

Meeting AN 13M 12/13
Date 24.04.13

South Somerset District Council

Draft Minutes of a meeting of the **Area North Committee** held in the Village Hall, Chilthorne Domer on **Wednesday 24 April 2013**.

(2.00pm – 6.55pm)

Present:

Members: Patrick Palmer (Chairman)

Pauline Clarke	David Norris	Sue Steele
Graham Middleton	Shane Pledger	Paul Thompson
Roy Mills (to 5.15pm)	Jo Roundell Greene	Barry Walker
Terry Mounter	Sylvia Seal (to 5.40pm)	Derek Yeomans (2.20 – 5.50pm)

Officers:

Charlotte Jones	Area Development Manager (North)
Donna Parham	Assistant Director (Finance & Corporate Services)
Teresa Oulds	Neighbourhood Development Officer (North)
Diana Layzell	Senior Land and Property Officer
Rina Singh	Strategic Director (Place and Performance)
Kim Close	Assistant Director (Communities)
Adrian Noon	Area Lead North /East (Development Management)
Dominic Heath-Coleman	Planning Officer
Andrew Gunn	Area Lead West (Development Management)
Gerard Tucker	Economic Development Team Leader
Rob Archer	Principal Landscape Officer
Nick Whitsun-Jones	Principal Legal Executive
Angela Cox	Democratic Services Manager
Becky Sanders	Democratic Services Officer

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

157. Minutes (Agenda item 1)

The minutes of the meeting held on 27 March 2013, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

158. Apologies for Absence (Agenda item 2)

All members of Area North Committee were present at the meeting.

159. Declarations of Interest (Agenda item 3)

Councillor Shane Pledger declared Disclosable Pecuniary Interests (DPI) in planning applications 13/00329/S73A and 13/00330/LBC as he was the applicant.

Councillor Patrick Palmer declared a personal interest in planning application 12/04897/OUT as a member of Martock Parish Council who were joint applicant. He commented that he had sought advice from the Monitoring Officer regarding whether he had a prejudicial interest and it was considered there was no prejudicial interest as the other co-applicants were not close personal friends.

160. Date of Next Meeting (Agenda item 4)

Members noted that the next meeting of Area North Committee would be at 2.00pm on Wednesday 22 May 2013 at the Village Hall, Long Sutton.

161. Public Question Time (Agenda item 5)

There were no questions from members of the public.

162. Chairman's Announcements (Agenda item 6)

The Chairman welcomed back Councillor Roy Mills. He also reminded members of the Community Forum event arranged for the evening of 23 May at Long Sutton Golf Club.

163. Reports from Members (Agenda item 7)

There were no reports from members.

164. Presentation from South Somerset Association for Voluntary and Community Action (Agenda Item 8)

Maureen Pasmore, Joint Chief Executive of South Somerset Association for Voluntary and Community Action (SSVCA), introduced herself and explained that she headed up the enterprise section of the organisation which included various community transport services and Furnicare. She gave an informative presentation about the SSVCA which included information about the core functions and mission of the SSVCA, and community transport.

During a brief discussion many members expressed their support for community transport. In response to comments made Ms Pasmore noted that South Somerset Together and various public transport providers were currently reviewing services and provision given the recent budget cuts to public transport.

The Chairman and members thanked Ms Pasmore for her comprehensive presentation.

165. Area North Community Grants – Langport & Somerton Links Community Transport (Executive Decision) (Agenda Item 9)

The Neighbourhood Development Officer (North) introduced the report as shown in the agenda and highlighted that the service was highly valued by the local community. She explained that the local town council and parish council had not made a financial contribution to this specific project as they had made a financial contribution to the

service generally for the year. In response to a question, she clarified that the vehicle to be purchased would already be converted for wheelchair passengers, and none of the requested grant would be used for adapting a vehicle. Most members were very supportive of the project and were content to approve the grant funding.

RESOLVED: That a grant of £5,000 be awarded to South Somerset Voluntary and Community Action (SSVCA) towards the purchase of a replacement vehicle – to be allocated from the Area North capital budget.

Reason: To consider an application for a financial contribution towards the purchase of a replacement vehicle by South Somerset Voluntary and Community Action, for use by Langport and Somerton Links Community Transport Service.

(Voting: 12 in favour, 1 abstention)

*Teresa Oulds, Neighbourhood Development Officer (North)
teresa.oulds@southsomerset.gov.uk or (01935) 462254*

166. Community Right to Bid – Nomination Received for Assets of Community Value (Agenda Item 10)

The Area Development Manager (North) introduced the report as shown in the agenda and reminded members that were being asked to consider making a recommendation to District Executive that the Barrington Oak Public House should be placed onto the SSDC Register of Assets of Community Value.

Ward member, Councillor Derek Yeomans, commented that the site had a varied history. He noted that the Barrington Oak was a focal point of the village, as there was no village shop or Post Office.

During a brief discussion, members raised some queries about the process of Community Right to Bid which were answered by the Area Development Manager and the Senior Land and Property Officer. Members were supportive that the Barrington Oak Public House should be added onto the SSDC Register of Assets of Community Value.

During discussion it was noted that as the nomination was eligible, there was limited value in the Committee being asked to make a recommendation to District Executive.

RESOLVED: That members recommend to District Executive that the Barrington Oak Public House be placed onto the SSDC Register of Assets of Community Value.

