

Meeting AN 08M 13/14  
Date 27.11.13

### South Somerset District Council

**Draft Minutes** of a meeting of the **Area North Committee** held in the Village Hall, Chilthorne Domer on **Wednesday 27 November 2013**.

(2.00pm – 5.25pm)

**Present:**

**Members:** Shane Pledger (in the Chair)

Graham Middleton	Patrick Palmer	Sue Steele (from 3.00pm)
Roy Mills (to 5.10pm)	Jo Roundell Greene (to 4.45pm)	Paul Thompson
Terry Mounter	Sylvia Seal (from 2.10pm)	Derek Yeomans

**Officers:**

Charlotte Jones	Area Development Manager (North)
Neil McWilliams	Asst. Highway Service Manager (SCC)
Chris Cooper	Streetscene Manager
Chris Holley	Cleansing & Car Parks Supervisor
Sara Kelly	Neighbourhood Development Officer (North)
Lee Walton	Planning Officer
Greg Venn	Conservation Officer
Dominic Heath-Coleman	Planning Officer
Nicholas Head	Planning Officer
Adrian Noon	Area Lead (North/East)
Angela Watson	Legal 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.*

#### 84. Minutes (Agenda item 1)

The minutes of the meeting held on 23 October 2013, copies of which had been circulated, were taken as read and, having been approved as a correct record, were signed by the Chairman.

#### 85. Apologies for Absence (Agenda item 2)

Apologies for absence were received from Councillors Pauline Clarke and David Norris. Councillor Sue Steele tendered her apologies for a late arrival.

#### 86. Declarations of Interest (Agenda item 3)

Councillor Terry Mounter declared a DPI for planning application 13/03132/OUT as he possibly owned a very small part of the site. He confirmed that he would leave the room for the presentation and consideration of the application.

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

Members noted that the next meeting of Area North Committee was scheduled for 2.00pm on Wednesday 18 December 2013 at the Village Hall, Long Sutton. It was noted that the start time and venue might change.

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

Ms M Chambers, speaking as a private resident, addressed members about a number of concerns regarding the consideration of foul and surface drainage, energy provision, fuel poverty and maintenance of sustainable drainage systems when determining planning applications.

Due to the detailed nature of the comments raised, the Chairman advised that a written response would be arranged.

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

There were no Chairman's announcements.

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

Councillor Jo Roundell Greene referred to a recent press release about a Taunton woman who had been fined for fly tipping. She commented that the press release had gone out as a warning to others, and asked members to bring the article to the attention of parish councils to reassure them that action was taken where possible with flytipping. She also noted that Chilthorne Domer Village Hall Committee were looking to extend the storage area of the hall and would possibly be applying for a community grant in the future.

Councillor Patrick Palmer, updated members that since his report last month, dredging of the River Parrett had been paused for a few weeks during inclement weather but had since re-started and that dredging below Burrowbridge was being a slower and more complicated operation.

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**91. Exclusion of Press and Public (Agenda Item 8)**

**RESOLVED:** That the following item be considered in Closed Session by virtue of the Local Government Act 1972, schedule 12A under paragraph 3:

- Information relating to the financial of business affairs of any particular person (including the authority holding that information).

*(Voting: Unanimous)*

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**92. Review of Councillor Representation on Outside Bodies (Agenda item 8)  
(CONFIDENTIAL)**

The Area Development Manager (North) presented the confidential report as detailed in the agenda. After a short discussion members were content to endorse the suggestions of the Scrutiny Task and Finish Group except suggestions 11 and 13, to which they recommended the amendments as detailed in Schedule 1 in Appendix A. Members also agreed that District Executive be asked to note the comments of the Area North Committee regarding some of the suggestions as detailed in Schedule 1 of Appendix A.

With reference to Schedule 2 in Appendix A, there was a short discussion during which an amendment to the appointment process was suggested for one of the outside bodies which was currently made by a Portfolio Holder. One member suggested that a comment go to District Executive to recommend that the appointment to that outside body was made by Area North, to which other members agreed.

**RESOLVED:** It was resolved that:

- (1) Area North Committee endorse the suggestions of the Scrutiny Task and Finish group except suggestions 11 and 13.
- (2) Area North Committee recommend amendments to suggestions 11 and 13 as set out in the attached schedule 1 in Appendix A of the confidential agenda report.
- (3) District Executive be asked to note the comments of Area North Committee regarding a number of suggestions as set out in schedule 1 in Appendix A of the confidential agenda report
- (1) Area North Committee agreed the assessment of current appointments to outside bodies relevant to Area North, in light of the suggestions made by the Scrutiny Task and Finish group, as set out in schedule 2 in Appendix A of the confidential agenda report, subject to a comment going forward to District Executive to suggest changing the appointment process for one of the outside bodies so that in future it be made by Area North Committee.

