

## South Somerset District Council

Minutes of a meeting of the **Area West Committee** held at **The Guildhall, Chard** on **Wednesday 20 June 2018**.

(5.30 - 9.20 pm)

### Present:

**Members:** Councillor Val Keitch (Chairman)

Jason Baker	Garry Shortland
Mike Best	Angie Singleton
Dave Bulmer	Andrew Turpin
Carol Goodall	Linda Vijeh
Jenny Kenton	Martin Wale
Ric Pallister	

### Officers:

Helen Rutter	Communities Lead
Jo Morris	Case Services Officer (Support Services)
Paula Goddard	Legal Specialist
Linda Hayden	Area Lead Planner (South)
Marc Dorfman	Senior Planning Adviser
Tim Cook	Locality Team Manager
Alison Baker	Area West Neighbourhood Development Officer

*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. To approve as a correct record the Minutes of the Previous Meeting held on 16th May 2018 (Agenda Item 1)

The minutes of the meeting held on 16<sup>th</sup> May 2018, copies of which had been circulated, were taken as read, and having been approved were signed as a correct record of the meeting.

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

Apologies for absence were received from Councillors Amanda Broom, Paul Maxwell and Sue Osborne.

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

Councillors Dave Bulmer and Garry Shortland declared personal interests in Planning Application No. 16/02874/FUL, as members of Chard Town Council.

Councillors Mike Best and Angie Singleton declared personal interests in Planning Application No.18/00754/FUL, as members of Crewkerne Town Council.

#### 8. Date and Venue for Next Meeting (Agenda Item 4)

Members noted that the next meeting of the Area West Committee would be held on Wednesday 18<sup>th</sup> July 2018 at 5.30pm at The Guildhall, Chard.

Members were reminded that a workshop for members to identify the area priorities for the new Area Plan would be held prior to the July Area West Committee meeting.

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

There were no questions from members of the public.

#### **10. Chairman's Announcements (Agenda Item 6)**

The Chairman reminded Members about the Annual Town and Parish Meeting taking place on Thursday 28<sup>th</sup> June at 6.30pm-8.30pm at the Henhayes Centre, Crewkerne. Items on the agenda included Transformation and Area+ and Connecting Devon and Somerset.

#### **11. Town Centre Events Programme - Interim Project Report (Agenda Item 7)**

The Locality Team Manager introduced the report updating members on the progress of the Town Centre Events Programme which was created to fund new events and activities to stimulate footfall and participation in the town centres of Crewkerne, Chard and Ilminster.

He advised that this was an interim report and that a further detailed report would be brought back to the Committee in October or November giving further information about the events that have been delivered.

**RESOLVED:** That the report be noted.

#### **12. Area West Committee Working Groups and Outside Organisations - Appointment of Members 2018/19 (Executive Decision) (Agenda Item 8)**

**RESOLVED:** That the following appointments be made to Area West Working Groups and Outside Organisations for the municipal year 2018/19:

<b>Area West Working Groups</b>	<b>Representation 2018/19</b>
Crewkerne and Area Community Office – Board Representation	Angie Singleton
Click Into Activity Steering Group	Carol Goodall
<b>Outside Organisation</b>	<b>Representation 2018/19</b>
A Better Crewkerne & District (AONB)	Mike Best
Blackdown Hills AONB	Martin Wale
Chard Improvement Action Group	Appointment deferred for further information
Chard and District Museum Society	Amanda Broom
Crewkerne Heritage Centre	Marcus Barrett

Crewkerne Leisure Management (Aqua Centre)	(subject to confirmation) Angie Singleton
Ile Youth Centre Management Committee	Val Keitch
Ilminster Forum	Carol Goodall
Making It Local Executive Group	Martin Wale
Meeting House Arts Centre, Ilminster	Carol Goodall
Stop Line Way Steering Group	Andrew Turpin

*(Resolution passed without dissent)*

**Reason:** To appoint members to working groups and outside bodies for the municipal year 2018/19.

**13. Scheme of Delegation - Development Control - Nomination of Substitutes for Chairman and Vice Chairman for 2018/19 (Executive Decision) (Agenda Item 9)**

**RESOLVED:** That Councillors Angie Singleton and Linda Vjeh be appointed to act as substitutes for the Chairman and Vice-Chairman in the exercising of the Scheme of Delegation for planning and related applications.  
*(Resolution passed without dissent)*

**Reason:** To appoint two members to act as substitutes for the Chairman and Vice-Chairman in the exercising of the scheme of delegation for planning and related applications for the municipal year 2018/19.