(Voting: Unanimous in favour)

*Charlotte Jones, Area Development Manager
charlotte.jones@southsomerset.gov.uk or 01935 462251*

167. Area North Land and Property (Agenda Item 11)

The Assistant Director (Finance & Corporate Services) presented the report, which updated members of the land and properties interests through ownership, part-ownership, or leasehold held by South Somerset District Council within Area North.

The Senior Land & Property Officer gave a short demonstration on how to review land holdings on the SSDC website using the 'your area' function at the top of the home page. It was noted that this facility was also available to members of the public. She reminded members that a property booklet had been previously circulated which indicated the land and property ownership in Area North.

There was a very brief discussion during which members asked several site specific queries which were answered by the officers.

The Chairman thanked the officers for attending the meeting.

RESOLVED: That the report be noted.

*Diane Layzell, Property and Land Officer – 01935 462058
diane.layzell@southsomerset.gov.uk*

168. Area Lean Review Summary Report (Agenda item 12)

The Strategic Director (Place & Performance) presented the report which gave a summary of the recommendations being implemented following the Lean efficiency review of the Area Development Service. She highlighted that:

- An estimated total saving of £197,000 had been achieved from the review;
- Most savings had been made from the back office or management
- Members should not see any difference in the service to them or the community

The Assistant Director (Communities) explained that implementation of changes was nearing completion and there had been no need for any compulsory redundancies.

During the ensuing short discussion, the Strategic Director (Place & Performance) and the Assistant Director (Communities) responded to comments made:

- Savings made as a result of the review would go towards corporate savings
- All services in SSDC would undergo an efficiency review, acknowledge comments made that changes to technology had changed the way SSDC provided, and the public accessed services
- Regarding access to services by vulnerable people, implementation of changes to community office services was being closely monitored and adjustments were being made as appropriate

Members thanked the team for all the work undertaken.

RESOLVED: That the report and estimated total savings from the review of £197,000 be noted.

*(Helen Rutter & Kim Close, Assistant Director, Communities)
Helen.rutter@southsomerset.gov.uk/kim.close@southsomerset.gov.uk*

169. Area North Committee – Forward Plan (Agenda item 13)

The Area Development Manager suggested that there could be a presentation in the future about 'Community Payback' (a national scheme run by the Probation Service) to raise awareness, to which members agreed. She commented that work resulting from the Flood Summit in March was ongoing, and advised members it would be sensible to await the outcome of the Joint Scrutiny Work before requesting a report.

RESOLVED: That the Forward Plan be noted, subject to the addition of a report on Community Payback.

Becky Sanders, Committee Administrator
becky.sanders@southsomerset.gov.uk or (01935) 462596

170. Planning Appeals (Agenda item 14)

The agenda report was noted, which informed members of planning appeals that were lodged, dismissed or allowed.

RESOLVED: That the report be noted.

David Norris, Development Manager
david.norris@southsomerset.gov.uk or (01935) 462382

171. Planning Applications (Agenda item 15)

The Committee considered the applications set out in the schedule attached to the agenda. The planning officer 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).

Planning Application: 12/04897/OUT – Mixed use development comprising 35 dwellings and site access arrangements (full details) and a youth centre and pavilion with associated parking (outline details, access layout and scale) at the Ex Showroom / Garage and land rear of Long Orchard, Water Street, Martock. Applicants: the Mitchell Family and Martock Parish Council.

At the beginning of this item the Principal Legal Executive advised that Councillor Patrick Palmer had sought the advice of the Council's Monitoring Officer regarding his position as a member of Martock Parish Council, the joint applicants. The Monitoring Officer had confirmed that Councillor Palmer's interest was only personal and that it would not preclude him from participating or voting on the item.

The Planning Officer then presented the application as detailed in the agenda. He provided members with several updates including one further letter of objection from a neighbour regarding the possible presence of water voles in Hurst Brook, to which the SSDC Ecologist had responded that the watercourses adjacent to the site did not offer an optimum habitat for water voles, but their presence was theoretically possible. He considered that it was feasible to provide appropriate mitigation and compensation on the site should water voles be discovered, and that the presence of water voles did not

represent a significant constraint to the proposed development. He recommended an additional condition on any permission granted requiring the submission of further survey and mitigation details.

The Planning Officer also stated that since writing his report, the highway officer had recommended the use of a number of conditions and informatives and he asked that the following 7 additional conditions and 1 informative be added to his recommendation of approval, subject to the prior completion of a Section 106 Agreement:

ADDITIONAL CONDITIONS

- 1) The development hereby permitted shall not be commenced until a further survey and impact assessment for water voles has been submitted to and approved in writing by the Local Planning Authority. Unless the survey concludes negligible risk of harm to water voles, a Mitigation Plan detailing measures for the avoidance of harm, mitigation and compensation, shall be submitted to and approved in writing by the Local Planning Authority. The approved Mitigation Plan shall be implemented in complete accordance with its contents, unless otherwise agreed in writing by the local planning authority.
- 2) With the exception of site clearance, no development shall take place on site until a new access has been constructed generally in accordance with drawing numbers 3159/03/Rev B and LGPS/KC5/Martock/01/01.
- 3) The proposed estate roads, footways, footpaths, tactile paving, cycle-ways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.
- 4) The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.
- 5) The areas allocated for parking and turning on the submitted plan, drawing number 3159/03/Rev B, shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.
- 6) At the proposed access to Water Street there shall be no obstruction to visibility greater than 300 millimetres above adjoining road level within the visibility splays shown on the submitted plan. (Drawing No LGPS/KC5/Martock/01/01) Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.
- 7) The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Somerset County Council). The plan shall include construction vehicle movements, measures to prevent vehicles depositing

material in the road, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

ADDITIONAL INFORMATIVE

- 1) The alteration of the access and/or minor works will involve construction works within the existing highway limits. These works must be agreed in advance with the Highway Service Manager for the South Somerset Area at The Highways Depot in Yeovil, Tel No 0845 345 9155,, He will be able to advise upon and issue/provide the relevant licences, necessary under the Highways Act 1980.