*(Voting: Unanimous in favour)*

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

**93. County Highway Authority Report – Area North (Agenda item 9)**

The Assistant Highway Service Manager presented the report as shown in the agenda and informed members of scheduled dates for some of the outstanding drainage works including:

Dyers Road, Curry Rivel – works were currently underway  
Meadow Close, Langport – March 2014  
New Cross Hill, Kingsbury Episcopi – early January 2014  
Ilford Bridges, Puckington – February 2014  
Park Lane, Pitney – January 2014

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

- Details of the Highways Agency road closure on the A303 near Podimore would be circulated for information.
- There was an annual and biennial programme for gully clearing. Details of the programme would be circulated for information.
- Resurfacing of North Street and Bow Street in Langport would take place in March/April 2014.

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

- Issues with drainage at Dyers Road and Parsonage Place in Curry Rivel
- Concerns locally in Shepton Beauchamp regarding clearance of the silt traps.
- Ongoing concerns about collapsed drains at Seavington.

Members thanked the Assistant Highway Service Manager for his report.

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

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

#### **94. Performance of the Streetscene Service – Area North (Agenda item 10)**

The Streetscene Manager summarised the report as shown in the agenda, and introduced the Cleansing and Car Parks Supervisor. He highlighted to members key points including:

- Targeted weed spraying had taken place across the district and a second spray would take place over the winter when weather conditions permitted.
- Leaf fall was late this year, and it was anticipated leaf clearance would continue until Christmas. The next winter task would then be litter clearance.
- For reasons unknown, the number of reported fly-tips had reduced.
- Fortunately in South Somerset, Ash dieback disease had so far not turned into the widespread disease initially feared.
- A new apprentice had been taken on, but it was felt the whole scheme needed to be reviewed.
- The much anticipated October storm had not been as bad as feared in the area and had taken about a week to clear up.
- The Parish Ranger Scheme, explaining what the scheme was able to provide and the costs.

During the ensuing discussion several comments were raised including:

- Comments about the organisation and management of apprenticeship schemes and wages
- Commending the team for the partnership work with Martock Parish Council
- Could the Parish Ranger Scheme be called something else such as 'Handyman' which was more appropriate to the work that could be done?
- Concern that in some instances sandbags were being provided to those not in desperate need.

In response to comments made, the Streetscene Manager noted that the cost of collecting sandbags after use was unviable, and also commented that the number of sandbags provided was a policy issue, but believed householders could purchase extra bags if required. He suggested that it may be beneficial if future service reports included details of responsibilities and remits of the team, to which members agreed.

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*

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## 95. Area North Play Schemes – Summer 2013 (Agenda item 11)

The Neighbourhood Development Officer, introduced the report as detailed in the agenda which provided information about the programme of summer holiday play schemes in Area North. She explained there had been a mix of SSDC and community led schemes, but this year the focus had been to support communities to run schemes themselves. In many cases the attendance at play days had exceeded expectations.

She commented that she was hoping to work with the Community Health and leisure team to develop a programme of activities for 2014 based on the principles of self-help and to review the publication of guidance available for play scheme organisers. This may include creating information packs for communities wishing to organise schemes next year. Members were asked to get in contact if they were aware of any communities who would benefit from support.

Members thanked the officer for her report.

**RESOLVED:** That the report be noted and support to community led holiday play schemes in Area North within existing resources be continued.

*Sara Kelly, Neighbourhood Development Officer*  
*sara.kelly@southsomerset.gov.uk or (01935) 462249*

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## 96. Area Development Plan 2013 – 14 – Update report (Agenda item 12)

The Area Development Manager presented the report as detailed in the agenda which gave an update on the Area Development Plan for Area North 2013-14. She explained that in addition to the projects detailed in appendix A, the team also provided information daily on a variety of community issues. It was noted that a number of the projects indicated in the appendix would possibly come forward for capital funding in the future, there were also projects not requiring financial assistance from SSDC but did need support and advice. Members were shown photographs of ongoing and completed projects.

During a short discussion members raised several comments including:

- Hambridge Village Hall kitchen upgrade had been required partly because the school used it for the school meals.
- There was renewed interest in reopening a station for Langport
- Was the fast broadband project still on track?

