

South Somerset District Council

Minutes of a meeting of the **Area North Committee** held in the **Council Chamber, Council Offices, Brympton Way, Yeovil** on **Wednesday 26 February 2020**.

(2.00 pm - 5.40 pm)

Present:

Members: Councillor Adam Dance (Chairman)

Neil Bloomfield (to 5.05pm)	Tiffany Osborne (to 4.50pm)
Malcolm Cavill	Clare Paul
Louise Clarke	Dean Ruddle (to 4.50pm)
Mike Hewitson	Mike Stanton
Tim Kerley	Gerard Tucker



Officers:

Leisa Kelly	Case Officer (Service Delivery)
Phillippa Yeates	Stonewater (Social Housing Provider)
Adrian Moore	Locality Officer
Tim Cook	Locality Team Manager
Dan Bennett	Property and Development Project Manager
Colin Arnold	Specialist (Development Management)
Alex Skidmore	Specialist - Development Management
Stephen Baimbridge	Specialist (Development Management)
Cameron Millar	Graduate Case Officer (Planning)
Becky Sanders	Case Officer (Strategy & Commissioning)

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

90. Minutes (Agenda Item 1)

The minutes of the previous meetings held on 27 November 2019 and 29 January 2020 were approved as correct records and signed by the Chairman.

91. Apologies for absence (Agenda Item 2)

An apology for absence was received from Councillor Crispin Raikes.

92. Declarations of Interest (Agenda Item 3)

Councillor Malcolm Cavill declared a personal interest for item 13 - planning application 19/02729/FUL – as he had previously owned the property until a few years ago. He clarified he no longer had any connection with the farm nor did he have any connection with the applicant.

Councillors Neil Bloomfield and Louise Clarke each declared a personal interest for item 15 – planning application 19/00544/OUT – as they are also members of Martock Parish Council who had submitted comments on the application.

93. Date of next meeting (Agenda Item 4)

Members noted that the next meeting of the Area North Committee was scheduled for 2.00pm on Wednesday 25 March 2020 in the Council Chamber, Council Offices, Brympton Way, Yeovil.

94. Public question time (Agenda Item 5)

A member of the public addressed members and raised some questions regarding affordable housing, in advance of the presentation being provided item 8 on the agenda, including:

- How many affordable houses had been delivered by / within SSDC in the current financial year and how many were planned in 2020/2021?
- How many times had developers been allowed to reduce the numbers of affordable housing over the last five years?

In response, the Case Officer (Service Delivery) noted that the delivery figures would be included in the presentation, Regarding viability figures she would need to liaise with the planning team to source the information. It was agreed a response would be provided via the Chairman.

The Case Officer (Service Delivery) responded to some points of detail briefly raised by members, including providing the definition of affordable housing as stated within the National Planning Policy Framework (NPPF).

95. Chairman's announcements (Agenda Item 6)

There were no announcements from the Chairman.

96. Reports from members (Agenda Item 7)

Councillor Clare Paul drew members attention to the 'Adapting the Levels' drop-in event which was due to take place shortly in Langport.

Councillors Neil Bloomfield and Dean Ruddle reminded members that the Leader of the County Council and the Leader of SSDC were individually meeting with town and parish councils to share their visions for the future of Local Government in South Somerset.

97. Presentation on Affordable Housing in South Somerset (Agenda Item 8)

The Case Officer (Service Delivery) and a representative from Stonewater (Housing Provide) gave a presentation on affordable housing in South Somerset. With the aid of a powerpoint presentation and short video, they provided information about the following:

- Types of Housing Need – expressed and hidden.
- The Annual Local Housing Figure for South Somerset was 725 homes a year, of which 206 should be for affordable housing.
- Figures for registered housing need in South Somerset by band and bed size.
- Expressed need in Area North, as identified by Homefinder was 313.
- How affordable housing linked to the Local Plan and Council Plan.
- The Rural Lettings Framework helped to ensure that vacancies in rural areas are advertised with a local connection criteria.
- Support regarding Community Land Trusts (CLT) within South Somerset and work closely with Wessex Community Assets.
- Grant funding was still available for housing needs surveys, planning feasibility studies and Community Land Trusts.
- A Stonewater case example – Orchid Acre Close in Stoke Sub Hamdon.
- Nominations for design awards (Stonewater).
- Different types of construction.
- The current development programme for 2020/21, including a breakdown of tenure and ownership
- Myths regarding the need and allocation of affordable housing.