The Committee were then addressed by Mr R English, Mr J Wickham, Ms J Lawson, Ms P Guy, Mr G Swindells, Mr B Lawson and Mrs E Hetherington in opposition to the application. Their comments included:-

- All the designated areas for development in Martock are close to the Tesco site to the north of the village.
- The amount of built structure required to prevent flooding at this site show its unsuitability.
- The current recreation facilities in Martock are among the best in the area.
- The National Planning Policy Framework (NPPF) says that Local Plans should take account of climate change.
- The development is planned on a flood plain and there is a risk to other properties in the vicinity.
- It would be wise to commission a wider flood review of the area first.
- Local wildlife has prospered on this unused land and there is a possibility that water voles are present.
- The Roger Tym report of January 2012 stated that Hurst Brook had significant issues and should not be built nearby.

The Committee were also addressed by Mr R Powell, Mr P Jackson, Ms C Cruwys, Ms K Perry, Ms S Norris and the Agent, Mr S Travers, in support of the application. Their comments included:-

- A key part of the Martock Local Community Plan published in 2004 was the aspiration to build a youth centre.
- The existing youth centre was condemned and needed £100,000 spent to keep it going. There is an urgent need for more changing facilities and public toilets on the recreation ground.
- Around 500 young people attend the current youth centre per month where they receive support, comfort and guidance.
- There are noise and parking issues at the current youth centre.
- The scheme will provide additional affordable local homes.
- There will be neighbour objections to any proposed site in Martock.
- The Environment Agency, the Internal Drainage Board and the Highways have raised no objections.

Councillor Patrick Palmer, one of the Ward Members, confirmed that there had been public consultation regarding the proposal. He said the original pavilion had been built

when the recreation ground was only 5 acres in size and the proposed new pavilion would serve the new additional 14 acres. Also, the whole of the parish would benefit from the Section 106 funding which the site would secure.

Councillor Graham Middleton, the joint Ward Member, said the site was partially laid to concrete and as such, would require considerable effort to return it to agricultural land. He felt the proposed scheme should not increase any risk to local flooding and in view of the possibility of slowworms and water voles at the site, the application should be deferred for a full ecological survey and for an Environmental Agency officer to be present to assure the Committee regarding the risks of flooding at the site.

In response to questions from Members, the Planning Officer and Area Lead confirmed that:-

- Condition 8 stated that the height of the houses would be 300mm above ground level so that they would be safe from any flood risk.
- The water attenuation tanks, situated under the parking areas, would release surface water at a measured rate.
- Policy ST3 could not be used to object to a housing development as SSDC did not currently have a 5 year land supply.
- If an officer were able to attend Committee from one of the consulting agencies, then they could only expand upon their existing submitted comments.

During discussion, varying views were expressed. Some Members felt the application was acceptable whilst others expressed concern at the impact on local wildlife and the possibility of an increased risk of flooding.

Councillor Middleton proposed to defer the application for a full ecological survey and for an Environmental Agency officer to be present to assure the Committee regarding the risks of flooding at the site. This was seconded, however, when put to the vote the proposal failed (voting: 5 in favour, 7 against).

The officers recommendation to approve permission was then proposed and seconded and when put to the vote was carried (voting: 8 in favour, 3 against, 1 abstention).

RESOLVED: That application reference 12/04897/OUT be APPROVED, as per the officer recommendation, subject to:-

- a) The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to:-
 - 1) Secure the agreed contribution of £237.50 per bedroom towards off-site open space provision.
 - 2) Secure the agreed contribution of 4,746.82 per dwelling towards strategic and local outdoor playing space sport and recreation facilities.
 - 3) Ensure that 12 of the residential units are of affordable tenure and remain so in perpetuity. As requested by the SSDC Housing Officer.
 - 4) Ensure that serviced land, with pedestrian and vehicular

access for the pavilion and the proposed car park is ceded to the parish council free of any land contamination issues and without any on-going financial responsibility for any unadoptable road.

- 5) That a travel plan is agreed with Somerset County Council and fully implemented in accordance with the agreed details.
- b) A favourable response from the SSDC Ecologist in relation to the presence of water voles on site.
- c) The following conditions (as detailed in the agenda) and additional conditions and informative (shown in italics):

Justification:

01. Notwithstanding the local concerns, the provision of 35 houses and community facilities in this sustainable location would contribute to the council's housing supply without demonstrable harm to residential amenity, highway safety, or visual amenity. The appropriate mitigation has been put forwards to address concerns about flood risk and future occupiers would not be placed at undue risk, nor would there be an increased risk of flooding elsewhere as a result of the proposed development. As such the scheme is considered to comply with the saved polices of the local plan and the aims and objectives of the NPPF.

Conditions:

01. The residential 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 pavilion 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 the 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.

03. Approval of the details of the car park layout, the internal floor levels and external appearance of the pavilion, and the landscaping and boundary treatment of the pavilion curtilage (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development to the pavilion section of the development is commenced.

Reason: To accord with the provisions of Article 3 of Town and Country Planning (General Development Procedure) Order 1995.

