemented prior to the first occupation of the dwelling hereby approved and subsequently maintained in perpetuity.

Reason: To ensure safe and satisfactory vehicular access to the site is provided and maintained in the interests of highway safety.

05. 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.

*(Voting: 7 votes in support, 1 against and 1 abstention)*

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## **22. Exclusion of the Press and Public (Agenda Item 18)**

**RESOLVED:** that the following agenda item 19 be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under Paragraph 5: "Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings".

*(Voting: unanimous)*

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## **23. CONFIDENTIAL - Planning Appeal - Land West of Stalbridge Road, Henstridge (17/03029/OUT) (Agenda Item 19)**

Members discussed the report in some detail and gave direction to the officer as to whether they wished to defend all three reasons of refusal at appeal.

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Chairman