

Meeting JAN 05M:0809  
Date 27.05.09

**South Somerset District Council and Somerset County Council**

**Minutes** of a meeting of the **Joint Area Committee - North** held in the Community Hall, Somerton on **Wednesday, 27<sup>th</sup> May 2009**.

(2.00 p.m. – 8.25 p.m.)

**Present:**

**Members:** Patrick Palmer (In the Chair)

Jill Beale (to 4.30p.m.)	Paull Robathan
Ann Campbell	Keith Ronaldson
Douglas Campbell	Jo Roundell Greene
Tony Carvin (to 7.30p.m.)	Sylvia Seal (2.50p.m. to 6.30p.m.)
Pauline Clarke (to 6.30p.m.)	John Sharpe
Rupert Cox	Sue Steele
Philip Horsington	Derek Yeomans
Derek Nelson	

**Officers:**

Charlotte Jones	Head of Area Development (North), SSDC
Richard Grove	Group Manager – Highways, SCC
Kim Sharp	Assistant Highway Services Manager, SCC
James Divall	Community Play Officer, SSDC
Philip Higginbottom	Planning Control Team Leader, SCC
Tessa Bond	Planning Officer, SCC
David Norris	Development Control Team Leader (North/West), SSDC
Linda Hayden	Planning Officer, SSDC
Adrian Noon	Major Applications Planning Officer, SSDC
Dominic Heath-Coleman	Planning Assistant, SSDC
Angela Watson	Assistant Solicitor, SSDC
David Shears	District Rights of Way Officer, SSDC
Carl Brinkman	Principal Planning Liaison Officer (Highways), SCC
Angela Cox	Democratic Services Manager, SSDC
Becky Sanders	Committee Administrator, SSDC

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

**61. Minutes (Agenda item 1)**

The minutes of the meeting held on the 22<sup>nd</sup> April 2009, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

**62. Apologies for absence (Agenda item 2)**

Apologies for absence were received from Councillors Roy Mills and Sam Crabb.

**63. Declarations of Interest (Agenda item 3)**

Councillor Paull Robathan declared a personal but non-prejudicial interest in planning application no. 09/00937/FUL – South Petherton Hospital, Hospital Lane, South Petherton as a member of the Friends of South Petherton Hospital.

Councillor Patrick Palmer noted that he had recently resigned his membership of the Friends of South Petherton Hospital and therefore had no interest to declare.

Councillor John Sharpe noted that he was a member of SCC's Health Scrutiny Sub Committee, however, as the planning application for South Petherton Hospital was 'Excepted Business' he would make comment but not take part in the vote on this item.

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**64. Date of Next Meeting (Agenda item 4)**

The Chairman reminded members that the next meeting of the Joint Area Committee - North would be held on Wednesday 27<sup>th</sup> July 2009 in the Millennium Hall, Seavington.

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**65. Public Question Time (Agenda item 5)**

There were no questions from members of the public.

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**66. Chairman's Announcements (Agenda item 6)**

The Chairman reminded those Members standing in the forthcoming County Council elections that they were subject to purdah and as such should refrain from making political comment during the meeting.

The Chairman then welcomed Becky Sanders, the new Committee Administrator for the Joint Area Committee.

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**67. Reports from Members (Agenda item 7)**

Councillor Sue Steele referred to the very successful Somerset Federation of Young Farmers Club's County Rally recently held at Wigborough Manor on 9<sup>th</sup> May and asked if the Committee would write a letter of congratulation to the Club on the success of the event.

Members were in agreement with this and asked if a member of the Young Farmers Club would be willing to attend a future Joint Area North Committee meeting to speak on the work of the Club.