04. 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.

05. The development hereby permitted shall be carried out in accordance with the following approved plans: 3159/011, 3159/012, 3159/013, 3159/014, 3159/015, 3159/016, 3159/018, 3159/019, 3159/20, 3159/21, 3159/22, 3159/23, 3159/24, 3159/26, 3159/27, 3159/28 and 3159/29 received 20 December 2012, and A081169/28/C/1300/B and 3159/04A received 11 March 2013, and 3159/03B, 3159/017A and 3159/25A received 25 March 2013.

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

06. Prior to the commencement of development the developer of the site shall investigate the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses. The developer shall:-

(a) Provide a written report to the Local Planning Authority which shall include details of the previous uses of the site and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

(b) If the report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment shall be carried out in line with current guidance. This should determine whether any contamination could pose a risk to future users of the site or the environment.

(c) If remedial works are required, details shall be submitted to the Local Planning Authority, and these shall be accepted in writing and thereafter implemented. On completion of any required remedial works the applicant shall provide written confirmation that the works have been completed in accordance with the agreed remediation strategy.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, in accordance with policy EP5 of the South Somerset Local Plan.

07. Prior to the implementation of this planning permission, any associated site vegetation clearance, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree & shrub planting, a tree protection plan and an arboricultural method statement relating to retained trees and hedgerows on or adjoining the site, shall be prepared so as to

conform with Paragraphs 5.5, 5.6, 6.1, 6.2 & 6.3 of British Standard 5837:2012 - Trees in relation to design, demolition and construction. The tree planting scheme, the tree protection plan and the arboricultural method statement details shall then be submitted to and agreed in writing with the Council and they shall include the following details:

- A scheme of new tree & shrub planting detailing the size, locations, species and timing of planting and;
- the installation specification and locations of any necessary protective fencing and ground protection measures clearly detailed upon a tree protection plan and;
- where necessary, details of special tree protection and engineering measures for any required installations of built structures, below-ground services and hard surfacing within the root protection areas of retained trees and;
- a requirement for a pre-commencement site meeting to be held between the appointed building & ground works contractors, the appointed arboricultural consultant and the Council's Tree Officer.

Upon approval by the Council, the measures specified within the agreed scheme of new tree planting, the tree and hedgerow protection plan and the arboricultural method statement shall be implemented in their entirety for the duration of the construction of the development, inclusive of landscaping measures.

Reason: To secure the planting of new trees and to preserve the health, structure and amenity value of existing trees and hedgerows in accordance with the objectives within Policy ST6 (The Quality of Development) of the South Somerset Local Plan 2006 and those statutory duties as defined within the Town & Country Planning Act, 1990 (as amended)

08. Finished floor levels shall be set no lower than 16.07 mAOD, or 300mm above surrounding ground level, whichever is greater.

Reason: To reduce the risk of flooding to the proposed development.

09. No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Such scheme shall also include details of how the scheme shall be maintained and managed after completion.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

10. No work shall be carried out on site until full details of the access road, pedestrian and vehicular bridge design, and the method of containment for the land to either side of the access has been submitted to an approved in writing by the local planning authority. The work shall be carried out in accordance with the approved details and maintained in such fashion in perpetuity.

Reason: In the interests of visual amenity and in accordance with policies EH1 and ST5 of the South Somerset Local Plan.

11. The pavilion hereby approved shall be used as a sports pavilion and youth centre and for no other purpose (including any other purpose in Class D1 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: In the interests of residential amenity and in accordance with policies ST5 and ST6 of the South Somerset Local Plan.

12. Prior to first occupation of the pavilion hereby approved a scheme of external lighting shall be submitted to and approved in writing by the local planning authority. There shall be no external lighting installed on the pavilion or within its curtilage other than those agreed as part this scheme.

Reason: In the interests of residential amenity and in accordance with policies ST5 and ST6 of the South Somerset Local Plan.

13. The development hereby permitted shall not be commenced (including any ground works or site clearance) until a survey to determine presence/absence of slow worms, plus if present, a mitigation plan or method statement detailing measures to avoid harm to slow worms, has been submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved details and timing of the mitigation plan / method statement, unless otherwise approved in writing by the local planning authority.

Reason: For the protection of a legally protected species to accord with policy EC8 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

14. No removal of vegetation that may be used by nesting birds (trees, shrubs, hedges, bramble, ivy or other climbing plants) nor works to or 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: To avoid disturbance to nesting birds thereby ensuring compliance with the Wildlife and Countryside Act 1981, as amended by the CROW Act 2000, and in accordance with Policy EC8 of the adopted South Somerset Local Plan.

15. The development hereby approved shall be carried out in strict accordance with findings and recommendations of the ecology report titled 'Extended Phase 1 Survey' by Oecologic dated 09/11/2012, received 20 December 2012 and with findings and recommendations of the ecology report titled 'Protected Species Survey' by Country Contracts dated April 2011, received 20 December 2012, unless otherwise agreed in writing with local planning authority. In the event that it is not possible to do so all work shall cease until such time as an alternative strategy has been agreed in writing by the local planning authority.

Reason: In the interests of protecting on site wildlife, including any protected species, in accordance with policy EC8 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

16. 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. The scheme of landscaping shall include the retention of the majority of the existing hedgerows on site and a plan for their management in a way that is beneficial for wildlife and biodiversity.

Reason: In the interests of visual and residential amenity and in accordance with policies EC3, EH1, ST5 and ST6 of the South Somerset Local Plan.