**14. Area West Committee - Forward Plan (Agenda Item 10)**

The Communities Lead advised that she would bring forward the update report on the LEADER Programmes in Area West to the July meeting. The report would include information on the recently made available Making It Local funding for agricultural projects.

Members felt that it would be useful to receive feedback from the Chard Regeneration consultation event held on 15<sup>th</sup> and 16<sup>th</sup> June as soon as possible rather than wait until September. The event had been very positive with over 500 people attending.

Members were informed that a Workshop to allow member input into the new Economic Development Strategy would be held prior to the August or September Area West Committee.

**RESOLVED:** That the Area West Committee Forward Plan be noted as attached to the agenda report subject to the amendments above.

**15. Planning Appeals (Agenda Item 11)**

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

**RESOLVED:** That the report be noted.

**16. Schedule of Planning Applications to be Determined by Committee (Agenda Item 12)**

The Chairman announced that she would be changing the order of the planning applications and would be taking Agenda Item 14 first followed by Agenda Item 16, Agenda Item 13 and finally Agenda Item 15.

**17. Planning Application: 16/02874/FUL - Land Adjoining Holbear, Forton Road, Chard (Agenda Item 13)**

***Application Proposal: The erection of 315 No. dwellings with associated access and infrastructure and provision of off-site playing pitches***

The Senior Planning Advisor presented the report, as detailed in the agenda. With the aid of slides and photographs he outlined the location of the site, proposed access and playing pitches. The proposed dwellings would comprise a number of different house types including an element of affordable housing. He highlighted the key considerations and explained that the principle was supported by the Local Plan and the Chard Regeneration Plan. He advised that the scheme layout had been amended to address concerns raised by local residents with regard to residential amenity. He noted that the application had been amended to provide one vehicular access only from Tatworth Road which addressed concerns about the highway impact of the scheme. He was recommending approval of the application subject to appropriate conditions as outlined in the report.

The Senior Planning Advisor responded to members' questions on points of detail which included the following:

- Explained the relationship between the new distributor road and this planning application.
- Tatworth Road was big enough to take access and egress from this kind of development.
- The location was appropriate and the development was an opportunity for homes to be located in the countryside but not significantly outside of the settlement and would be of benefit to the regeneration of Chard.
- The Highway Authority had concluded that the traffic and highway impact of the scheme would not be significant.
- The road would be built to distributor road standard.
- There would be emergency access to the site although details were still to be resolved.
- The Planning Officer was satisfied with regard to the boundary fencing, landscaping and gardens being more than sufficient to retain private amenity and prevent overlooking.
- It was felt that a multiple car parking area could work in this scheme as long as it was properly enforced.
- A nearby scheme mirrored the same density, garden design and car parking.
- The current Local Plan was not out of date. Officers would bring forward the application for approval regardless of whether the Council had a 5 year housing supply.

- The internal space of the garages was in accordance with the car parking standards set by the County Council.
- All of the units would have car parking spaces. The one bed properties would have car parking spaces located within an appropriate distance.
- Clarified information regarding road tolerances and the proposed informatives outlined in the report.
- The scheme although located on the edge of the town centre was attached to the town centre and considered to be within a sustainable location.
- Confirmed the location of the social homes and the blocks of flat.

County Councillor Gemma Verdon addressed the Committee. Comments made included the following:

- Further housing and infrastructure improvements were essential.
- More choice of housing was required giving older people the opportunity to downsize.
- The town footfall needed to increase to make businesses viable.
- Any development must provide the appropriate infrastructure.
- Insufficient detail provided by the applicant with regard to the management of flooding and drainage.

The Committee was addressed by four members of the public objecting to the application. Comments expressed were in relation to the following:

- Uncertain whether the proposed drainage proposals would be adequate.
- The highway assessment should have taken into consideration the other development that has already received approval.
- Density of the scheme too high.
- Poor quality development and layout.
- Harmful impact on the amenity of the existing dwellings.
- Scheme being built out of phase.
- Insufficient parking.
- Lack of infrastructure provision.
- Development out of character.
- Concern over there being an active badger sett close to the site.