In response to comments made the Area Development Manager clarified that Scrutiny were currently undertaking a task and finish review of the broadband project, and that the Transport Strategy Officer had done a piece of work regarding the opening of stations which could be circulated to interested members.

The Chairman thanked the Area Development Manager for her report.

**RESOLVED:** That the report be noted

*Charlotte Jones, Area Development Plan (North)*  
*charlotte.jones@southsomerset.gov.uk or (01935) 462251*

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

The Area Development Manager (North) informed members that a report on the Area North Capital programme would be come to the next meeting. There were also likely to applications coming forward for community grants in the new year. One member requested an update report on the Area North Affordable Housing Programme to include information on the current position schemes rather than an outturn report, and also mapping to indicate where there is a need or land available. It was also suggested a report giving information about the type of businesses operating in Area North or looking to move into Area North would be useful.

**RESOLVED:** That the Area North Forward Plan be noted including the following additional reports:

- Area North Capital Programme – December 2013
- Community Grant applications – January / February 2014
- Area North Affordable Housing Programme – to be confirmed
- Economic Development/Businesses – to be confirmed

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

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**98. Montacute Working Mens Club – Assessment of Nomination Under Community Right to Bid (Agenda item 14)**

Members were content to note the report that informed councillors of the decision to place Montacute Working Mens Club onto the SSDC Register of Assets of Community Value.

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

*Charlotte Jones, Area Development Plan (North)*  
*charlotte.jones@southsomerset.gov.uk or (01935) 462251*

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**99. Planning Appeals (Agenda item 15)**

Members noted the report that detailed recent 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*

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## 100. Planning Applications (Agenda item 16)

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: 13/02638/FUL - Change of use from Use Class A4 (public House) with associated landlords accommodation (C3) at first floor to cafe (A3) on the ground floor and function room/ community meeting rooms (D1) on the first floor (partially retrospective). External alterations to include 2 no. new windows to rear of front range, Fence to north-west boundary at rear, and associated new gate at the George Inn, Church Street, Martock. Applicant: Mrs A Brett.**

*(Applications 13/02638/FUL and 13/02639/LBC were presented together)*

The Planning Officer with the aid of slides and photographs summarised the details of the applications as set out in the agenda, and noted that the site was near several listed buildings. He outlined the works and changes proposed internally, externally and to the boundary fencing at the rear of the site and adjacent to the doctors surgery. Examples of the proposed fencing were shown and it was noted that the applicant was willing to erect chain-link fencing if the proposed design was not felt to be appropriate. He explained that the change of use for upstairs complimented the function room and noted that elements of the downstairs proposals did not require a change of use application.

Mr J Bradford, objector, commented there had historically always been an Inn in the centre of the village and once the change of use had been granted there was no going back. He made reference to the sale of the property and he considered there was no evidence that The George could not survive as a village pub. He urged members to consider refusing the application.

Mr F Dowding, spoke in objection to the proposals. He made reference to the focuses in the SSSC Council Plan and that the church by requesting sale of The George as vacant premises. had in effect done away with the jobs there. He considered there was over clearance of the car park happening, with trees and scrub being cut down ready for a new fence.

Mr J Beauchamp, agent, noted that the applications being considered had been developed over 15 months, with several public consultations and meetings being held. He commented that when the premises were marketed for sale they had been listed with no fixed use. As a pub only part of the building had been open to the public, but under the current proposals the whole building would be.

Ward member, Councillor Patrick Palmer, acknowledged there were mixed opinions in the village about the proposals, but this committee had to focus on planning matters. He commented that many objections had been made about the café element but noted that it did not require a change of use. He was concerned about the number of trees being felled, the proposed design of the fence and if there was to be a gateway large enough for cars into the surgery. He noted that he had toured the building the day after sale and

found parts to be in an appalling state, especially in the non-public areas. A 'for sale' sign had been placed on the building and so anyone could have made an offer on the site.

Ward member, Councillor Graham Middleton, commented that it would be good to see the current floodlights replaced with more appropriate lighting. He was concerned there were some apparent retrospective elements with the application, and that there were so many conditions stating works to be agreed first. He acknowledged it was a very emotive building.

During the ensuing discussion members raised comments including:

- Prominent building that's not had the attention that may be it should have
- Fencing style proposed was not appropriate, chain-link would more in keeping
- Little reason to refuse the application
- Planning history indicated that many alterations happened before the property was listed
- If local pubs were well supported they did not close
- Building had been openly up for sale and anyone could have made an offer
- Building should not fall into disrepair
- Disappointment at losing a pub

In response to comments made, the Area Lead clarified that:

- The tree officer had not raised any issues with the proposals or works and had visited the site regularly
- Fence – the applicant was willing to change the design, and this could be an additional condition (cond. 9) with detail to be agreed.
- The ground LED lighting as an alternative to the existing floodlighting was supported by the Conservation Officer.

