

Meeting AN 02M 13/14
Date 22.05.13

South Somerset District Council

Draft Minutes of a meeting of the **Area North Committee** held in the Village Hall, Long Sutton on **Wednesday 22 May 2013**.

(2.00pm – 5.20pm)

Present:

Members: Shane Pledger (Chairman)

Pauline Clarke	David Norris	Sue Steele
Graham Middleton	Patrick Palmer	Sylvia Seal (from 2.05pm)
Roy Mills	Jo Roundell Greene	Derek Yeomans
Terry Mounter		

Officers:

Charlotte Jones	Area Development Manager (North)
Neil McWilliams	Asst. Highway Service Manager (SCC)
Chris Cooper	Streetscene Manager
Adrian Noon	Area Lead North /East (Development Management)
Linda Hayden	Planning Officer
Alex Skidmore	Planning Officer
Paula Goddard	Senior Legal Executive
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.

4. Minutes (Agenda item 1)

Councillor Graham Middleton requested an amendment to minute 159 to indicate that he had declared a personal interest in planning application 12/04897/OUT as he knew some of the people involved with the application but as acquaintances only.

Members were content that the minutes of the meeting held on 24 April 2013, copies of which had been circulated, be approved and signed as a correct record, subject to the amendment being made to minute 159.

5. Apologies for Absence (Agenda item 2)

Apologies for absence were received from Councillors Paul Thompson and Barry Walker.

6. Declarations of Interest (Agenda item 3)

Councillor Shane Pledger declared a Disclosable Pecuniary Interest (DPI) in planning application 13/00837/FUL as he was a close friend of the applicant.

7. Date of Next Meeting (Agenda item 4)

Members noted that the next meeting of Area North Committee would be at 2.00pm on Wednesday 26 June 2013 at the Village Hall, Norton Sub Hamdon.

8. Public Question Time (Agenda item 5)

There were no questions from members of the public.

9. Chairman's Announcements (Agenda item 6)

The Chairman thanked Councillor Patrick Palmer for his service as Area North Chairman for the last 10 years.

The Chairman asked for nominations for the position of Vice Chairman for the meeting. With the agreement of members, Councillor Jo Roundell Greene took the position for the duration of the meeting.

10. Reports from Members (Agenda item 7)

Councillor Sue Steele commented that she had attended the forum meeting with Police and Crime Commissioner the previous week, where the Commissioner had made it clear that rural areas would not be forgotten.

Councillor David Norris informed members that the Somerset Disability Forum (SSDF) had launched a new initiative to expand their influence across the district beyond the Yeovil area, and that they hoped to train up more people on disability matters.

11. County Highway Authority Report – Area North (Agenda Item 8)

The Assistant Highway Service Manager presented the report as shown in the agenda and informed members that the schedule of repairs and works were led by data.

Responses by the Assistant Highway Service Manager to some of the comments made by members during discussion, included:

- Acknowledgement that future highway works along Bow Street, Langport would be difficult to manage, and were a cause of local concern. Footway and drainage works were planned to commence 22 July, a date that had been agreed in consultation with local businesses and the town council. The works would require a road closure, and notices and letter drops would be done well in advance.
- It was very unlikely there would be additional routine jetting as there was no additional funding available to do so.
- New policy for gully clearing was for every four years at top of hills, and annually at bottom of hills.
- There was no policy for SCC to carry out weed spraying and consequently there was no budget to do so.

During discussion members raised other specific queries which were noted by the Assistant Highway Service Manager including:

- Individual drain/gully identification was needed, and GPS could be used to identify locations
- Beercrocombe parish had ongoing concerns about a local issue
- People reporting highways faults should receive a call back – if this was not the case, the Area Highways team needed to know.
- A few years ago many parishes were requested by SCC to indicate problem drainage points on a map. These were returned but little seemed to have happened since.

It was suggested, and agreed by members that a letter should be sent to SCC to ask for further information on plans (if any) for the detailed identification of drains and gullies.

Members thanked the Assistant Highway Service Manager for his report. After the officer had left the meeting, it was suggested that the request to SCC also included a suggestion that a project to compile a database of gullies with local identification might qualify as a capital scheme.

RESOLVED: That the report be noted.