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**68. Somerset County Council Highway Service Management Presentation (Agenda item 8)**

The Group Manager - Highways introduced himself to Members and with the assistance of slides, provided a presentation on the work of the Highway service. He noted the:-

- Senior Management structure of the service
- The South Somerset Area Highway team
- The network of roads and the many responsibilities of the service, including signs, footways, lighting, road markings, safety barriers, drainage, bollards, traffic signals, hedges, verges, walls, bridges and carriageway maintenance.
- Maintenance and surface dressing work to be undertaken during 2009
- Routine, safety and environmental maintenance
- Winter and emergency maintenance
- Contact with the public

In response to questions from Members, the Group Manager – Highways replied that:-

- Six contractors were being invited to bid for the road maintenance contract and this would be awarded on a price and quality basis with regular audits of the standard of repair. The contractor would be required to correct any work carried out which was sub-standard at their own expense.
- The existing Parish Lengthsmen schemes were jointly funded by SCC (25%), SSDC (25%) and the participating parishes (50%) and if any new schemes came forward then SCC had funding in the current years budget that would be made available as they were seen as a very worthwhile local service.
- There were priority routes for winter gritting and each road was assessed against a set criteria. He agreed to ask for the High Ham to Pedwell road to be assessed.
- Through the Transport Asset Management Plan the future levels of service would be dictated by budget availability and would require consultation with SCC Councillors and other stakeholders. The SCC Highway service was currently in the top quartile of performing Councils in terms of road condition.
- The highway verge cutting policy was to cut A and B class roads twice per year and C and D class just once per year. Some requests were received from the public each year not to cut the verges at all and allow wild flowers to grow but this was a traffic safety issue.
- The County Council was working closely with Ordinance Survey to prevent lorries from taking unsuitable or weight restricted routes, however, satellite navigation systems were currently designed for cars and not lorries.
- The Local Transport Plan funding allocations were not ring fenced.

The Group Manager – Highways confirmed that he would present the consultation document on the future level of the Highway Service to the Joint Area Committees for their comments, prior to determination by SCC Councillors.

The Chairman thanked the Group Manager – Highways for attending the meeting to update members and for responding to their questions and comments.

**RESOLVED:** That the presentation be NOTED.

*(Richard Grove, Group Manager - Highways, SCC – (0845) 345 1955)  
(regrove@somerset.gov.uk)*

## 69. Area North Somerset Highways Report (Agenda item 9)

The Assistant Highway Services Manager introduced his report to Members and in response to questions, he confirmed that:-

- Drainage improvement work was planned for Queen Street, Tintinhull, to be carried out in conjunction with the SSDC Engineer, Roger Meecham.
- Road improvements scheduled for Silver Street, South Petherton would not interfere with the planned redevelopment of the hospital.
- Further surface patching work would be carried out at the junction of the B3151 and the A372 but the resurfacing of the whole junction would be carried out in conjunction with the resurfacing of the A372.

The Chairman thanked the Assistant Highway Services Manager, for his comprehensive and informative report.

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

*(Kim Sharp, Assistant Highway Services Manager, SCC - (0845) 345 9155)  
(kpsharp@somerset.gov.uk)*

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#### **70. Area North Play Days 2009 (Executive Decision) (Excepted Business) (Agenda item 10)**

The Community Play Officer advised that his post was funded by the Big Lottery for a 3 year period to support community play schemes across the district. He noted the importance of play in childrens development and the opportunities to try different kinds of play which would be offered at the Area North play days. The community play days would be held in Somerton, Curry Rivel, Tintinhull, Martock and Ilton.

The Head of Area Development also clarified that the Young Peoples Officer and Area Development staff would be helping to support the Play Days.

During discussion, Members were fully supportive of the recommendation and asked that the dates of each event be circulated to them.

**RESOLVED:** that £1,500 be allocated towards the delivery of five community play day events within Area North from the Area North reserves.

**Reason:** To support the provision of five community play day events within Area North during 2009 as part of the Big Lottery play programme.

*(Voting: Unanimous in favour)*

*(James Divall, Community Play Officer (SSDC) – (01935) 462412)  
(james.divall@southsomerset.gov.uk)*

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#### **71. Promoting Quality of Life in Area North – Priorities for 2009-10 (Executive Decision) (Excepted Business) (Agenda item 11)**

The Head of Area Development (North) provided Members with a list of priority themes which she asked them to endorse and prioritise to assist with the direction of resources and officer time under the control of the Joint Area Committee for the forthcoming year.

During the ensuing discussion, Members were generally in agreement with the proposed priority themes and the order in which they were presented.

In response to comments from members, the Head of Area Development clarified that recommendation 2 of her report noted her intention to circulate a revised Area Development Plan by the end of June 2009. Members felt that recommendation 2 was unnecessary and asked that it be removed.