During discussion the officers responded to points of detail, and some of their comments included:

- Estimates of funds remaining in the grants budget.
- On mixed tenure developments, Stonewater would have an input in to the design of the affordable housing element, and it was an important consideration.
- There were occasionally issues when Housing Associations worked with Community Land Trusts (CLT), but this was often due to specific elements of individual schemes.
- Decisions about who would get a property were normally based on the applicant's Homefinder band and how long they had been on the waiting list. Applicants needed to have a connection to the district in order to be accepted on to Homefinder.
- Further information about the principles of Passivhaus regarding windows and airflow.
- Acknowledge plans to cease installation of gas boilers in new homes in the future, and Stonewater were currently evaluating installation of electric heating.
- Information and examples about small grants available from Stonewater.

At the conclusion of the item, the Chairman thanked the officers for their informative presentation and for attending the meeting.

98. Community Grant to Compton Dundon Village Hall (Executive Decision) (Agenda Item 9)

The Locality Officer presented the report which provided details of an application for a community grant application. Members were requested to consider awarding a grant towards a digital projector and screen at the Meadway Hall in Sompton Dundon.

During a brief discussion, both ward members noted the hall was well used and several members expressed their support for the application. In response to a point of detail raised, the Locality Officer and Locality Team Manager provided a brief overview of the

Area revenue and grants budgets and how the revenue budget was topped up each financial year.

At the conclusion of debate members were content to propose that the grant be approved, and on being put to the vote, was carried unanimously.

That a grant of £1,825 be awarded to the Meadway Hall, to be allocated from the Area North Community Grants Programme and subject to SSDC standard conditions for community grants.

To provide a financial contribution towards a digital projector and screen for the Meadway Hall in Compton Dundon.

(Voting: Unanimous)

99. Area North Committee Forward Plan (Agenda Item 10)

There was no discussion and members were content to note the Forward Plan.

RESOLVED: That the Area North Forward Plan be noted.

100. Planning Appeals (Agenda Item 11)

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

101. Schedule of Planning Applications to be Determined By Committee (Agenda Item 12)

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

102. Planning Application 19/02729/FUL - New House Farm, Stowey Road, Fivehead TA3 6PR. (Agenda Item 13)

Proposal: Alterations to 2 No. agricultural buildings with change of use to the buildings and land to D1 non-residential institution use.

The Specialist (Development Control) presented the application as detailed in the agenda. He clarified there was a building at the location which already had extant permission for office space but was not included within the red line for the current application being considered.

He explained there was little change proposed to the elevations of the existing buildings in visual terms. The nature of the business was land hungry and not suited to an industrial estate. Due to the nature of the proposal the Highway Authority did not require a traffic plan and had not raised any objections. He highlighted the key considerations and acknowledged that noise of reversing beepers was a concern, but could be addressed by a condition to requiring headphone alerts to help reduce noise.

Six members of the public spoke in objection to the application and some of their points included:

- Reference to impact on local economy and site isn't well related to the village of Fivehead.
- No benefit to the community and don't feel it qualifies as farm diversification as the site is not currently actively farmed.
- Economic Development Strategy doesn't support construction industry in the countryside
- Applicant is proposing moving business from a larger site with good access to this smaller site with poor access.
- Required visibility splays will open up the site and the hedges are in third party ownership.
- Lanes through the village have blind driveways and poor junctions with the main road.
- Cumulative impact of traffic movements has not been adequately considered.
- An application for a school a short distance up the lane had recently been refused by the Committee in November due to highway safety concerns – why was there a reversal of that opinion for this application?
- To fit in the community needs to enhance what's already there.
- No further ecological surveys have been done even though the site is close to a Site of Special Scientific Interest (SSSI). There is much wildlife in the reporting zone.
- No heritage building assessment has been done and there are historic buildings nearby.
- There is no noise impact assessment, and reference to the NPPF regarding new noise from development.
- Construction machinery is not the same agricultural machinery.
- No consultation has taken place regarding impact on the nearby bridleway.
- Feel basic requirements have not been met in order for a legal decision to be made on the application.