17. Notwithstanding the submitted plans, details of the layout of the car park shall be submitted to and agreed in writing by the local planning authority prior to work commencing on site. Once approved such details shall be fully implemented prior to the pavilion first being brought into use and shall be maintained at all times thereafter.

Reason: For the protection of a legally protected species to accord with policy EC8 of the South Somerset Local Plan, and to

ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

18. No work shall be carried out on site until particulars of the following, in relation to the housing element of the scheme, have been submitted to and approved in writing by the Local Planning Authority:
 - a. details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
 - b. a sample panel, to be prepared for inspection on site, to show the mortar mix and coursing of the external walls;
 - c. details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
 - d. details of all hardstanding and boundaries
 - e. details of the rainwater goods and eaves and fascia details and treatment.

Once approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan.

19. No development hereby permitted shall be commenced unless details of the proposed finished ground floor levels of the residential part of the development and associated levels changes within the site have been submitted to and approved in writing by the local planning authority. Once agreed there shall be no variation of these floor levels without the prior written consent of the local planning authority.

Reason: The local planning authority wish to ensure that the proposal does not have an adverse effect on the setting and character of the area in accordance with Policies ST5 and ST6 of the South Somerset Local Plan adopted April 2006.

20. Any other conditions as reasonably requested by the County Highway Authority.

Informatives:

01. The applicant's attention is drawn to the comments of the Environment Agency received 12 March 2013 and the informative notes contained therein.
02. The applicant's attention is drawn to the comments of the SSDC Climate Change Officer dated 08 January 2013 regarding the need for the dwellings hereby approved to comply with level 4 of the Code for Sustainable Homes.

Additional conditions:

21. *The development hereby permitted shall not be commenced until a further survey and impact assessment for water voles has been submitted to and approved in writing by the Local Planning Authority. Unless the survey concludes negligible risk of harm to water voles, a Mitigation Plan detailing measures for the avoidance of harm, mitigation and compensation, shall be submitted to and approved in writing by the Local Planning Authority. The approved Mitigation Plan shall be implemented in complete accordance with its contents, unless otherwise agreed in writing by the local planning authority.*

Reason: To protect legally protected species of recognised nature conservation importance in accordance with Policy EC8 of the South Somerset Local Plan and to ensure compliance with the Wildlife and Countryside Act 1981.

22. *With the exception of site clearance, no development shall take place on site until a new access has been constructed generally in accordance with drawing numbers 3159/03/Rev B and LGPS/KC5/Martock/01/01.*

Reason: In the interests of highway safety and in accordance with policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review and policy ST5 of the South Somerset local Plan.

23. *The proposed estate roads, footways, footpaths, tactile paving, cycle-ways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.*

Reason: In the interests of highway safety and in accordance with policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review and policy ST5 of the South Somerset local Plan.

24. *The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.*

Reason: In the interests of highway safety and in accordance with policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review and policy ST5 of the South Somerset

local Plan.

25. *The areas allocated for parking and turning on the submitted plan, drawing number 3159/03/Rev B, shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.*

Reason: In the interests of highway safety and in accordance with policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review and policy ST5 of the South Somerset local Plan.

26. *At the proposed access to Water Street there shall be no obstruction to visibility greater than 300 millimetres above adjoining road level within the visibility splays shown on the submitted plan. (Drawing No LGPS/KC5/Martock/01/01) Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.*

Reason: In the interests of highway safety and in accordance with policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review and policy ST5 of the South Somerset local Plan.

27. *The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Somerset County Council). The plan shall include construction vehicle movements, measures to prevent vehicles depositing material in the road, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Management Plan.*

Reason: In the interests of highway safety and in accordance with policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review and policy ST5 of the South Somerset local Plan.

Additional Informative

The alteration of the access and/or minor works will involve construction works within the existing highway limits. These works must be agreed in advance with the Highway Service Manager for the South Somerset Area at The Highways Depot in Yeovil, Tel No 0845 345 9155. He will be able to advise upon and issue/provide the relevant licences, necessary under the Highways Act 1980.

(Voting: 8 in favour, 3 against, 1 abstention)

Planning Application: 12/00951/FUL – Erection of a building for B1, B2 and B8 uses with associated infrastructure, parking and landscaping at Lopen Head Nursery, Lopenhead, South Petherton. Applicant: Probiotics International.

The Area Lead (West) presented the application as detailed in the agenda. He provided members with a couple of updates which included a further letter and email making reference to items in the agenda report, and opinion that the site history was incomplete as pre-application details had not been included. He noted that it was not normal practice to include pre-application details. The correspondence also referred to the non-mention of land use in the report, and the strategic allocation of employment land which was currently being challenged in the emerging Local Plan. A letter received, on the day of this committee, claimed the report online was unclear.

The Area Lead (West) commented that SSDC did not agree with many of the points raised by objectors. There had been claims that the proposal was against policies in the Local Plan regarding small scale development. However, the National Planning Policy Framework, which superseded previous policies, supported schemes such as this proposal and made reference to appropriate scale.

Members were given a comprehensive overview to the previously approved development across the wider site, plus issues around the EIA and screening. They were also reminded as to why the application had been deferred at the meeting of Area North Committee in December 2012.

The SSDC Principal Landscape Officer commented that the existing mature Leylandii were a skyline feature, and acknowledged that the buildings on the site had an impact on the landscape but it was not considered to be so great as to be detrimental. He noted that the old greenhouses on site were degraded and Leylandii were not the sort of trees the LPA would wish to encourage. The application included a planting proposal for mixed planting, similar to that which was already growing rapidly on other parts of the wider site.