*Neil McWilliams, Assistant Highway Service Manager
countyroads-southsom@somerset.gov.uk or 0845 345 9155*

12. Performance of the Streetscene Service (Agenda Item 9)

The Streetscene Manager summarised the report as shown in the agenda. He highlighted to members key points including:

- Weather conditions over the winter had been challenging, with high rainfall and flooding
- Flytipping incidents had remained fairly constant
- A quad bike had been purchased to facilitate mechanical weed spraying
- A team were working through all the villages over six months to do litter picks
- Spring bulb planting in the coming autumn would be extended to include varieties other than daffodils
- Working with parish tree wardens regarding planting schemes
- Parish Ranger Scheme was available to any parish and there was the opportunity for them to 'buy in' to a minimum of one day per month.

During the ensuing discussion members raised several comments and the Streetscene Manager's responses included:

- Acknowledgement that it would be helpful to parishes to know the programme of litter picks, so that there could be co-ordination rather than duplication, and he would arrange communication to parishes
- Distributed sandbags would not be collected and needed to be reused or disposed of by householders
- There had been an increase in reported fly tips since the changes to hours and charges at Household Waste Recycling Centres (HWRCs)
- Information could be sent to parishes annually before they started to precept, to provide information about the Parish Ranger Scheme.

In response to comments made about flytipping and the HWRCs, the Portfolio Holder for Environment and Economic Development reminded members that through the

agreement with Somerset Waste Partnership, SSDC were recompensed by SCC for dealing with the fly tips, and therefore SSDC were not out of pocket.

Members congratulated the work of the team and thanked the Streetscene Manager for his informative report.

RESOLVED: That the report be noted.

*Chris Cooper, Streetscene Manager
chris.cooper@southsomerset.gov.uk or (01935) 462840*

13. Area Development (North) – Review of 2012-13 and Priorities for 2013-14 (Agenda Item 10)

The Area Development Manager (North) introduced the report as shown in the agenda and gave a comprehensive presentation to indicate projects supported over the year. The presentation included information about:

- Highlights of the past year
- Looking ahead to next year
- Area North priorities
- The role of Area Development

In response to comments made by members during a short discussion, the Area Development Manager (North) noted:

- Since the closure of the Somerton Community Office, there were less people from Somerton visiting the Langport office than had previously used the Somerton office. This was expected, but it had been well communicated in the Somerton area to let staff know if they experienced difficulty or were unable to access services.
- That she would circulate footfall figures regarding the previous and current use of the Langport Community Office
- If members felt it would be beneficial to have site visits to look at completed projects, it could be arranged.

Members were content that the priorities and work programme for 2013-14 be endorsed, and it was agreed that the subject of an Area North tour would be discussed in more detail at the next meeting.

RESOLVED: It was resolved that:
(1) The report and presentation be noted.
(2) The proposed priorities and work programme for Area North for 2013-14 be endorsed.

(Voting: Unanimous in favour)

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

14. Area North Working Groups and Outside Bodies – Appointment of Members 2013/14 (Agenda Item 11) (Executive Decision)

The Democratic Services Officer introduced the report as detailed in the agenda. There was a very brief discussion during which a member suggested there should be more regular feedback on the outside bodies by the appointed member. In response, the Area Development Manager (North) commented that managers were being given a clear message corporately that feedback should be given and this could be done as a separate item on agendas or at the 'reports from members' item.

The Committee agreed the appointment of members to serve on the working groups and various outside bodies as detailed in the agenda for 2013/14.

RESOLVED: It was resolved that:

- (1) That the following members continue to serve on the working groups for 2013/14 as listed below:
- (2) That the following members be appointed to the outside bodies for 2013/14 as listed below:

Reason: To appoint district council representatives to outside organisations and working groups.