Two members of the public and the applicant then addressed members in support of the application, and some of their points included:

- Many people travel into Fivehead each day quite safely
- When the site was actively farmed it was very busy with farm traffic.
- Employment is important. It is essential young people learn a trade and skills.
- This is a professional training business and will have less traffic movements than a working farm
- Difficult for such a small property to be run as a working farm.
- It is a small business offering training in the use of plant machinery, not only for construction but also environment machinery.. Technology is used to meet legislation.
- Reversing alarms will only be heard in a designated danger zone. Hedges and a noise bund will be maintained.
- Feel concerns about impact on the nearby bridleway are unreasonable as there is a field in between the bridleway and the site.

Ward member, Councillor Malcolm Cavill, commented that the chances of the farm being used for active agriculture were now remote due to size now only being around 10 acres. He also noted the applicant had been in open dialogue with the parish, and had hosted an open visit event for members of the parish council and local community to the farm and the applicant's existing business site. The proposal would have more restricted

hours than a working farm, and concerns about noise of reversing sensors would be addressed by technology via the use of headphones. He noted the applicant had logged daily traffic movements for the business, and the average was 15 movements each day. He felt there would be little impact on the village of Fivehead.

During debate mixed opinions were expressed. There were several concerns raised regarding the apparent lack of assessments regarding traffic impact, noise impact and heritage / archaeology. Some members felt they did not have all the information required in order to make decision. Some of the comments raised during discussion included:

- If a noise assessment was available would be able to make a more informed decision.
- Every application judged on own merits but there also needs to be consistency.
- When the site was actively farmed there would have been many traffic movements.
- Highways raised no objections
- Believe much of the training proposed will in a classroom environment.
- Environmental Health comments should be noted.

In response to comments made, the Specialist (Development Control) and Specialist (Development Management) clarified that:

- Officer comments about heritage were detailed on page 25 of the agenda.
- Environmental Health had recommended conditions including a requirement for further noise information – if noise measurements or any noise reduction schemes were not satisfactory then the proposal would not go ahead.
- There was no policy requirement for a transport plan.

At the end of discussion, it was formally proposed to defer the application in order to receive further information and assessments regarding a travel plan, ecology and environmental / noise, in order to fully inform a decision. On being put to the vote the proposal to defer was carried 6 in favour, 5 against with no abstentions.

RESOLVED: That planning application 19/02729/FUL be DEFERRED to receive further information regarding:
Travel Plan
Ecology
Environmental / Noise Assessment

(Voting: 6 in favour, 5 against , 0 abstentions)

103. Planning Application 19/02531/S73 - Old Oak Farm, Back Lane, Curry Rivel TA10 0NY. (Agenda Item 14)

Proposal: Section 73 application to vary conditions 3 & 5 of permission 15/00455/COU & subsequent application 15/04021/S73A to allow for wedding venue & to increase event limit from 15 to 40.

The Specialist (Planning) presented the application as detailed in the agenda, and updated members that a further letter of objection had been received referring to noise and visual impact, but not raising any new issues to those addressed in the report. She explained that the application was to broaden the type of events as well as the quantity, and noted the key considerations were the intensification and noise concerns. The applicant had established the ambient noise, and so it was possible to condition for noise

levels. The applicant was required to keep a register for the frequency, number and type of events in order to facilitate enforcement if needed in the future.

A representative for Drayton Parish Council addressed members in objection to the proposal. He noted he had personally experienced noise from the venue and was also representing 7 or 8 residents who likewise had been affected by noise. He commented he had recently learnt there were directional speakers available for use in marquees and asked members to defer the application in order to explore the technology further. He had seen the acoustic report and had some concerns and asked members to refuse the application if unable to defer.