The Committee indicated its support for recommendation 1 and agreed the priorities in the order they were listed in the Agenda report with the provision of affordable housing being the main priority of the Joint Area Committee for 2009/10.

**RESOLVED:** 1. that Members endorsed the nine priority themes for Area North as set out in the Agenda report, indicating that affordable housing be a main priority and noting that the priorities would be used to assist future decisions on the use of resources within Area North and to develop the Joint Area North Forward Plan.

**Reason:** To agree the local priorities for the Joint Area North Committee for 2009-10 to assist with the direction of resources under the control of the Joint Area Committee and to provide a basis for the Joint Area North Committee Forward Plan.

*(Voting: Unanimous in favour)*

*(Charlotte Jones, Head of Area Development (North)(SSDC) – (01458) 257401)  
(charlotte.jones@southsomerset.gov.uk)*

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## 72. Joint Area North Forward Plan (Agenda item 12)

The Head of Area Development advised that a report on the Somerton and Langport Community Links Service would be presented to the next meeting of the Committee.

Members requested that the following reports be added to the Forward Plan:-

- Highway consultation process
- Gypsies and Travellers accommodation with particular reference to the purchase of land within Area North
- Update on Affordable Housing in Area North

**RESOLVED:** that the Joint Area Committee – North Forward Plan as attached at Appendix A of the agenda be noted, with the above mentioned additional reports.

*(Becky Sanders, Committee Administrator (North) (SSDC) - (01458) 257437)  
(becky.sanders@southsomerset.gov.uk)*

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## 73. Planning Appeals (Agenda item 13)

The Committee noted the details contained in the agenda report, which informed members of planning appeals that were lodged, dismissed or allowed.

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

*(Simon Gale, Head of Development & Building Control - (01935) 462071)  
(simon.gale@southsomerset.gov.uk)*

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### 73. Planning Applications (Agenda item 13)

The Committee considered the applications set out in the schedule attached to the agenda and the planning officers gave further information at the meeting and, where appropriate, advised members of letters received as a result of consultations since the agenda had been prepared.

(Copies of all letters reported may be inspected in the planning applications files, which constitute the background papers for this item).

Members were reminded by the Democratic Services Manager that under the remit of the Joint Area Committee, the JAC now also had delegated responsibility for the determination of non-strategic Regulation 3 County Matter planning applications, and that therefore Members would be asked to vote on the County Council Planning Officer's recommendation for the following planning application at High Ham Primary School.

#### **09/01268/R3C – Erection of a new 3-bay Elliott building for use as a pre-school at High Ham Primary School, High Ham. Somerset County Council**

The Planning Control Team Leader (SCC) noted that a complaint had been received from a member of the public that:-

- the plans for the application had not been available at the local council office at Kelways, Langport as early as had been referred to in the notification letter.
- There was a minor discrepancy between the site plan and the location plan as to the exact position of the Elliott building.
- The SSDC website had incorrectly shown the application as 'approved' prior to the end of the consultation period.

He advised that the plans had been available on the County Council's web site and at the main SSDC offices in Yeovil for the required period and had subsequently been available at the local office in Langport. The discrepancy in the site plan was minor and was not considered material to the merits of the application, and, the SSDC computer programme had now been corrected to allow officers to enter objection or no objection consultation responses and that the SSDC website entry for this application had been changed to accurately refer to 'no objection' having been raised.

The Planning Officer, with the aid of slides and photographs, summarised the details of the application as set out in the agenda report. She said the building was sustainable and of good design and as all other considerations had been addressed, she recommended a temporary approval for 5 years subject to conditions.

The County Division Member, Councillor Derek Yeomans said the application would not increase the number of children or amount of traffic to the school and so he supported the officer's recommendation to approve the application.

The District Ward Member, Councillor Rupert Cox, noted that the existing car parking area and access to the school were limited and this must be addressed if there were to be any further development at the site.