Working Group	2013/14 Representatives
Area North Marketing Working Group	Patrick Palmer Shane Pledger Pauline Clarke Sue Steele Derek Yeomans
Area North Community Safety / Neighbourhood Policing Liaison	Sue Steele
Outside Body	2013/14 Representatives
Somerset Levels & Moors Executive Group	Paul Thompson
Langport Abattoir Liaison Group	Roy Mills Derek Yeomans
Martock M3 Community Partnership	Graham Middleton
Somerset Waterways Advisory Committee	Patrick Palmer
South Somerset Disability Forum	David Norris
Langport & Somerton Links Service Steering Group	Derek Yeomans
Strode College Community Education Committee	Pauline Clarke
Langport and District Community Youth Centre (Ridgeway Hall)	Roy Mills
Huish Episcopi Leisure Centre Board	Terry Mounter Shane Pledger

(Voting: unanimous)

*Becky Sanders, Democratic Services Officer
becky.sanders@southsomerset.gov.uk or 01935 462596*

15. Revised Scheme of Delegation – Development Control – Nomination of Substitutes for Chairman and Vice Chairman for 2013/14 (Agenda item 12) (Executive Decision)

The Committee agreed the appointment of members to serve as the substitutes for the Chairman and Vice Chairman.

RESOLVED: That in line with the Development Control Revised Scheme of Delegation, Derek Yeomans (first substitute) and Roy Mills (second substitute) be appointed to act as substitutes for the Chairman and Vice Chairman to make decisions in the Chairman's and Vice Chairman's absence on whether an application should be considered by the Area Committee as requested by the Ward Member(s) for the year 2013/14.

Reason: To appoint two substitute members for the Chairman and Vice Chairman to make decisions in their absence during 2013/14 in line with the Development Control Scheme of Delegation.

(Voting: Unanimous)

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

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

The Area Development Manager (North) reminded members that the Buildings at Risk report for June would be confidential. She also confirmed that the presentation about Kingsbury Episcopi Community Shop would be made to the June meeting.

During a brief discussion regarding Kingsbury Episcopi, members praised the success of the May Fayre, and agreed that a letter of congratulation should be sent to the organisers.

RESOLVED: That the Forward Plan be noted.

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

17. 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*

18. 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: 12/04885/FUL – The erection of 22 No. dwellings with associated access, parking and landscaping on land at Hayes End, South Petherton. Applicants: Mr & Mrs K A Duffield.

The Planning Officer presented the application as detailed in the agenda. She updated members that a further letter had been received which reiterated objections to the departure from the development plan. She highlighted some key points of the proposal which included:

- Acoustic fence to shield against noise of A303
- Landscape buffer alongside cemetery, and relationship with cemetery was acceptable
- Access to be via Chapelfields development
- Statutory consultees had not raised objections

Mr M Frost, agent, made reference to the National Planning Policy Framework, land supply and the proposal providing much needed affordable housing. He commented that it met the definition of sustainability, was a walkable development and pedestrian links would be made to the community woodland. He noted that the scheme had been amended to incorporate landscape and acoustic buffers to address the relationship with A303 and cemetery.

Ward member Paul Thompson had given his apologies for the meeting but had asked that a statement was read out on his behalf. His statement included reference to the applicant having addressed reasonable concerns of the LPA and South Petherton Parish Council, and also made reference to the reasons why the parish council had recommended refusal. He was supportive of the application as it would help meet a housing shortfall without detriment to the local area.

In response to comments raised by members during a short discussion, the officers clarified:

- The affordable housing element met strategic and policy requirements for the area
- It was normal practice to cluster affordable housing in new developments
- There was a continuous pavement network to enable residents to walk to the shops without walking on roads.
- Nearest play area was at Lightgate Lane or the community woodland

Most members were supportive of the application, and it was proposed and seconded to approve the application as per the officer recommendation as detailed in the agenda report. On being put to the vote the proposal was carried ten in favour and 1 against.

RESOLVED: That subject to no new and relevant issues being raised at the end of the re-consultation period, the Development Control Manager with the agreement of the Chair be authorised to APPROVE planning application

no. 12/04885/FUL, as per the officer recommendation, subject to:-

1) 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 secure the following;

a) The agreed contribution to off-site play provision (to the satisfaction of the Local Planning Authority):-

- £45,378.89 to be used for local facilities.
- £26,280.79 to be used for strategic facilities.
- £18,586.29 as a commuted sum towards local services.
- £902.46 as the Community, Health and Leisure Service administration fee;

b) To ensure that eight of the residential units are affordable and remain available long term to satisfy local need as set out by policy HG9 of the South Somerset Local Plan (to the satisfaction of the Local Planning Authority);

and;

2) The following conditions:

Justification:

Notwithstanding the local concerns, the provision of 22 houses 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 forward to address concerns about ecological issues. As such the scheme is considered to comply with saved policies ST3, ST5, ST6, ST7, ST10, EC3, EC8, EU4, TP1, TP2, TP4, TP7, CR2, CR3, CR4 and HG7 of the South Somerset Local Plan 2006 and the aims and objectives of 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 be carried out in accordance with the following approved plans:

- 3164/002 (Location Plan); 2026-08.1 rev A; 3159/004, 3159/006, 3159/008 Rev A, 3159/010, 3159/012, 3159/014 Rev A, 3159/016, 3159/018 Rev A, 3159/020, 3159/030, 3159/031, 3159/033, 3164/003, 3164/005, 3164/007, 3164/009, 3164/011, 3164/013, 3164/015, 3164/017, 3164/028 and 3164/029; all received 19 December 2012;
- 3164/019 Rev A, 3164/032, 3164/035 Rev A and 3164/036

Rev A all received 3 January 2013;

- 3164/001 Rev F, 3159/037, 3159/038, 3159/039, 3159/040, 3159/041 and 5815/1 (Landscape) all received 27 February 2013;
- 3227/001 Rev G (schedule updated by agent's email of 6 March 2013) received 4 April 2013.

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

03. No development hereby approved shall be carried out until particulars of following 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) panels of brickwork and stonework shall be provided on site for inspection;
 - 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) particulars of all boundary treatments and hard surfacing materials. Such details shall include the use of porous materials to the parking and turning areas;
 - e) details of meter cupboards and gas boxes;

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 policies ST5 and ST6 of the South Somerset Local Plan, and in the interests of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

04. The buffer strip planting indicated on Drawing No. 5815/1 shall be undertaken in the planting season immediately following the erection of the acoustic fence, and the remainder of the planting shown on that same landscape plan, shall be undertaken during the planting season immediately following the completion of external building works; 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 and residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

05. All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All hedges and

hedgerows on and immediately adjoining the site shall be protected from damage for the duration of works on the site to the satisfaction of the Local Planning Authority in accordance with the recommendations in British Standard 5837 1991. Any part(s) of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following contractual practicable completion of the approved development shall be replaced as soon as is reasonably practicable and, in any event, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed in writing with the Local Planning Authority.

Reason: In the interests of visual and residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

06. Before the development hereby permitted is a commenced, foul and surface water drainage detail 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 satisfactory drainage at the site.

07. The proposed estate roads, footways, footpaths, tactile paving, cycleways, 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 to accord with Policy ST5 of the South Somerset Local Plan (2006) and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011.

08. 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 to accord with

Policy ST5 of the South Somerset Local Plan (2006) and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011.

09. The car parking spaces to be provided shall be kept available for the parking of motor vehicles at all times. The car parking spaces shall be used solely for the benefit of the occupants of the development hereby permitted and their visitors.

Reason:- In the interests of highway safety and to accord with Policy ST5 of the South Somerset Local Plan (2006) and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011.

10. The new development shall not be commenced until a detailed Travel Plan has been submitted to and approved in writing by the Local Planning Authority. No part of the new development shall be occupied prior to implementation of those parts identified in the Approved Travel Plan as capable of being implemented prior to occupation. Those parts of the Approved Travel Plan that are identified therein as capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: To promote sustainable travel in accordance with policy TP2 of the South Somerset Local Plan.

11. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority full details of mitigation and compensation measures in respect of badgers (including replacement artificial setts, and the identification and protection of any corridors or commuting routes important for the welfare of badgers). The works shall be implemented in accordance with the approved details and timing of the plan, unless otherwise approved in writing by the local planning authority.

Reason: For the conservation and protection of legally protected in accordance with Policy EC8 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981, and Protection of Badgers Act 1992.

12. The development hereby permitted shall not be commenced until a scheme for the maintenance of the buffer strip and the communal open spaces shown on the submitted plan has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented fully on the completion of that proportion of the total development specified in the scheme and the buffer strip and open space area shall thereafter be retained and maintained in complete accordance with the scheme.

Reason: In the interests of visual and residential amenity in accordance with Policy ST6 of the South Somerset Local Plan

(2006).