The applicant acknowledged comments submitted by local residents indicated noise was a concern. She explained that the marquee had a noise limiter which was adhered to and noise ceased by 11pm for any event. Since the limiter had been in use they had not received any complaints about noise. They had commissioned an independent noise assessment and the Environmental Health officer's opinion was that noise from additional events would not cause additional harm. The venue provided local employment, supported local suppliers, and many visitors used local accommodation providers. If the proposal was approved it would facilitate wider use of the venue during the day and throughout the week.

One of the ward members, Councillor Tiffany Osborne, apologised for the short delay prior to the application being presented, as she and her fellow ward member had sought legal advice as they realised the venue was possibly going to be used for a political party function in the summer. The advice of Legal was that they could speak regarding the application but should not vote.

The ward member, acknowledged that Drayton residents had tended to be more affected by noise due to prevailing winds. Going forwards she believed music nights would be at a slightly lower sound level to wedding parties and that acoustic screening would be in place.

At the request of the Chairman, the applicant briefly responded to some points of detail including that acoustic screening would be in place and that the band would be repositioned in the marquee to help with noise levels.

During a short discussion, several points of detail were raised about noise levels, and the Specialist (Planning) clarified some elements.

It was initially proposed to defer the application to obtain more information about the noise levels and to have a technical expert available at the meeting to answer questions from members. On being put to the vote, the proposal to defer was lost, 3 votes in favour of deferral, 4 against with 1 abstention. (3 members did not vote as per legal advice).

Several member felt adequate information had been made available and included within the report. A subsequent proposal was made to approve the application as per the officer recommendation, and on being put to the vote was carried 4 votes in favour, 2 against with 2 abstentions (3 members did not vote as per legal advice).

RESOLVED: That planning application 19/02531/S73 be APPROVED, as per the officer recommendation, and subject to the following:

Justification:

The proposal, due to its nature, location and layout, is considered to be an appropriate and sustainable form of development that will enable the expansion of this established business to the benefit of the rural economy without resulting in any demonstrable harm to residential amenity, visual amenity, highway safety or other environmental concern, in accordance with the aims and objectives of policies SD1, EP4, TA5, TA6, EQ2, EQ3, EQ4 and EQ7 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

Subject to the following conditions:

01. The development hereby permitted shall be carried out in accordance with the following approved plans: '1:2500 Amended Site Location Plan', '1:2500 Location Plan Detailing Car Park and Overflow Parking' and '1:500' Site Layout Plan, received 13th February 2015 and approved in relation to planning permissions 15/00455/COU and 15/04021/S73A.

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

02. The subject land including any building(s) thereon shall be used for the purposes of agriculture; and as a wedding and events venue only and for no other purpose (including any other purpose in Class D2 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 ensure that the business use does not expand or intensify to an extent that would be harmful to neighbour amenity, the rural amenity of the area and highway safety, in accordance with policies EP4, TA5, EQ2 and EQ7 of the South Somerset Local Plan (2006-2028).

03. The marquee hereby approved shall only be erected on site, and used in conjunction with the use of the subject land as a wedding and events venue, between 1st May and 30th September in any one calendar year.

Reason: In the interests of visual amenity and to safeguard local landscape character, in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028).

04. There shall be no more than 40 events held per calendar year on the application site and within any building(s) thereon. Live or recorded music shall be played at no more than 15 of the 40 events per calendar year. Acoustic music, that is played without the assistance of any electronic

amplification, such as a PA system, as well as incidental music, may be played at all other events.

Reason: To ensure that the business use does not expand or intensify to an extent that would be harmful to the amenity of the area and highway safety, in accordance with policies EP4, TA5, EQ2 and EQ7 of the South Somerset Local Plan (2006-2028).

05. Music noise levels (MNL) (LA,eq) for the 25 'non-music' events hereby permitted shall not exceed the background noise level by more than 15 dB(A) over any 15 minute period between the hours of 09.00 and 23.00.

Reason: In the interests of neighbour amenity and the rural amenity of the area in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan (2006-2028).

06. Should any of the 25 'non-music' events hereby permitted be held between the hours of 23.00 and 09.00 then any associated music noise shall not be audible within noise-sensitive premises with windows open in a typical manner for ventilation.

Reason: In the interests of neighbour amenity and the rural amenity of the area in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan (2006-2028).