The Applicant's Agent confirmed that:

- The density of the scheme had been adjusted in response to local concerns.
- The landscaping scheme supported the new density of the scheme.
- The scheme made provision for 110 affordable units. There was no specific policy nationally or locally requiring the affordable housing to be pepper potted around the site.
- The development would provide a formal play area, facilitate additional off-site sports pitches as well as infrastructure to serve the development.
- Significant contributions would be made towards education, sport, play and strategic facilities providing reassurance that the infrastructure required would be delivered.
- The drainage provision had been designed in accordance with best practice and local authority requirements.

The Ward Member commented that he had a number of concerns with the application. He supported the views of the Parish Council and did not feel he could make a decision on the application as further information was required on a number of issues. His concerns related to:

- The recreational area divided by the spinal layout of the road was totally unacceptable.
- It was not appropriate to place heavy goods vehicles onto a distributor road.
- Issue of surface water.
- Sewage disposal.
- Further detail was required on the travel plan.

During the discussion, some members raised a number of concerns with regard to application. Issues raised by members related to the following:

- Concerns over the proposed garage sizes and parking. It was felt that if the application was to be approved a condition should be included to cover garage sizes.
- It was felt that the development was not in accordance with planning policies. Particular reference was made to paragraph 7-11 of the Local Plan in relation to the distributor road, PMT1 and PMT2.
- Concern over primary schools being oversubscribed and there being no safe walking routes to school.
- Poorly designed scheme and not in accordance with the NPPF Chapter 7 para.64.
- Traffic in this location was already severe. All four arms of the junction experienced significant queues on a regular basis. The traffic assessment was out of date and it was felt should be undertaken in the months and not during a quiet time of year.
- The relief road was very important to the town and it was felt should happen before this development commenced.
- It was acknowledged that the principle of the development had been agreed as part of the Local Plan but was out of phase and created an imbalance of the whole system that had been agreed within the Chard Regeneration Plan.
- Concern over the impact of neighbouring properties.
- The sewage system was already overloaded and at saturation point.
- Concerns over flooding.
- Concern over spinal layout of the road.
- Crammed in design.
- It was felt that an option could be to continue negotiations with the applicant on the issues raised.

In response to comments made, the Senior Planning Advisor advised that:

- There was a condition to cover the issue of badger setts.
- The traffic impact had been assessed on the provision of 500 homes.
- The Highway Authority considered traffic levels generated by the development to be low with just over 1 additional vehicle per minute.
- There was a condition to cover flooding, drainage, sewage and impact from rainwater. If members were minded to approve the application the condition could be amended to ensure all issues were covered.
- With regard to the character of the scheme, the layout of this scheme was not much different to housing located higher up Forton Road where there were similar densities. The scheme was in accordance with the Local Plan and the size of the proposed gardens met planning standards.
- The scheme would operate and work within its own right notwithstanding the opportunity it presents to create the first part of the piece of infrastructure that would come forward.
- The meandering design would accommodate a distributor road function and a residential street.

- A lot of work had been undertaken with the developer with regard to boundary treatments, landscaping and choice around dormers and porches.
- SCC were seeking an education contribution. Lack of school places was not an appropriate reason for refusal.
- The garage spaces on the scheme were 6 x 3 metres which met appropriate standards.

The Legal Specialist reminded members that the application was 2-starred and that if members were minded to refuse the application, whilst it would be able to indicate grounds for refusal, the final determination of the application would be made by the Regulation Committee. She advised that there would need to be clear reasons for recommending refusal of the application.

At the close of the debate, members put forward a number of reasons for refusal as follows:

- Development does not conform to the approved Local Plan
- Spinal layout of construction of the road through the site would not be compatible with any future distributor road
- No effective travel plan to consider
- Application not in accordance with NPPF Chapter 7 para 64

The Senior Planning Advisor advised that he felt that the spinal layout of the road reason could be sustained as a reason for refusal. With regard to there being no effective travel plan, he advised that this could be dealt with by condition. He considered the scheme not being in accordance with the NPPF Chapter 7 para 64 was a strong general reason that could be sustained and would cover many of the issues raised.