13. The development hereby permitted shall not be commenced until full details of the acoustic fence shown on Drawing No. 3227/001 Rev G received 4 April 2013 has been submitted to and approved in writing by the local planning authority. The fencing as approved shall be installed prior to the occupation of any dwelling hereby approved and thereafter retained in such condition to ensure its effectiveness.

Reason: In the interest of the amenity of the occupiers of the dwellings in accordance with Policy ST6 of the South Somerset Local Plan (2006).

14. The development hereby permitted shall not be commenced until full details of the proposed sheds/outbuildings for Plots 17 – 22 (inclusive) and the proposed motorcycle/bicycle store have been submitted to and approved in writing by the Local Planning Authority. Once approved such details shall be fully implemented unless agreed otherwise in writing by the local planning authority.

Reason: In the interests of visual and residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

15. The development hereby permitted shall not be commenced until details confirming that the dwellings will be built to Code for Sustainable Homes Level 4 (December 2006) have been submitted to and approved in writing by the Local Planning Authority. Once approved such details shall be fully implemented unless agreed otherwise in writing by the local planning authority.

Reason: In order to support the move to a low carbon future in accordance with paragraph 95 of the NPPF.

16. Demolition or construction works or deliveries to the site shall not take place outside 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays nor at any time on Sundays or Bank Holidays.

Reason: In the interests of residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

17. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- a) the parking of vehicles of site operatives and visitors
 - b) loading and unloading of plant and materials
 - c) storage of plant and materials used in constructing the development
 - d) measures to control the emission of noise, dust and dirt during construction

e) routing of construction vehicles

Reason: In the interests of residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

18. 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 (including dormer windows) to these buildings without the prior express grant of planning permission.

Reason: In the interests of visual and residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

19. 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 garages/outbuildings shall be erected other than those expressly authorised by this permission.

Reason: In the interests of visual and residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

Informatives:

01. Before this development can commence, a Licence in respect of badgers will be required from Natural England. You will need to liaise with your ecological consultant for advice and guidance on the application for this licence.

(Voting: 10 in favour, 1 against)

Planning application: 12/04412/FUL – Erection of calf rearing unit, siting of temporary agricultural workers dwelling and improvement to existing access on land east of Long Street, High Ham. Applicants: Mr J Godfrey and Mrs L Bebbington.

The Planning Officer presented the report as shown in the agenda, and commented that the application was at committee due to the level of public interest and to allow further discussion of issues. She noted that improvements to access and visibility splays were proposed to meet Highways requirements, and there were no key substantive issues to warrant an officer recommendation for refusal.

The Chairman suggested deferring the application for a site visit. Other members were not in agreement and it was suggested that public comments were heard before a decision was reached about deferral or determination of the application.

Mr D Vigar, representative for High Ham Parish Council, commented that the parish council had submitted a detailed response to the LPA and were concerned at the scarce proposed conditions. The notification period of the application coming to committee for

consideration was also queried. The parish council felt the application was the wrong proposal in the wrong place.

Mr P Brunsdon, Mr I Boagé, Mr M Trubridge (on behalf of 24 residents who had raised 21 objections) and Mr L Indor, objectors, addressed members and raised varying points including:

- Reference to scale and impact on landscape. Planting would not provide adequate screening due to the position and size of proposal.
- Some properties in, and near, Mortons Lane would have a clear view of the site.
- With reference to the business case, no detailed financial information had been available in advance, concluded from reference to publications and NFU information that the business would not be viable.
- Concern about geology as site was situated on a spring line. Several wells in Low Ham were in operation, some providing a private water supply to those not on the mains.
- Concern that proposal may affect water supply and that there was no protection zone for water quality or a requirement for a geological assessment
- Questioned if applicant would be working off site on other farming business, and if many farmers would allow calves off their own land.

Ms A Holland and Mr M Jenkins, supporters, made several comments including:

- Strange that others in agriculture and living locally objected to the proposal, and queried if people were unable to put agricultural buildings on agricultural land where were they to put them.
- The sale of county farms had allowed people such as the applicants to buy small areas of land and start up a new agricultural business.
- Farming communities were partly a 'closed shop' due to restrictions

Mr C Miller, agent, commented the proposal met policy requirements and would fill a specialist niche. He felt objectors comments about finances were based on wrong assumptions, and requested that their information was made publicly available. He commented that the position of the building was in the best location on the land holding.