07. A register shall be kept of the use of the development hereby approved, which shall include the date, duration and nature (music or non-music) of all events held. The said register shall be made available for inspection by an authorised officer of the Local Planning Authority at all reasonable times.

Reason: To ensure that the business use does not expand or intensify to an extent that would be harmful to neighbour amenity, the rural amenity of the area and highway safety, in accordance with policies EP4, TA5, EQ2 and EQ7 of the South Somerset Local Plan (2006-2028).

Informatives:

01. Statutory nuisance
The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information please contact the Environmental Health section.

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

104. Planning Application 19/00544/OUT - Land Adjoining 28 Eastfield, Martock TA12 6NW. (Agenda Item 15)

Proposal: Outline planning application for the erection of a pair of semi-detached houses with gardens and parking.

The Specialist (Development Management) presented the application as detailed in the agenda and highlighted the key considerations. He noted many matters would be considered at the reserved matters stage.

A member of the public spoke in objection to the proposal and commented parking in the locality was already an issue, especially at weekends. He also noted there had been problems with sewerage and blockages in the past. He questioned why the land had not been given to the parish council as an area of open green space for the community.

A representative for the applicant then addressed members and explained the small piece of land had been left over from the housing transfer a number of years ago. The piece of land had no defined use and was suitable to accommodate the proposal. The indicative size and design of the properties was in keeping with the local area, and the final layout would be determined at the reserved matters stage.

Ward members, Councillor Neil Bloomfield and Louise Clarke noted the proposal would make parking issues worse, as developing the site would remove some of the available on-street parking. They felt the proposed development would be crammed in. Once councillor noted the parish council could not afford to buy the site, but SSDC did have the power to gift the land.

The Specialist (Development Management) responded to a point of detail raised during discussion, and clarified the site was considered to be in a sustainable location. The applicant's representative also confirmed that no bid for the land had been received from the parish council.

At the end of the brief discussion it was proposed to approve the application as per the officer recommendation, and on being put to the vote, it was carried 6 in favour, 2 against, with no abstentions.

RESOLVED: That planning application 19/00544/OUT be APPROVED, as per the officer recommendation, and subject to the following:

Justification:

01. The proposal would provide housing in a sustainable location without causing demonstrable harm to the visual amenity, residential amenity, highway safety or ecology. As such, the proposal is in accordance with policies SD1, SS1, SS4, SS5, TA5, TA6, and EQ2 of the South Somerset Local Plan 2006-2028 and the aims and objectives of 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 scale, layout, appearance, and landscaping 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. The development hereby permitted shall be carried out in accordance with the following approved plans:
Drawing no. 1387-01A
Drawing no. 1387-20B

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

04. No dwelling hereby approved shall be occupied until the proposed access has been fully constructed with a consolidated surface (not loose stone or gravel) and in accordance with the details shown on the approved plan.

Reason: In the interests of highways safety and in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of the NPPF.

05. Prior to commencement, details of an appropriate surface water drainage scheme shall be submitted to and agreed in writing by the Local Planning Authority. Prior to first occupation, the drainage scheme shall be fully provided in accordance with the details agreed and shall be retained and maintained thereafter.

Reason: In the interests of proper surface water drainage, in accordance with policy EQ1 of the South Somerset Local Plan (2006-2028) and the provisions of the NPPF.

06. There shall be no external lighting installed at the site without the prior written consent of the Local Planning Authority. Prior to the erection, installation, fixing, placement and/or operation of any external lighting on the site (including on any of the buildings themselves), details of such external lighting shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the equipment and supporting structures, positions, sizes, heights, type, luminance/light intensity, direction and cowl

of all external lights to the buildings and any other parts of the application site edged red (as indicated on the approved Site Location Plan) and the hours at which such lighting is to be operated.

The external lighting shall thereafter be carried out in accordance with the approved details (unless the Local Planning Authority gives prior written approval to any subsequent variations), and shall thereafter be retained in that form.