In response to questions, the Planning Officers confirmed that

- There were currently 159 children attending the school, 23 at the pre-school and a further 23 at a 'rascals' pre-school (2 to 3 year olds)

- The building was designed to be temporary as pupil numbers fluctuated. If a constant high level of pupil numbers on the roll was achieved then a more permanent building may be considered appropriate in the future.
- The granting of a temporary permission would also afford the Local Planning Authority to reassess the appropriateness of the design, appearance and positioning of the development if and when a renewal application is submitted.

During the ensuing discussion, Members were fully supportive of the officer's recommendation to grant temporary approval for the building until 27<sup>th</sup> May 2014.

**RESOLVED:** That planning permission be **GRANTED** subject to conditions as detailed in the agenda report.

*(Voting: unanimous in favour)*

**09/01568/LBC – Alterations and repairs to outshot/bread oven and provision of a new window to east elevation at Yew Trees, Church Street, Kingsbury Episcopi. Mr S Joel.**

The Planning Officer, with the aid of slides and photographs, summarised the details of the application as set out in the agenda report. He advised that the application was before the Committee in the interests of openness as the applicant was a Service Manager at SSDC. No objections had been raised to the application and he recommended granting approval.

Members were unanimous in their support of the application.

**RESOLVED:** That planning permission be **GRANTED** subject to the conditions as detailed in the agenda report.

*(Voting: unanimous in favour)*

**09/01011/COU – The change of use of farmyard and buildings from agricultural use to equine/riding establishment at Lower Burrow Farm, Lower Burrow, Kingsbury Episcopi. SN and CA Perrin**

The Planning Officer noted that the application was before Members at the request of the Ward Member following objections raised by the County Highway Authority. He advised that since writing the report, 3 letters of support had been received from the occupiers of neighbouring properties and that a similar application had been granted temporary permission at the site in 1993. However, the Highway Authority continued to object to the application, stating their reasons as the restricted width of the access road and substandard junction at Burrow Way and likely increase in traffic, therefore the recommendation to the Committee was to refuse the application.

Miss S Perrin spoke in support of the application. She advised that all neighbours were in support of the application and the hours of operation would not coincide with local peak traffic times.

Mrs C Perrin, one of the applicants, advised that she had previously operated a riding school at the farm for 5 years from 1993, however, the pressure of family life at that time

had compelled her to cease. She noted that her daughter was now enthusiastic to restart the business and diversify the farm towards tourism and leisure. The access road was at least 7' 6" at all points and there were 3 alternative routes for horses and riders to use.

The Ward Member, Councillor Derek Yeomans, said the Committee should support tourism and farm diversification. He noted that a riding establishment had operated for 5 years previously at the site with no local objections and there were at least 20 passing places along the access road and he proposed that the application be approved.

The Principal Planning Liaison Officer (Highways) said that whilst he appreciated the benefits of farm diversification, his service must look at the safety aspect of the application. The access road had no formal passing places and one accident had been recorded at the junction with Burrow Way within the last 5 years. Therefore, their recommendation remained that of refusal.

During discussion Members were of the opinion that planning permission should be granted. It was felt that the application would have no adverse impact upon the local area and would be a benefit to the local economy and for these reasons they unanimously voted to grant planning permission, subject to appropriate conditions.

**RESOLVED:** That planning permission be **GRANTED** subject to the following conditions:-

- 1) Standard three year time limit for commencement
- 2) Details of parking area to be submitted and agreed
- 3) No burning condition
- 4) No external lighting condition

*(Voting: unanimous in favour)*

#### **09/01314/FUL – The erection of a dwelling at 2 Lower Orchard, Barrington. Mr A Turner**

The Planning Officer advised that the applicant had been in ongoing correspondence with the Planning Policy unit regarding the exact line of the defined development boundary, which currently cut through the middle of the existing garage to the rear of the property. The applicant disputed this and maintained that the garage was within the development boundary. She said the key issues were the impact on the existing development and the siting of the proposed dwelling in relation to the development boundary. Her concerns regarding the provision of parking at the site had now been overcome. She concluded that a recent appeal for a dwelling at the site had been dismissed by the Planning Inspector and her recommendation to the Committee was to refuse permission.