It was proposed and seconded to refer the application to the Regulation Committee with a recommendation that the application be refused for reasons relating to the following:

- Design of the road would not be compatible with any future distributor road
- Development not in accordance with NPPF Chapter 7 para 64
- Traffic congestion
- Residential layout out of character
- Insufficient infrastructure
- Contrary to the Local Plan with regard to PMT1 and PMT2 – out of phase and no distributor road, junction not sustainable and already at over capacity

On being put to the vote, the proposal to recommend refusal of the application was carried by 8 votes in favour and 4 abstentions.

**RESOLVED:** That Planning Application No. 16/02874/FUL\*\* be REFERRED to the Regulation Committee with a recommendation from Area West Committee that the application be refused for the following reasons:

1. The design of the proposed layout of the new homes and proposed distributor road is out of character with its neighbouring settlement design and its location at the southern edge of Chard town. The proposed road neither satisfies the design of an effective distributor road ie to carry large volumes of both access and bypass traffic, nor of an estate road, which should provide protected and calmed access to homes. This is contrary to Policy EQ2 and TA5 of the South Somerset

Local Plan.

2. The design of the distributor road is not commensurate to the amenity of new occupiers. A significant number of the proposed dwellings (100 out of the total of 315 homes) are proposed to front onto the distributor road which by definition will carry large volumes of traffic. The design and layout would also require occupants to cross the distributor road to access the public open space. The proposal is therefore contrary to Policies EQ2, and TA5 of the South Somerset Local Plan.

3. The proposed development fails to take the opportunity to improve the character and quality of the local area due to the poor layout and house designs. Therefore, it does not constitute good design and is contrary to Policies EQ2 and Chapter 7 (para 64) of the NPPF (Requiring Good design).

4. The proposed development would be brought forward in an earlier phase than outlined in the Chard Regeneration Plan. Accordingly, due to the lack of the completed distributor road connecting the application site to the north with the A30, it would create a severe highway impact on the local road network, particularly causing severe congestion at the central Convent Junction. This is contrary to PMT1 and PMT2 of the South Somerset Local Plan.

*(Voting: 8 in favour, 4 abstentions)*

**18. Planning Application: 18/00754/FUL - Millers Garage, 22A East Street, Crewkerne (Agenda Item 14)**

***Application Proposal: Demolition of existing buildings and the change of site to a tarmac 'pay and display' car park for 60 vehicles to include lighting columns***

It was proposed and seconded to defer the application to a future meeting of the Area West Committee to allow outstanding issues to be resolved with Crewkerne Town Council.

**RESOLVED:** That consideration of Planning Application No. 18/00754/FUL be DEFERRED to a future meeting of the Area West Committee to allow outstanding issues to be resolved with Crewkerne Town Council.

*(Voting: unanimous in favour)*

**19. Planning Application: 16/02289S73 - Donyatt Garage, Donyatt, Ilminster (Agenda Item 15)**

***Application Proposal: Application to vary condition 02 (approved plans) of planning permission 12/02295/FUL to amend site layout***

The Area Lead Planner explained that the original plans for the erection of 3 dwellings were approved with a boundary wall and pathway along Boundary Lane with a parking area at the rear. When development commenced it had become clear that the buildings had not been built strictly in accordance with the approved plans. Each of the buildings



had been shuffled along towards Crow Lane and the boundary wall had decreased the width of the road. Members were informed that part of the boundary wall had now been demolished and the telegraph pole was in the process of being re-sited. The Area Lead Planner confirmed that she was satisfied with the side window not being obscurely glazed.

The Area Lead Planner updated members with details of further emails received between a local resident, the District Council and the County Highway Authority regarding the location of the highway splay and the safety of the access in terms of visibility. The County Highway Authority had commented that the removal of the wall was acceptable and was also content with the visibility subject to the removal of the telegraph pole.

The Area Lead Planner recommended approval of the application as outlined in the agenda report subject to an additional condition requested by the County Highway Authority requiring bollards to be placed either side of the air conditioning unit which was located on the side of the dwelling.