In response to the public comments made, the Area Lead (North/East) clarified:

- The proposal fell under the standing advice of the Environment Agency which had raised no specific concerns
- Financial details were normally confidential
- The parish council had requested financial details which had been circulated with the applicant's permission to the respondent only. This had been done at short notice on the day prior to committee as the request had been received at the start of the week.

During the ensuing discussion several members felt a site visit was not necessary as adequate information was contained within the agenda report and had been shown in the officer presentation. Varying comments were raised during the debate including:

- Not in a flood zone, but aware of flooding in Low Ham
- Unable to make comment about the finance information, as this had not been specifically circulated to members
- Drainage concerns were addressed by condition 8
- Comments made by the public conflicted with those of the Agricultural Development Officer
- Difficult to object to an agricultural building on agricultural land
- Young farmers needed to be supported
- Previous farmer could have spread dung or fertilizer without restriction

In response to members comments the Area Lead (North/East) confirmed that confidential financial information could be shared with members upon request. He suggested to members that if they had concerns about the application on financial grounds that it could be deferred. Members were also reminded that the dwelling would be a temporary permission but the calf unit would not.

The Senior Legal Executive advised members that the planning officers had looked at the application in detail and liaised with the Agricultural Development Officer and were satisfied that the applicant's case was acceptable.

It was proposed and seconded to approve the application as per the officer recommendation, and on being put to the vote was carried 8 in favour, 1 against and 2 abstentions.

RESOLVED: That planning application 12/04412/FUL be approved as per the officer recommendation subject to the following conditions:

Justification:

The proposal is considered to have satisfied the functional requirements for a temporary agricultural workers dwelling and the overall scheme is considered to respect the character of the local landscape and results in no demonstrable harm to visual or residential amenity or highway safety in accordance with the aims and objectives of the NPPF (Parts 1, 3, 4, 6, 7, 8 and 11), Policies STR1, STR6, 5 and 49 of the Somerset and Exmoor National Park Joint Structure Plan and Policies ST3, ST5, ST6, EC3, EU4, EP1 and HG15 of the South Somerset Local Plan.

SUBJECT TO THE FOLLOWING:

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 mobile home hereby permitted shall not be moved on site until such time as the calf-rearing building hereby permitted has been fully erected and stocked, thereafter the mobile home shall be limited for a period only expiring on 31 December 2016, on or before which date the mobile home shall be removed and the site reinstated to its former condition to the written satisfaction of the local planning authority.

Reason: In order that the circumstances can be reviewed in accordance with Policies HG15 and ST6 of the South Somerset Local Plan.

03. The occupation of the mobile home shall be limited to a person solely or mainly working at the calf-rearing enterprise hereby approved and to any resident dependents.

Reason: The Local Planning Authority would not have been prepared to grant permission but for the mobile home being

essential for the proper functioning of the enterprise in accordance with Policy HG15 of the South Somerset Local Plan and Paragraph 55 of the NPPF.

04. The development hereby permitted shall be carried out in accordance with the following approved plans location plan received 19/11/2012, drawings numbered 6283-01, 6283-02 and 6283-03 received 15/11/2012 and drawing number 6251-05 received 02/11/2012.

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

05. The development hereby permitted shall not be commenced unless particulars of the colour and finish of the external roof materials for the calf-rearing building have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the rural character of the locality in accordance with Policies ST6 and EC3 of the South Somerset Local Plan.

06. Within three months of the completion of the calf-rearing unit hereby approved the access track shall be completed and surfaced in accordance with the specifications set out on drawing number 6283-02 and shall be maintained as such at all times thereafter.

Reason: To safeguard the rural character of the locality in accordance with Policies ST6 and EC3 of the South Somerset Local Plan.

07. The development hereby permitted shall not be commenced unless there has been submitted to and approved in writing by the local planning authority a scheme of landscaping. 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 first occupation of any of the dwellings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of five years from the completion of the landscaping scheme, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To safeguard the rural character of the locality in accordance with Policies ST6 and EC3 of the South Somerset Local Plan.