Mrs G Ledger, representing Barrington Parish Council, advised that the development boundary of the village had been reviewed and adopted in 2003 and it could not be altered until the next review was undertaken. She said two recent appeals for further developments in Lower Orchard had been dismissed by the Planning Inspectors and to allow this application could result in many more coming forward. The Parish Council had also felt the design of the proposed property was out of keeping with the existing surrounding houses, the loss of open space would have a detrimental impact upon residents and they could see no justification to breach the existing development boundary of the village.



Mr S Thomson spoke in objection to the application. He said that although the recent appeal decision was for a dwelling in a slightly different position to this application, the Inspector had made 9 points which were still relevant to this site. The development boundary had not changed since 1998 and he said there were many other instances in the village where the boundary was stepped. He felt there were no material reasons in the new application to overturn the recent Planning Inspectors decision to refuse.

Mr Hudson said there had been much discussion on the development boundary – the applicant maintaining the proposed development was within the boundary and the planning officers saying it was mainly outside. He felt the development boundary could not be amended on an ad-hoc basis and noted that there were stringent guidelines for exceptional, exemplary or sustainable dwellings to be built outside the development limit.

Mr K Timms, an immediate neighbour, said he would be personally affected by the application if it were allowed as the views from his property would be affected. He felt the proposed dwelling would detract from the beauty of the village and it could be the starting point to allow further poorly designed dwellings in the village.

Mr R Masterson spoke in support of the application. He said that as the occupier of a neighbouring property he would be most affected by the application and that he also spoke for other residents in the area. He said that the proposed design of stone and render was in keeping with other properties within the village and would be similar to a dwelling at the entrance of the housing development. He noted that very little of the proposed dwelling would be visible as it was behind Nos 1 and 2 Lower Orchard and it would not be within 4 metres of the existing house, but would be some 17 metres distant.

Mr M Turner, Agent for the Applicant, noted that he had written to Councillors the previous week, to emphasise that the 3 reasons for refusing the application could be resolved satisfactorily. He said the previous appeal site had been outside the development boundary but the current application was within. Planning permission for the whole site had originally been granted and the existing garage had been built in accordance with that permission. Any attempt to interpret the 2006 Local Plan was not relevant therefore the principle was acceptable and the only issue was the design of the proposed dwelling. He asked that Members defer the application for a site visit or for further negotiation with officers.

The applicant, Mr A Turner, advised that full planning permission for the whole of Lower Orchard was granted in 1997 and the boundary was clearly defined at that time. He acknowledged that the 2006 Local Plan development boundary was correct and said he did not seek to correct it. He said there was 98 metres to his boundary and there was irrefutable evidence that the existing garage was within the development limit.

The Ward Member, Councillor Derek Yeomans, said the situation was difficult as the development boundary appeared illogical. If the area was conceded to be within the development boundary then it would impact on future developments within the village and to amend the boundary would reduce the matter to the design of the building and its placement within the site and he was not completely in agreement with the proposed design.

In response, the Development Control Team Leader said the issue of the development boundary was relevant and exceptions were made, however, he felt that the bigger issue was the relationship between the existing and the proposed dwelling. He said although a proposed building may be within a development boundary, it did not automatically mean that it was acceptable.

The Assistant Solicitor firmly advised Members that the validity of the Local Plan could not be challenged at this Committee. She indicated that the opportunities for such a challenge had passed and cautioned Members against attempting to re-draw the development boundary at the meeting. She advised them that, if the site fell outside the development boundary, it then fell to be considered against the restrictive policies preventing development in the countryside – for which a case had to be made to justify an exception.

During a brief discussion, Members felt that the comments of the planning officers, the Parish Council and the Planning Inspector should be upheld and it was proposed to refuse the application and add the words 'and siting' to reason 1 of refusal. The sentence then to read 'The proposed design and siting of the property is considered to be out of character with the existing traditional design of the cul-de-sac and will appear as an alien feature that will disrupt the cohesive design of the surrounding development. This is contrary to Policies ST5 and ST6 of the South Somerset Local Plan adopted 2006. It was also agreed that reason 3 of the officer's reasons for refusal was superfluous and should be deleted. On being put to the vote, the application was refused permission (Voting: 12 in favour of refusal, 0 against, 1 abstention).

**RESOLVED:** That planning permission be **REFUSED** for reasons 1 and 2 contained in the officer's report, with the addition to reason 1 of refusal 'and siting'.