The Area Lead (West) noted that the proposal was not on the existing allocated employment site but adjacent to it. It was acknowledged there had been strong objections to a third building. The applicant's case was that they needed an additional building to increase production. Objections had been carefully considered by a number of consultees to see if it was a suitable site. Referring to sustainable development, it was considered there was no adverse impact to warrant refusal. He noted that the application was not about strategic need but a wish of the existing business to expand.

The SSDC Economic Development Team Leader commented that the applicant was a substantial business. He has asked the applicants if there were any alternatives to a third building at the site, but it would cause logistical difficulties if the building was at a different site location. He noted that when exporting overseas, often other countries or religions required human and animal products to be kept separate, and the proposal would allow the business to expand.

In reference to the recent letter from James Smith raising issues about procedure, the Area Lead (North/East) commented that the officer report had been available on the SSDC website in two places from 16th April and met legal requirements. Additional information received from a number of consultees was placed on website on the 10 April. Comments had also been made by a respondent suggesting the information in the report would allow a flawed decision to be made. He noted this was a difference of opinion, and reminded members that the EIA aspect had been considered by the Secretary of State twice.

Mr B Davolls, parish council representative, addressed the Committee and referred to the local context and the Local Plan. He commented that Lopen was not a strategic location and that Lopen Mill already provided an employment site. He also noted that neither the LPA nor applicant had attempted to engage with the community. Lopen Parish Council asked that the application be refused, but should it be approved dense vegetation was requested.

James Smith, objector and legal representative for a client in the parish, requested that the application be deferred as he wanted his recent letter to the Council (dated 24 April 2013) to be circulated in full. He claimed the officer report was not legible online in compliance with the legal requirements. It was noted the proposal site was clearly visible from the A303 (photographs were shown in the officer presentation), the proposal did not meet criteria in saved or emerging policies, or the NPPF, and there was no viability appraisal for expansion on the site.

Mr M Frost, agent, commented the business need for the proposal had been discussed at length with officers. In his opinion the proposal fully complied with policies and the NPPF, and he considered the scale to appropriate. He noted the proposal would help to redevelop a derelict site.

Ward member, Councillor Paul Thompson, noted the applicant were a local and expanding company. Having considered all comments he believed the company had a need to expand. However, he was of the opinion the existing tree line screening the site should remain.

Ward member, Councillor Barry Walker, raised concerns about a precedent being created, the many conditions to be discharged and landscaping issues. He noted the significant legal professional involvement in the site. He also referred to the large size of the buildings and that the existing conifers provided screening and needed to stay. He felt some information was still missing with regard to some of the recommended conditions and asked members to consider deferring the application until in receipt of all the information.

The Area Lead (North/East) acknowledged that some of the conditions required additional information but this was acceptable. He noted that the Principal Landscape Officer had indicated the Leylandii were unappealing and liable to blow over with age. He reminded members that if the Leylandii were retained and then blew over in the future and there was no planting scheme, the site would be open to view. The Area Lead (West) indicated that the agent and applicant were willing to retain the Leylandii if required, and the Principal Landscape Officer commented that retaining the existing Leylandii would not allow new planting to thrive.

At this point the Principal Legal Executive asked to address the Committee in confidential session for the purpose of giving confidential and legally privileged advice before further debate. This was proposed and seconded, and on being put to the vote was carried, 9 in favour and 1 abstention.

RESOLVED: That members receive legal advice in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under Paragraph 3: Information relating to the financial or business affairs of any particular person (including the authority holding that information).
And
Paragraph 5: Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

Six to seven minutes later and after receiving such privileged legal advice, the Committee went back into open session. There was a short debate during which several members indicated their support for the proposal and comments during discussion included:

- It was clear a business expansion was being considered
- Thriving and successful business
- Leylandii should go but new planting needed to happen now
- Acknowledgement that local residents unhappy
- Highways had not raised an objection
- More new planting was required

It was proposed and seconded to approve the application, as per the officer recommendation as detailed in the agenda. On being put to the vote the proposal was carried 9 in favour and 1 against.

RESOLVED: That planning application 12/00951/FUL be APPROVED, as per the officer recommendation, subject to the following conditions:

Justification:

01. The proposed development by reason of its design, scale, siting and materials, is considered to respect the character and appearance of the area, will provide employment opportunities, will provide a satisfactory means of vehicular access and will also provide a satisfactory landscaping scheme. It is also considered that there is adequate justification to allow an expansion of Probiotics on land outside of the allocated employment site. The scheme accords with Policy ST5, ST6, and EC3 of the South Somerset Local Plan, Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review and to policy in the NPPF.

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 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 ST5 of the South Somerset Local Plan.

03. prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site

shall each be submitted to and approved, in writing, by the Local Planning Authority (LPA):

- 1) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: To prevent pollution of the water environment.

04. Prior to the commencement of the development, a Travel Plan is to be submitted to and approved in writing by the Local Planning Authority. Such Travel Plan should include soft and hard measures to promote sustainable travel as well as targets and safeguards by which to measure the success of the plan. There should be a timetable for implementation of the measures and for the monitoring of travel habits. The development shall not be occupied unless the agreed measures are being implemented in accordance with the agreed timetable. The measures should continue to be implemented as long as any part of the development is occupied.

Reason: To promote sustainable means of travel to comply with the NPPF.