08. The development hereby permitted shall not be commenced unless, foul and surface water drainage details to serve the development and to prevent the discharge of surface water onto the highway, have been submitted to and approved in writing by the local planning authority. Such approved drainage details shall

be completed and become fully operational before the development hereby permitted is first brought into use and shall thereafter be permanently retained and maintained.

Reason: In the interest of environmental health and to ensure the site is adequately drained in accordance with Policy EU4 of the South Somerset Local Plan.

09. At the proposed access there shall be no obstruction to visibility greater than 900mm above adjoining road level within the visibility splays shown on the submitted plan, drawing no. 6283-02. 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 interest of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan and Policy ST5 of the South Somerset Local Plan.

10. The development hereby permitted shall not be commenced unless the access has been properly consolidated and surfaced in accordance with the details set out on drawing number 6283-02, unless otherwise agreed in writing by the local planning authority. The agreed details shall be fully implemented and shall thereafter be maintained at all times.

Reason: In the interest of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan and Policy ST5 of the South Somerset Local Plan.

11. Any entrance gates shall be set back a minimum distance of 10m from the adjoining carriageway and hung to open inwards.

Reason: In the interest of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan and Policy ST5 of the South Somerset Local Plan.

12. The gradient of the access shall not be steeper than 1 in 10.

Reason: In the interest of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan and Policy ST5 of the South Somerset Local Plan.

Informatives

01. Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that the alteration of access will require a Section 184 Permit. This must be obtained from the Highway Service Manager at the Yeovil Depot, tel No. 0845 345 9155. Application for such a permit should be made at least four weeks before access works are intended to commence.
02. Where works are to be undertaken on or adjoining the publicly maintainable highway (in respect of the creation of and subsequent maintenance of visibility splays) a licence under

section 171 of the Highways Act 1980 must be obtained from the Highway Authority. Application forms can be obtained by contacting the Highway Service Manager, Yeovil Area Office, 0845 3459155. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services.

(Voting: 8 in favour, 1 against, 2 abstentions)

Planning application: 13/00933/FUL – Adapting an access to two residential dwellings at 1 and 2 The Cottages, Lower Wiltown, Curry Rivel. Applicant Mr H & R Lang.

The Area Lead (North/East) presented the application as shown in the agenda. He explained to members that the Highway Authority had raised an objection as some of the proposed parking bays had limited turning area and the required visibility splays could not be provided. He commented that highway safety was the main issue and acknowledged the repositioning of hedges would not meet requirements of the Highway Authority, but it would be an improvement on the existing situation.

Ward member, Councillor Terry Mounter, noted the existing situation was awful and the proposal was a much better alternative.

There was a very brief discussion during which members expressed their support for the application as per the officer recommendation, and on being put to the vote, the proposal was carried unanimously.

RESOLVED: That planning application 13/00933/FUL be APPROVED as per the officer recommendation subject to the following conditions:

Justification:

01. The proposal, by reason of its size, scale and materials, respects the character of the area, and causes no demonstrable harm to residential amenity or highway safety in accordance with the aims and objectives of Policies ST6 and ST5 of the South Somerset Local Plan (Adopted April 2006) and Policies STR1 and 49 of the Somerset and Exmoor National Park Joint Structure Plan.

Conditions:

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

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

02. The development hereby permitted shall be carried out in accordance with the details and specification set out on the following approved plans: LANG HF8-5 Rev A received 01 May 2013.

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

planning.

03. Prior to the access hereby approved first being brought into use the visibility splays in which there should be no obstruction greater than 900mm, and as denoted on drawing no. LANG HF8-5 Rev A received 01 May 2013, shall be fully provided to the satisfaction of the Local Planning Authority 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.

04. Before it is first brought into use, the proposed access over the first 5m of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel), in accordance with details, which shall have been submitted to and approved in writing by 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

05. The area allocated for access, parking and turning on the submitted plan shall be kept clear of obstruction at all times and shall not be used other than for the parking and/or turning of vehicles in connection with the residential use of the dwellings known as 1 and 2 The Cottages..

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

06. Any entrance gates erected shall be hung to open inwards and set back a minimum distance of 5m from the highway.

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

07. Before the access is first brought into use provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved in writing by the Local Planning Authority, before being installed.