Sentence to read: 'The proposed design and siting of the property is considered to be out of character with the existing traditional design of the cul-de-sac and will appear as an alien feature that will disrupt the cohesive design of the surrounding development. This is contrary to Policies ST5 and ST6 of the South Somerset Local Plan adopted 2006'.

*(12 in favour, 0 against, 1 abstention)*

**09/01081/FUL – Internal alterations, replacement of existing dormer and porch, conversion of attached buildings into 1 no. separate dwellinghouse at All Saints Cottage, North Street, Langport. Mr K Rayne.**

The Planning Officer, with the aid of slides and photographs, summarised the details of the application as set out in the agenda report. She said the applicant had emphasised that there would be an overall decreased in vehicle movements from the site as the building was currently a rented garage. Listed Building consent had already been granted for the works and the County Highway Authority had raised objections due to the existing substandard access, however, as the building was listed, it was not possible to improve the existing visibility for emerging traffic. Therefore, the recommendation was to refuse the application as it would be prejudicial to road safety.

The applicant, Mr K Rayne, advised that there were two existing garages to the rear of the site which would remain and the ground floor of the building to the front was currently a double garage, which was rented out to local residents. Therefore, to approve the application would reduce vehicle movements from 4 to 2.

The Parish representative, Councillor Philip Horsington, noted that there were no objections from the Town Council and that vehicle movements would be reduced. He felt there would be no impact on the locality.

The Ward Member, Councillor Derek Yeomans, observed that there was a licensed premises next door to the application site with parking for 23 vehicles and he felt that the access to that was more restricted. He proposed that the application be approved.

The Principal Planning Liaison Officer (Highways) clarified that rented garages would generate 7 to 10 vehicle movements per day and to convert the building to a dwelling could increase this significantly.

During discussion, Members were of the opinion that planning permission should be granted. It was felt that bearing in mind the current use of the building, there would be no demonstrable harm in granting permission and for these reasons they unanimously voted to grant planning permission, subject to appropriate conditions.

**RESOLVED:** That planning permission be **GRANTED** subject to conditions including:-

- 1) Standard three year time limit for commencement.
- 2) Protection of existing parking provision and ensuring existing garages only used for parking.
- 3) Full details of materials, mortar, windows, doors, guttering, down pipes, roof lights, routes of foul water and any ventilation or extraction, plasters, renders, floor surfaces, ceilings and new staircase to be agreed in writing prior to commencement.

*(Voting: unanimous in favour)*

**08/04869/FUL – The conversion of outbuildings into a self contained annexe for holiday let at Hopes, Little Street, Norton Sub Hamdon. Mr S Lewis.**

The Planning Officer, with the aid of slides and photographs, summarised the details of the application as set out in the agenda report. She advised that the site was within the development and conservation area of the village and the outbuilding could be used as ancillary accommodation to the main house without the need for planning permission, therefore, she recommended approval contrary to Highway Authority advice.

The Principal Planning Liaison Officer (Highways) noted that their objections were based on the width of the access to the site and the substandard visibility when emerging from the site.

The applicant, Mr S Lewis, advised that the outbuilding must have originally been a dwelling as there was a fireplace and chimney already existing. He hoped that by converting it to a holiday let, it would also generate income for local businesses.

The Ward Member, Councillor Sylvia Seal, said the street was only used by local traffic and she felt the conversion would be in character with the area. She expressed her full support for the application.

Members were in agreement with the Ward Member and unanimously voted to grant permission subject to the conditions detailed in the officer's report.

**RESOLVED:** That planning permission be **GRANTED** subject to the conditions as detailed in the agenda report.

*(Voting: unanimous in favour)*

**08/04583/REM (Excepted Business) – Residential development, details of siting, design and external appearance (Reserved Matters of 05/02818/OUT) at Bartletts Elm, Field Road, Huish Episcopi. Yarlinton Homes.**

The Major Applications Planning Officer summarised the details of the application as set out in the agenda report. He noted that the application was for 97 residential units with an associated application for a further 3 houses outside the original designated development area. He drew Members attention to the concerns of the SSDC Tree Officer and the allocated parking spaces for two of the plots which were some 30 metres distant from the properties. He noted the key issues as being the impact on the existing trees on the site, the visual impact of the site, the impact on existing nearby residents and the design and parking provision at the site. He proposed amending the recommendation for the decision to be delegated to the Head of Development and Building Control, subject to additional information being received from the applicants to satisfy the SSDC Tree Officer's concerns.