05. 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 parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety to accord with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review

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

479/01 P1 - Landscape plan
3030/pl-007 - Elevations.
3030/PL-006 - Roof Plan
3030/PL-003 SITE Plan

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

07. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to this building without the prior express grant of planning permission.

Reason: To ensure that there is a proven planning need for any future enlargement of the building to accord with the NPPF.

08. The building hereby permitted shall only be carried out by Probiotics International Ltd (or any successor company) during its occupation of the land subject to this permission.

Reason: The Local Planning Authority wishes to control the uses on this site to accord with the NPPF.

09. No means of external lighting shall be installed on the building or within the rest of the application site without the written approval of the Local Planning Authority. Details of any external lighting to be submitted shall include the hours of operation of such lighting. Any approved external lighting subsequently installed shall not be changed or altered without the written consent of the Local Planning Authority.

Reason: To protect the visual amenity of the area in accordance with Policy ST5 and ST6 of the South Somerset Local Plan.

10. No construction works or deliveries shall take place outside of the hours of 08.00 to 17.30 Monday to Saturday. No construction works or deliveries shall take place on Sundays or any Public/Bank Holidays.

Reason: In the interests of residential amenity to accord with Policy ST6 of the South Somerset Local Plan.

11. No development approved by this permission shall be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures, has been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

Reason: To prevent pollution of the water environment to accord with Policy EP9 of the South Somerset Local Plan.

12. Before the development hereby permitted is commenced, 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 a satisfactory means of surface water drainage is implemented as part of this development.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed in the building, or other external alteration made without the prior express grant of planning permission.

Reason: To protect the amenity of the area in accordance with Policy ST6 of the South Somerset Local Plan.

14. 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, turfing 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: In the interests of visual amenity to accord with Policy ST5 of the South Somerset Local Plan.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no walls or other means of enclosure, other than those granted as part of this permission, shall be constructed or erected within the application site without the written consent of the Local Planning Authority. Once agreed, no changes shall be made to the fencing without the written agreement of the Local Planning Authority.

Reason: To protect the character and appearance of the area to accord with Policy ST6 of the South Somerset Local Plan.

16. No machinery shall be operated, no process shall be carried out and no deliveries taken or despatched from the site outside the hours of 07.00 - 19.00 Monday to Saturday nor at any time on Sunday, Bank or Public Holidays.

Reason: To protect residential amenity in accordance with Policy ST6 of the South Somerset Local Plan.

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

Reason: To protect the amenity of the area to accord with Policy ST5 of the South Somerset Local Plan.

18. No raw materials, products of any description, scrap or waste materials whatsoever shall be stored in the open on any part of the subject land without the prior written consent of the Local Planning Authority.

Reason: To protect the amenity of the area to accord with Policy ST5 of the South Somerset Local Plan.

Informatives:

01. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or via soakaways/ditches.

Oil or chemical storage facilities should be sited in bunded areas. The capacity of the bund should be at least 10% greater than the capacity of the storage tank or, if more than one tank is involved, the capacity of the largest tank within the bunded area. Hydraulically inter-linked tanks should be regarded as a single tank. There should be no working connections outside the bunded area.

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

(Voting: 9 in favour, 1 against)

Planning Application: 13/00310/FUL – Erection of a bungalow at Acre Cottage, Stoney Lane, Curry Rivel. Applicant: Venture Property.

The Planning Officer introduced the application as shown in the agenda and briefly reminded members of a previous application adjacent to the current application site which had been refused by members, but allowed on appeal. He clearly indicated the outline area of the current application site and that of the previous adjacent application. He noted that concern had been raised about the impact on the neighbouring property,

High Leigh, but due to the height of the proposed dwelling, the impact was not considered to be so significant as to recommend refusal.

Mr D Bates, objector, made reference to the previous application adjacent to the site, and commented that his property had already suffered from an invasion of privacy and loss of light as a result of that development. He asked members to consider refusing the application.

Mr A Preston, agent, noted the site was in a development area of Curry Rivel, and the proposed single height dwelling should have little impact on the neighbouring property. Highways had not raised any objection, and he felt the proposal caused no harm in planning terms.

Ward member, Councillor Terry Mounter, made reference to neighbour and Curry Rivel Parish Council objections. He considered the proposal did not meet policy, and felt the site would be cramped and was inappropriate and over development.

During a short discussion, members concurred with the ward member comments and were of the opinion the proposal was not a good design, was out of character with the area, would over develop the site and would impact upon the neighbouring property High Leigh.

In response to comments made, and as members seemed to be minded to refuse the application, the Area Lead (North/East) suggested the wording for a reason for refusal could include reference to the constrained site, detriment to residential amenity, over dominance and proximity to High Leigh, and the design would result in over development at odds with the local area - as such the proposal is contrary to Local Plan policies and the National Planning Policy Framework.

It was proposed and seconded to refuse the application, contrary to the officer recommendation for the reason suggested by the Area Lead (North/East), and on being put to the vote was carried unanimously.

RESOLVED: That planning application 13/00310/FUL be REFUSED, contrary to the officer recommendation for the following reason:-

The proposed development of this site would, by reason of the overall level of development of the wider site, the proximity to the property to the north east (High Leigh) and the design of the proposed bungalow, result in the incongruous overdevelopment of the site that would have an overly dominant relationship with High Leigh to the detriment of the character and visual amenities of the locality and the residential amenity of the occupiers of High Leigh. As such the proposal is contrary to policies ST5 and ST6 of the South Somerset Local Plan and the policies contained within the National Planning Policy Framework.