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

08. The gradient of the access shall not be steeper than 1 in 10.

Reason: In the interests of highway safety and in accordance with policy 49 of The Somerset and Exmoor National Park Joint

Structure Plan

(Voting: Unanimous in favour)

(Chairman, Councillor Shane Pledger, having declared a DPI left the meeting for the presentation and consideration of 13/00837/FUL). Councillor Jo Roundell Greene in the Chair.

Planning application: 13/00837/FUL – The demolition of existing bungalow, formation of new vehicular access, and erection of 2 No. dwellings at Poplins Barton, Martock Road, Long Sutton. Applicant: Mr K Rutherford.

The Area Lead (North/East) presented the application as shown in the agenda. He commented that since the agenda had been published it had come to light that a neighbour was intending to develop in the future and was content that visibility splays could be safeguarded across their land. The applicant had been advised that if this were the case a sensible way forward would be to withdraw the application and submit amended plans. However the applicant had requested that members determine the application before as shown in the agenda.

The Highway Authority had raised concerns about visibility regarding the proposed new access, and the LPA had no reason to override the recommendation of the Highway Authority.

Mr Della Valle, agent, noted the only reason the application was before members was due to highway objections. He commented that splays required by the Highway Authority were not achievable, conflicted with highways guidance and he felt they were not justifiable. Reference was made to some neighbouring sites having worse visibility and the nearest recorded accident being quarter of a mile away at Sutton Hill.

During a brief discussion, it was commented that other properties along the road were in a similar scenario, it was debateable if the highways condition was viable and there was no guarantee a visibility splay could be achieved on third party land.

As members were minded to approve the application, at the request of the Chairman, the Area Lead (North/East) suggested wording for the justification could include reference to the proposal being in a sustainable location, not detrimental to residential amenity, highway safety or visual amenity and as such is considered to comply with saved policies of the local plan and the National Planning Policy Framework. He clarified conditions would be required to include:

- standard time limit
- approved plans
- details of :
 - materials for walls and roofs
 - coursing of walls
 - windows and doors
 - hardstanding and boundaries
 - rainwater goods
 - external finish
- certain windows on first floor to be obscurely glazed with restricted opening
- detail of privacy screens for balconies
- requirement for a landscaping scheme

It was proposed and seconded to approve the application, contrary to the officer recommendation, for the reason, and subject to the conditions as suggested by the Area Lead (North/East).

RESOLVED: That planning application 13/00837/FUL be APPROVED, contrary to the officer recommendation, subject to the following condition

Justification:

Notwithstanding the concerns of the highway authority, the provision of 2 houses in this sustainable location would have no demonstrable harm to residential amenity, highway safety, or visual amenity. As such the scheme is considered to comply with the saved policies of the local plan and the aims and objectives of the NPPF.

Conditions:

- 01) Standard time limit
- 02) The development hereby permitted shall be carried out in accordance with the following approved plans: F1111/100B and F1111/101C received 14 March 2013 and F1111/102 received 23 April 2013

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

- 03) No work shall be carried out on site until particulars of the following 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.

- 04) The first floor windows and roof lights on the south elevation of plot 1 and the north elevation of plot 2 shall be obscurely glazed and of restricted opening. Details of the level of obscurity and the method used to restrict opening shall have been submitted to and approved in writing by the local planning authority (LPA) prior to

any work being carried out on site. Once implemented, in accordance with the approved details, the windows shall be retained and maintained in this fashion in perpetuity, unless otherwise agreed in writing with the LPA.

Reason: To ensure the privacy of neighbouring occupiers in accordance with policy ST6 of the South Somerset Local Plan.

- 05) No works shall be carried out on site until details of the privacy screens for the balconies have been submitted to and approved in writing by the local planning authority (LPA). The screens shall be erected in accordance with the approved details prior to the first occupation of the dwellings and shall be maintained and retained in perpetuity unless otherwise agreed in writing with the LPA.

Reason: To ensure the privacy of the occupiers of the dwellings hereby approved in accordance with policy ST6 of the South Somerset Local Plan.

- 06) 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 buildings 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 additional tree planting along the site's west boundary and in the southwest corner of the site.

Reason: To safeguard the character and appearance of the area and the surrounding landscape in accordance with saved policies EC3, ST5 and ST6 of the South Somerset Local Plan.

(Voting: Unanimous in favour)

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Chairman