The Committee was addressed by the Chair of Donyatt Parish Council. Concerns raised related to the following:

- Restricted line of vision for vehicles attempting to leave Crow Lane towards Chard.
- Telegraph poles adding to poor visibility and risk to drivers.
- Reduced visibility splay.
- New rear curved boundary car park wall restricts cars from turning.
- Width of Crow Lane obstructed by Air Conditioning Unit.
- The need to establish whether the road has been built upon.

Members noted the comments of two people in objection to the application. Comments made related to the following:

- Uncertainty over ownership of strip of land bordering Crow Lane.
- Reduced width of Crow Lane.
- Non-compliance in relation to providing appropriate documentation to clarify issues.
- Concerns over the wall obstructing visibility.
- The adopted highway being built upon.
- Highway drain and pipework illegally removed and now part of the foundation of the house.

The Applicant's Agent advised that the Applicant had purchased the site in good faith with full planning permission in place and the site boundaries clearly shown. He explained that the Applicant had chosen to build natural stone walls to enhance the local character which meant that the buildings had moved slightly. He referred to the land issue being an unfortunate occurrence. He explained that part of the site being owned by Somerset County Council had been missed in the conveyancing of the land. He emphasised that everything had been done to try and mitigate the situation and all the measures suggested by the Highway Authority had been agreed.

The Service Manager - Highways Development Management explained that with regard to the issue of the width of Crow Lane and the wall, the Highway Authority did not keep records of the width of every carriageway but held an indicative plan. The road record had a definitive line of the carriageway of the edge of the Garage forecourt and because this was taken into the development there was no point of reference to establish exactly where it was. Following investigations, it was believed that the boundary wall was either

on or immediately adjacent to where that was likely to have been but they were not able to be definitive which had been referenced throughout numerous communications. The removal of the wall meant that there was the same width of the carriageway that would have been there previously even with the air conditioning unit on the side of the property. She confirmed that there had never been any formal turning provision on the highway. With regard to the visibility at the front of the development, she confirmed that the visibility provided was in accordance the Manual for Street document.

The Ward Member referred to there being information that was either inaccurate or no one was able to verify. She supported the views of the Parish Council due to their local knowledge of the area but also accepted that it would be radical to ask the developer to take the properties down. She was of the view that a solution needed to be found and that further discussions were required to solve the issues and was therefore unable to recommend approval of the application.

During the discussion on the application members made a number of comments which included the following:

- Queried whether the boundary wall could be conditioned or part of it removed to improve the visibility. In response, the Area Planning Lead clarified that she would need to speak to the applicant as it could involve a lot of work particularly bearing in mind that the visibility splay was as it was approved in 2012.
- Expressed support for the deferral of the application to allow negotiations to take place.
- Concern over the air conditioning unit overhanging the public highway.
- Reduction of the boundary wall would increase visibility.

The Service Manager - Highways Development Management confirmed that the air conditioning unit was more than likely clear of what was the adopted highway and was therefore suggesting a reflector marker post to avoid accidents and these would not sit beyond the width of the air conditioning unit.

It was proposed and seconded to defer the application to allow negotiations to be held between the Applicant, the Area Planning Lead and the County Highway Authority to look at reducing the height of the wall in front of the new development to improve visibility and the re-positioning of the air conditioning unit. On being put to the vote the proposal was unanimously approved.

**RESOLVED:** That consideration of Planning Application No. 12/02295/FUL be DEFERRED to a future meeting of the Area West Committee to allow negotiations to be held between the Applicant, the Area Planning Lead and the County Highway Authority to look at reducing the height of the wall in front of the new development to improve the visibility splay and the re-positioning of the air conditioning unit.

*(Voting: unanimous in favour)*

**20. Planning Application: 17/03409/OUT - Lamb Inn, Horton Cross, Ilminster (Agenda Item 16)**

***Application Proposal: Erection of 24 bed residential home and formation of new vehicular access (outline)***

The Senior Planning Advisor presented the application and highlighted the key considerations. He explained that Highways were supportive in principle of the proposed access. The Planning Officer was recommending that a residential care home should be located closer to a town centre where it has a range of facilities and it was therefore considered that the site was located within an unsustainable location.