Mr S Travers, Agent for the applicants, advised that the plans had been presented to the local community at a special open day and concerns raised there had been incorporated into the final designs. There would be a full complement of affordable housing provided and the development would boost the local development community. A 5-arm roundabout at the junction of the B3151 and A372 was proposed to be constructed in the near future as the preferred access route to the site.

The Parish Representative, Councillor Philip Horsington, noted that the Parish Council were in favour of the development and he indicated his support.

The County Division Member, Councillor Derek Yeomans also indicated his support for the application.

In response to a question, the Major Applications Planning Officer confirmed that negotiations were underway to provide the 5-arm roundabout at the junction, however, as the Highway Authority had not deemed it as essential to the development, it could not form part of the conditions of permission.

The Assistant Solicitor reminded Members that whilst the principle of residential development on the site and the means of access had been accepted by the grant of outline planning permission, all other matters (including design and layout) had been reserved. The indicative layout provided with the outline application was not binding on either the Council or the applicant. However, she referred Members to the fact that the Section 106 obligation completed as a result of the outline permission had accepted an off-site contribution toward open space, but also contained clauses to ensure the pepper-potting of the affordable housing units throughout the site.

During discussion, Members felt that a distance of 30 metres from a car parking space to a house was unacceptable, particularly for families with young children or people with mobility difficulties. Members also felt that several other points had not been fully clarified, including; the possible provision of lifts in the proposed 3 storey sheltered housing block, the level of amenity space surrounding each property, and the location of

the affordable housing provision, the measures to protect the existing trees during construction and the design and location of the car parking spaces. It was proposed and seconded to defer the application and on being put to the vote, it was unanimously carried to defer the application and the subsequent application for 3 additional dwellings at the site.

**RESOLVED:** That planning permission be **DEFERED** for further clarification on:-

- The location of the on-site affordable housing provision
- Clarification of the measures to protect the trees on site during construction
- Appropriate design and location of car parking spaces
- The level of amenity space provided
- The provision of lifts in the 3 storey sheltered housing building

*(Voting: unanimous in favour of deferment)*

**08/04879/FUL – The erection of 3 no. dwellings at Bartletts Elm, Field Road, Huish Episcopi. Yarlington Homes.**

This application was discussed in conjunction with application No. 08/04583/REM Residential development, details of siting, design and external appearance (Reserved Matters of 05/02818/OUT) at Bartletts Elm, Field Road, Huish Episcopi and comments made on that application also refer to this.

**RESOLVED:** That planning permission be **DEFERED** for further clarification on:-

- The location of the on-site affordable housing provision
- Clarification of the measures to protect the trees on site during construction
- Appropriate design and location of car parking spaces
- The level of amenity space provided
- The provision of lifts in the 3 storey sheltered housing building

*(Voting: unanimous in favour of deferment)*

**08/05090/FUL (Excepted Business) – Demolition of existing buildings and the construction of 40 dwellings on land and garages at Copse Lane, Ilton. Yarlington Homes.**

The Major Applications Planning Officer reminded Members that they had considered the application in February 2009 and had decided to defer it to enable a full assessment of the impact of the development on the adjacent recreation ground. The report of the play provision at the recreation area by the Swan Paul Partnership, Landscape Architects was included in the Agenda report. He noted that since writing his report, the Somerset Playingfields Association had raised a number of issues regarding the Swan Paul report, which he addressed. He noted the applicant's willingness to move a footpath away from the existing BMX track, however, they had relocated it behind the goalposts and Members may not find this acceptable. He said the key issues were now; does the

proposal adequately address the previous reasons for refusal, and, does the proposal introduce any new concerns.