Reason: All bats are afforded protection under the Habitats Regulations 2017 by which populations are to be maintained at Favourable Conservation Status as defined under Article 1 of the Habitats Directive 1992. Lacking evidence to the contrary it must be assumed the boundary hedgerows and trees forms part of the habitat available to maintain local bat populations. Bat species are adversely affected by the introduction of artificial lighting on commuting routes, which in effect can cause severance between roosts and foraging areas. A dark boundary area will also help maintain other light sensitive species on site and contribute towards conserving biodiversity.

07. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority by the ecologist

Reason: In the interests of nesting wild birds and in accordance with policy EQ4 of the Local Plan and the provisions of the NPPF.

08. The area of scrub shall only be removed under the supervision of an experienced ecologist to ensure no badger setts have been excavated or are at risk of disturbance from site operations. Written confirmation will be provided to confirm that no badgers will be harmed and/or that there are appropriate measures in place to protect any possible badger interest on site. Should a badger sett be found and at risk of disturbance, suitable mitigation may include the creation of artificial setts elsewhere prior exclusion of badgers (under licence from Natural England) before sett destruction.

Reason: To ensure that important biodiversity is conserved and in accordance with Local Plan Policy EQ4, plus National Planning Policy Framework paragraphs 170 and 175. This is

also in accordance with Section 40 of the Natural Environment and Rural Communities Act 2006, which confers a general biodiversity duty upon Local Authorities.

09. During construction of the development hereby permitted:
- open pipework greater than 150 mm outside diameter shall be blanked off at the end of each working day; and
 - for any trenches uncovered overnight, the creation of sloping escape ramps for badgers, which may be achieved by edge profiling of trenches/excavations, or by using planks placed into them at the end of each working day.

Reason: To ensure that important biodiversity is conserved and in accordance with Local Plan Policy EQ4, plus National Planning Policy Framework paragraphs 170 and 175. This is also in accordance with Section 40 of the Natural Environment and Rural Communities Act 2006, which confers a general biodiversity duty upon Local Authorities.

10. Grassland on site shall be maintained at a short sward until works on site are completed. This will keep the suitability of habitat for reptiles low and reduce risk of reptiles moving onto the site. Evidence of this in the form of photos will be sent to the local planning authority.

Reason: Reptile species are afforded protection from intentional and reckless killing or injury under the Wildlife and Countryside Act 1981 (as amended). Outside the period from April to October these species are likely to be in torpor or hibernation when disturbance is likely to pose a risk to survival.

11. The area of scrub will be removed under the supervision of an experienced ecologist to assure no activities harming reptiles are undertaken. Written confirmation will be provided to confirm that no reptiles will be harmed and/or that there are appropriate measures in place to protect any possible reptile interest on site.

Reason: Reptile species are afforded protection from intentional and reckless killing or injury under the Wildlife and Countryside Act 1981 (as amended). Outside the period from April to October these species are likely to be in torpor or hibernation when disturbance is likely to pose a risk to survival.

12. A fingertip search by a licenced ecologist be undertaken of the area of scrub being removed. Should any evidence of nesting dormice be found, works would have to stop and a European protected species licence applied for. Removal of the scrub shall only commence following the grant of the licence and with the agreement of a licenced ecologist.

Reason: Dormice are afforded protection under the Conservation of Habitats and Species Regulations 2017 which includes making it illegal to cause kill or injure dormice and destroy, damage or disturb resting places and from intentional or reckless disturbance to individual dormice under the Wildlife and Countryside Act 1981 (as amended). To ensure the development contributes to the Government's target of no net biodiversity loss and to provide gain where possible as set out in the National Planning Policy Framework; Local Policy; and the council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006.

13. Prior to occupation of the housing hereby permitted -
- Any new fencing shall have accessible hedgehog holes created, measuring 13cm x 13cm, to allow the movement of hedgerows into and out of the site;
 - Two integrated bee bricks (<https://www.nhbs.com/bee-brick> or similar) shall be built into the external wall space of the new housing. The bricks will be placed one meter above ground level on a south facing aspect, vegetation must not block the entrance holes; and
 - A bird box, such as a Schwegler brick nest box, shall be installed on one of the proposed properties.