In response to member questions, the Senior Planning Advisor informed members of the following:

- The enforcement of a 30mph speed limit along the road was a Police issue.
- The scheme did not warrant putting in traffic lights or a pelican crossing.
- On balance Officers considered the application site to be isolated and not located within a sustainable location. Housing schemes should be within the existing hierarchy in town centres and rural settlements that have significant community facilities. The Local Plan did not support the development of a new settlement in this location.

The Committee was addressed by the Applicant's Agent. He commented that the application was supported by the Parish Council and there was no local objection to the scheme. The application was identical to the one granted in 2008 and there had been no change in policy. The applicant would be willing for the design to be considered as part of reserved matters. The care home would be located in a quiet location for the benefit of its residents and was highly accessible to the road network which would be to the benefit of visitors.

The Ward Member did not agree that the site was unsustainable. She commented that the location was better served than many of the communities within the area. A public house was located down the road; there was also a Church, Monks Yard and a Petrol Station close by. She felt that a brownfield site should not be left undeveloped and that a business on the site would generate more traffic movements than a residential home.

During the discussion on the application, a number of members supported the views of the Ward Member. They were of the opinion that the application was located within a sustainable location and did not cause demonstrable harm to the surrounding area.

At the conclusion of the debate, it was proposed and seconded to approve the outline application contrary to the Planning Officer's recommendation as the site was considered to be within a sustainable location, was in close proximity to a range of facilities and was not considered harmful to the surrounding area. On being put to the vote, the proposal was carried by 9 votes in favour and 3 against.

**RESOLVED:** That Planning Application No. 17/03409/OUT be APPROVED contrary to the Planning Officer's recommendation for the following reason:

01. The development by reason of its design, materials and scale respects the character and appearance of the area, will provide a safe means of access to and from the development, will make a valuable contribution to meeting local care needs, and will not cause any harm to the character and setting of heritage assets. The development is thereby in accordance with Policies SD1, HG6, TA5, TA6 EQ2 and EQ3 of the South Somerset Local Plan, and the NPPF.

**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 reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

03. The development hereby permitted shall 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 any changes proposed in existing ground levels; all planting, seeding, turving or earth moulding 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; and 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: To protect the amenity of the area to accord with Policy EQ2 of the South Somerset Local Plan.

04. The area allocated for parking and turning on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

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

05. No works shall commence on the development hereby permitted until a highway scheme has been agreed in writing with the Local Planning Authority. The development will then not be brought into use until such a time that the agreed works are complete in accordance with the agreed scheme.

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

06. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 2.4 metres back

from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 100 metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is brought into use and shall thereafter be maintained at all times.

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

07. The development hereby permitted shall not be carried out in accordance with the following submitted plans:  
Location plan received 7th August 2017, block plan received 7th August 2017, Drawings numbered 3a and 3b received 7th August 2017.

Reason: To avoid doubt as the application has been amended and in the interests of proper planning.

08. The development hereby approved shall not be first brought into use until details for the boundary treatment has been submitted to and approved in writing by the Local Planning Authority. Once approved, the boundary details shall be fully erected prior to the first occupation of the residential care home.

Reason: To safeguard the rural character of the area and to provide a secure environment for future residents in accordance with Policies EQ2 of the South Somerset Local Plan 2006.

09. Before any of the development hereby permitted is commenced details of the internal ground floor levels of the building(s) to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the area in accordance with Policy EQ2 of the South Somerset Local.

10. 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.

11. Prior to any vegetation clearance or other site preparation works, an ecological consultant shall be commissioned to undertake surveys of the site for legally protected species (to include reptiles and badgers). The results of the surveys shall be used to inform mitigation measures. The survey results and proposed mitigation measures shall be submitted to the local planning authority for approval in writing prior to commencing any vegetation clearance or other site preparation works. The approved

mitigation measures shall be implemented in accordance with the approved details.

Reason: For the conservation of biodiversity in accordance with NPPF and Local Plan Policy EQ4, and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

12. Construction of the residential care home 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.

**NOTES**

*01. The applicant will be required to enter into a suitable legal agreement with the Highway Authority to secure the construction of the highway works. The developer will need to make contact with the Highway Authority well in advance of work commencing in order to progress this agreement.*

*(Voting: 9 in favour, 3 against)*

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Chairman