Mr D Amor, representing Ilton Parish Council, said they were in favour of retaining the access footpath in its original position near to the BMX track and including some safety barriers rather than relocate it behind the goalposts. He said the Parish Council had no objections in principle to the development but regretted the continued lack of consultation. They also felt the Planning Inspector had not taken account of the possible noise levels emanating from the recreation ground. He noted that the Somerset Playingfields Association had commented that the recreation ground would fail both SSDC and Governments standards by approximately 2,000 sq feet given the size of the community.

Mr K Marsh, representing the Somerset Playingfields Association, noted that the development did not retain any open space but traded on the adjacent recreation ground. He said there were planning policies in respect of open space within developments and this scheme had failed to consider those policies.

Mr J Shaw, representing the applicants, said they had sought to address the Planning Inspectors comments within the current application. He regretted the previous lack of consultation with the local community but asked that permission be granted so that bridges could now be built with them.

The Parish Representative, Councillor Philip Horsington, voiced his approval of the contributions from the developer to improve the recreation ground.

The Ward Member, Councillor Sue Steele, noted that the village of Ilton had been identified as an area of rural deprivation. She said the recreation ground was well used by the local community and the proposed buffer zone of trees and shrubs would further shrink the space available for play.

The Major Applications Planning Officer regretted that it was not possible to amend the scheme before them to place the buffer zone of trees and shrubs on the development side of the boundary with the recreation ground, however, he said it was possible to refer the application back to the Committee if the Section 106 contributions were not forthcoming from the developer.

During discussion, Members felt that the applicant must ensure the Section 106 contributions towards refurbishing the recreation ground as part of granting planning permission and requested that the legal agreement be secured to this end. It was also agreed that the superseded drawing detailing the footpath in its original position near to the BMX track be the approved drawing, together with appropriate safety barriers.

**RESOLVED:** That planning permission be **GRANTED** subject to the conditions as detailed in the Agenda report, with the following additional conditions:

1. That the Section 106 legal agreement secures the contributions towards the refurbishment of the recreation ground, and, if these are not forthcoming from the developer, then the matter be referred to the Joint Area North Committee.
2. That the superseded drawing detailing the footpath in its original position near to the BMX track be the approved drawing, together with appropriate safety barriers.

*(5 in favour, 0 against, 4 abstentions)*

**09/00937/FUL (Excepted Business) – Demolition of existing hospital buildings and erection of a new stroke/rehabilitation/community hospital and ancillary accommodation with car parking, service yard, access drive and improvements and associated works at South Petherton Hospital, Hospital Lane, South Petherton. Mrs W Marshfield.**

The Development Control Team Leader reminded Members of their site visit the previous week where he had outlined the proposed new entrance to the hospital, the upgraded footpath link from the village, and the proposal to close Hospital Lane to through traffic. He said that since writing his report, the Environment Agency had withdrawn their objections and a bat survey had indicated no presence at the site.

The Principal Planning Liaison Officer (Highways) noted that the new entrance to the site would be bonded by a legal agreement and a sustainable Travel Plan would be also be provided.

Mr P Kidner, representing South Petherton Parish Council, said there was widespread support for the new hospital in the community. He expressed concern that the Parish Council had been unaware of the sustainable Travel Plan and asked that the Section 278 legal agreement include both a cycle path and footpath access from Lightgate Lane to the new hospital.

Mrs W Marshfield spoke on behalf of the applicants, the Somerset NHS Trust. She said the new hospital would be a great opportunity for South Somerset to gain a Stroke and Rehabilitation Hospital, a new GP surgery and a Health and Well-Being Centre. The designs had been shared with the local community, the Parish Council and the District Council and all comments had been incorporated into the design. She said, if permission were granted, they hoped to commence building in September 2009 and complete the project by January 2011.

The County Division Member, Councillor John Sharpe, and both of the Ward Members, Councillors Paul Robathan and Keith Ronaldson, expressed their delight and support for the application and Members were unanimously in favour of granting planning permission.

**RESOLVED:** That planning permission be **GRANTED** subject to the conditions as detailed in the agenda report and the additional conditions circulated to Members on 22<sup>nd</sup> May 2009.

*(Voting: unanimous in favour)*

*(Simon Gale, Head of Development & Building Control - (01935) 462071)  
(simon.gale@southsomerset.gov.uk)*

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Chairman