(Voting: Unanimous in favour of refusal)

(Councillor Shane Pledger, having earlier declared DPI's left the meeting for the presentation and consideration of 13/00329/S73A and 13/00330/LBC).

Planning Application: 13/00329/S73A – Section 73 application to vary condition 2 of planning permission 12/03513/FUL at Canterbury Farm, Aller. Applicant: Mr S Pledger.

(Applications 13/00329/S73A and 13/00330/LBC were presented together)

The Area Lead (North/East) introduced the applications as shown in the agenda. He explained that the changes were too great to be considered a minor alteration, and therefore as the applicant was a member, it had been required for the applications to be brought back to committee for decision. With the aid of slides he highlighted to members the proposed changes and noted that no representations had been received and that adequate garaging was already provided for the development.

Members were content to approve the application as per the officer recommendation.

RESOLVED: That planning application 13/00329/S73A be APPROVED, as per the officer recommendation, subject to the following conditions:

Justification:

01. The proposal, by reason of its materials and design is considered to respect the historic and architectural interests of the building, has no significant effect on residential amenity or impact on highway safety in accordance with policies STR1 and 9 of the Joint Structure Plan Review, and ST6, EH3 and EH5 of the South Somerset Local Plan, and the provisions of the NPPF.

Conditions:

01. The development hereby permitted shall be begun before the expiration of three years from 29 November 2012.

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: 117RevB, 116RevB, 115RevA, 113RevB, received 22 October 2012, 119 and 118 received 11 September 2012, and 111RevC, 110RevD and 001 received 28 January 2013, and 112RevD received 11 February 2013.

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

03. Details of the finished ground floor level of the dwelling permitted shall accord with the details submitted as part of the application to discharge conditions validated 10 December 2012 and confirmed by the Council's letter dated 17 January 2013.

Reason: To enable the Local Planning Authority to retain adequate control over proposed floor levels, in the interests of neighbour amenity, further to policy EH5 and ST6 of the South Somerset Local Plan.

04. Boundary walls shall retain their existing heights on site.

Reason: In the interests of neighbour amenity further to policy ST6 of the South Somerset Local Plan.

05. Details of the following:
- a. materials to be used for the external walls and roofs;
 - b. the mortar mix, pointing and coursing of the external walls shall accord with the sample panel on site;
 - c. the recessing, materials and finish to be used for all new windows and doors;
 - d. coping finishes of boundary walls
 - e. all hardstanding
 - f. rainwater goods and eaves and fascia details and treatment.
 - g. the provision of meter boxes
- shall accord with the particulars included in the application to discharge conditions validated 10 December 2012 and confirmed by the LPA in its letter dated 17 January 2013.

Reason: To safeguard the character and appearance of the area in accordance with saved policies ST5, ST6, EH3 and EH5 of the South Somerset Local Plan.

06. Details of the parking and turning area shall accord with the approved drawing no. 200A received 6 December 2012. Such details shall be undertaken as part of the development hereby permitted and thereafter retained.

Reason: In the interests of highway safety further to policy 49 of the Somerset and Exmoor National Park Joint Structure Plan and policy ST5 of the South Somerset Local Plan.

07. Visibility at the vehicular access shall not be obstructed as measured 2.4m back from the highways edge with parallel splays (with no obstruction greater than 900mm above adjoining road level) across the entire site frontage.

Reason: In the interests of highway safety further to policy 49 of the Somerset and Exmoor National Park Joint Structure Plan and policy ST5 of the South Somerset Local Plan.

08. The new dwelling permitted by this permission shall not be first occupied before works to the listed building have been completed to the satisfaction of the Local Planning Authority in accordance with Listed Building Consent refs:12/02940, 12/03514 and 13/00330.

Reason: Permission would not be given for a new dwelling without the need to secure the long term future of the listed building.

09. Full particulars of the glazed opening and its reveal within the opening shall be submitted to and agreed in writing by the LPA within 3 months of the decision. Such details as agreed shall be undertaken on site as part of the development.

Reason: In the interest of the character of the listed building

further to policy EH3 of the South Somerset Local plan.

(Voting: Unanimous in favour)

Planning Application: 13/00330/LBC – Proposed alterations to existing dwelling; new extension ground floor changed from a garage to living accommodation; garage doors to the extension amended to a glazed screen with opening light for escape in case of fire. New window to bedroom 4 with thatched eyebrow over at Canterbury Farm, Aller. Applicant: Mr Shane Pledger.

This application was discussed in conjunction with the previous application 13/00329/S73A and comments made on that application also refer to this application.

Members were content to approve the application as per the officer recommendation.

RESOLVED: That planning application 13/00330/LBC be APPROVED, as per the officer recommendation, subject to the following conditions:

Justification:

01. The proposal, by reason of its materials and design is considered to respect the historic and architectural interests of the building and is in accordance with policy 9 of the Joint Structure Plan Review, EH3 of the South Somerset Local Plan, and the provisions of the NPPF.

Conditions:

01. The development hereby permitted shall be carried out in accordance with the following approved plans: 001, 150, 151 received 28 January 2013, and 152 received 11 February 2013.

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

02. 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.

03. Full particulars detailing the finish of the glazed opening and reveal shall be submitted to and agreed in writing by the Local Planning Authority. Such details shall be undertaken as part of the Consent hereby granted.

Reason: In the interests of the character of the listed building further to policy ST3 and NPPF.

(Voting: Unanimous in favour)

*David Norris, Development Manager
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Chairman