Reason: To ensure the development contributes to the Government's target of no net biodiversity loss as set out in the National Planning Policy Framework; South Somerset District Council Local Plan - Policy EQ4 Biodiversity; and the council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006. To ensure the success of mitigation measures are sustained for the duration of the development and that there is no net biodiversity loss in the long term as per Government and local minerals planning policy. Furthermore, the recently updated National Planning Policy Framework states in section 15, paragraph 170, that "Planning policies and decisions should contribute to and enhance the natural and local environment by: ... d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures".

Informatives:

01. There will be an expectation that the reserved matters scheme include the following:
- The hedgerow on site should be reinforced with a variety of native species, evidence of how this will be achieved should be submitted in writing to the local planning authority.

- All new shrubs should be high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The shrubs must also appeal to night-flying moths which are a key food source for bats. The Royal Horticultural Society guide, "RHS Perfect for Pollinators, www.rhs.org.uk/perfectforpollinators" provides a list of suitable plants both native and non-native.
- Where the landscaping scheme allows, all new trees planted on site should be from local native stock, such as field maple, ash, hornbeam, dogwood, spindle and beech.

(Voting: 6 in favour, 2 against, 0 abstentions)

105. Planning Application 19/03252/HOU - Butterwell Farm, Lower Pitney Road, Pitney TA10 9AG. (Agenda Item 16)

Proposal: Carrying out of internal and external alterations, including replacement front porch, two-storey side extension, first floor rear extension and conversion of end store to form an annex.

(A single joint presentation was provided for 19/03252/HOU and 19/03253/LBC.)

The Graduate Case Officer (Planning) presented the application and noted the key considerations. He highlighted the planning history, and noted that since the permission granted in 2017 part of the site was now in separate ownership. He updated members that Ecology had requested, if members were minded to approve the application, that two conditions but in place for the 2017 permission regarding the protection of swallows, also be put in place for this current application. The property was a Listed Building and there was also an associated application for Listed Building consent.

The applicant addressed members and explained that the ground floor footprint of the farm was double that of the first floor, and he wanted to bring more balance to the house and make the bedrooms a more useable size. Contrary to what had been said in the officer presentation he was not intending to remove a staircase. He noted a section of the cross passageway had already been destroyed by a previous owner and he was looking to re-instate. The building had already been altered many times over the years and he wanted to remove existing modern additions and replace with more in keeping features. The site was currently quite dilapidated, and the changes proposed would make the property more functional for his family. A robust heritage statement had been commissioned prior to submission and given to the architect to consider in the design of the proposal. There were no objections from the local community and the application was unanimously supported by the parish council.

Ward member, Councillor Gerard Tucker, noted the parish council had been pleased to hear that the property may get a second chance. He noted the property was in the heart of the village situated almost between the two hamlets making up Pitney. The site would soon be surrounded by new development already permitted, and so the setting of the listed building would change with the development. The proposal, if approved, would ensure the Somerset long-house would be retained for future generations. The applicant was wishing to replace a reconstituted stone gable end wall with one made of natural

stone, and walls would be dry lined to protect what was behind. He felt the proposal met with policy and there were enormous benefits that outweighed any concerns.

During a brief discussion, several members expressed their support for the proposal whilst also acknowledging the importance of preserving historical buildings. Other members felt the proposal was sympathetic development and on balance acceptable. There was a general view that the existing staircase should be retained.

In response to some comments made during the discussion, the Specialist (Development Control) clarified that the main concern of officers was the loss of linear form of the building. He also noted the submitted plans indicated that a staircase would be removed and replaced with a cupboard

At the request of the Chairman, the applicant was invited to clarify the issue regarding removal of the staircase. The applicant noted he was happy to keep the existing staircase, but it would be boarded up and so not functional. His intention was to add a new staircase elsewhere in the building.

It was proposed to approve the application, contrary to the officer recommendation, as it was considered the proposal would not be harmful to the character of the historic building. In response to the comments made, the Specialist (Development Control) suggested wording for a justification and that conditions be required for: time limit, approved plans, ancillary use of the annex, materials, parking, ecology / swallows and retention of the staircase.

A vote was taken on the proposal to approve the application, subject to the conditions as suggested, and this was carried unanimously in favour.

RESOLVED: That planning application 19/03252/HOU be APPROVED, contrary to the officer recommendation, subject to the following:

Justification:

The proposals are not considered to be harmful to the historic exterior layout and character of this Listed Building, and are in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan 2006-28, and the provisions of Chapter 16 of the National Planning Policy Framework 2019.

Subject to the following conditions:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans:
All prefixed: F1532 -
 - _001b Survey
 - _100b Proposed
 - _101b Proposed

- _002b Survey

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

03. The accommodation to be provided within the development hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Butterwell Farm. Lower Pitney Road, Pitney, Langport

Reason: The site is not considered suitable for a further dwelling and in accordance with Policy SS2 of the South Somerset District Local Plan.

04. The scheme hereby permitted shall not be commenced until particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and in accordance with Policy EQ2 of the South Somerset District Local Plan.

05. The development hereby permitted shall not be occupied until the parking and turning area (as shown on plan ref. F1532_101b) has been provided and its area has been properly drained, consolidated and surfaced in a material to be agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with Policies TA5 and TA6 of the South Somerset District Local Plan

06. Development shall not commence until details (locations, design, and timing) of alternative nest site provision for swallows has been submitted to and approved in writing by the local planning authority. The approved details shall be implemented in full unless otherwise agreed in writing by the local planning authority. No works to nor demolition of buildings or structures that may be used by nesting birds, shall be carried out between 1st March and 31st August inclusive in any year, unless previously checked by a competent person for the presence of nesting birds. If nests are encountered, the nests and eggs or birds, must not be disturbed until all young have left the nest.

Reason: In the interests of biodiversity and in accordance with Policy EQ4 of the South Somerset Local Plan

07. The existing elm staircase as shown as 'existing stairs removed and cupboard formed' on plan ref. F1532/100B, shall in fact be retained and maintained as an integral part of this

proposed development in accordance with a detailed scheme to be submitted to and approved in writing by the local planning authority prior to the commencement of development.

Reason: In the interests of the preservation and recording of this historic asset and in accordance with Policy EQ3 of the South Somerset District Local Plan.

(Voting: Unanimous)

106. Planning Application 19/03253/LBC - Butterwell Farm, Lower Pitney Road, Pitney TA10 9AG (Agenda Item 17)

Proposal: Carrying out of internal and external alterations, including replacement front porch, two-storey side extension, first floor rear extension and conversion of end store to form an annex.

This application was presented and discussed in conjunction with the previous application 19/03252/HOU and comments made on that application also refer to this application.

There was no discussion and it was proposed to approve listed building consent, contrary to the officer recommendation, as it was considered the proposal would not be harmful to the character of the historic building. In response to the proposal, the Specialist (Development Control) suggested wording for the justification and that conditions would only be required for time limit, approved plans, materials and retention of the staircase.

A vote was taken on the proposal to grant listed building consent, subject to the conditions as suggested, and was carried unanimously in favour.

RESOLVED: That Listed Building Consent application 19/03253/LBC be GRANTED, contrary to the officer recommendation, subject to the following:

Justification:

The proposals are not considered to be harmful to the historic exterior layout and character of this Listed Building, and are in accordance with policy EQ2 of the South Somerset Local Plan 2006-28.

Subject to the following conditions:

01. The works hereby granted consent shall be begun before the expiration of three years from the date of this consent.

Reason: As required by Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

All prefixed: F1532 -

- _001b Survey
- _100b Proposed
- _101b Proposed
- _002b Survey

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

03. The scheme hereby permitted shall not be commenced until particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and in accordance with Policies EQ2 and EQ3 of the South Somerset District Local Plan.

04. The existing elm staircase as shown as 'existing stairs removed and cupboard formed' on plan ref. F1532/100B, shall in fact be retained and maintained as an integral part of this proposed development in accordance with a detailed scheme to be submitted to and approved in writing by the local planning authority prior to the commencement of development.

Reason: In the interests of the preservation and recording of this historic asset and in accordance with Policy EQ3 of the South Somerset District Local Plan.

(Voting: Unanimous in favour)

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Chairman