It was proposed to approve the application, as per the officer recommendation, subject to an additional condition for alternative fencing to be agreed and with no vehicular access to the neighbouring surgery, and on being put to the vote, was carried 8 in favour, 1 against and 1 abstention

**RESOLVED:** That planning application 13/02638/FUL be APPROVED, as per the officer recommendation, subject to an additional condition for alternative fencing to be agreed and with no vehicular access to the neighbouring surgery.

**Justification:**

01. The proposed works in terms of the design, materials, detailing and scale would not adversely affect the character of the Listed Building, in accordance with the aims and objectives of Policy EH3 of the South Somerset Local Plan and paragraph 132 of the National Planning Policy Framework.

**Subject to the following conditions:**

01. No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.



Reason: In the interests of recording anything of importance further to policy EH12 of the South Somerset Local Plan.

02. No further work shall be carried out on site unless particulars of the materials (including the provision of samples where appropriate) to be used works to external walls have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of character of the listed building further to policy EH3 of the South Somerset Local Plan and the NPPF.

03. 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 further to policy ST5 of the South Somerset Local Plan and the NPPF.

04. No building shall be occupied or otherwise used for any purpose until provision has been made within the site for the loading and unloading of goods vehicles for which details shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan and the NPPF.

05. 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. Such provision shall be installed before commencement and thereafter maintained at all times.

Reason: In the interests of highway safety further to policy ST5 of the South Somerset Local Plan and the NPPF.

06. No work shall be carried out on site unless details of the design, materials and external finish for all new doors, windows, boarding and openings have been submitted to and approved in writing by the Local Planning Authority. This will include detailed drawings including sections of at least 1:5 Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the character of the listed building in accordance with policy EH3 of the South Somerset Local Plan (Adopted April 2006) and the NPPF.

07. No works for the following shall commence before details have been submitted to and agreed in writing by the Local Planning Authority and such details as agreed shall be undertaken as part of the development hereby permitted:
- Details of the new LED lighting system for the front of the property including colour and hours of operation are to be
  - Details of the colour grey to be used for the external doors and

- signage
- Detail of the new position of the front canopy
- Details of the new ventilation to the front wall for the fire
- Details of the new CCTV camera including design and cable runs
- Existing timber and stone work to be lightly sanded, not sand or shot blasted.
- Details of the new lobby/porch to include the manifestations detail and finish not currently submitted

Reason: In the interests of character of the listed building further to policy EH3 of the South Somerset Local Plan and the NPPF.

08. The development hereby permitted shall be carried out in accordance with the following approved plans: 0373.P.01, P.05 C, P. 20 A, 21 A, 22, 23 B, 24, 30, 31, 32, 33 B, 34, 35 A, 36 B, 37 A, 50 A, SK4, SK5 received 1 July 2013, and P.10 L, 11 M, 12 H, 13 F, 38 A, 39 B, received 4 October 2013,

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

**Plus the following additional condition**

09. Notwithstanding details indicated for the boundary treatment with the doctor's surgery (east boundary) an alternative design shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be erected as part of the development hereby approved and thereafter retained.

Reason: In the interests of visual amenity and character and to avoid any vehicular access being created at this point, further to policies ST6, EH5 and ST5 of the South Somerset Local Plan.

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

**Planning application: 13/02639/LBCL – Internal and external alterations at the George Inn, Church Street, Martock. Applicant: Mrs A Brett.**

This application was discussed in conjunction with the previous application 13/02638/FUL and comments made on that application also refer to this application.

It was proposed to approve the application, as per the officer recommendation, and on being put to the vote was carried unanimously.

**RESOLVED:** That the application for listed building consent 13/02639/LBC be APPROVED, as per the officer recommendation.

**Justification:**

01. The proposed works in terms of the design, materials, detailing and scale would not adversely affect the character of the Listed Building,

in accordance with the aims and objectives of Policy EH3 of the South Somerset Local Plan and paragraph 132 of the National Planning Policy Framework.

**SUBJECT TO THE FOLLOWING:**

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

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

02. No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

Reason: In the interests of recording anything of importance further to policy EH12 of the South Somerset Local Plan.

03. The works hereby granted consent shall be completed in all respects within 2 years of the commencement of the works hereby approved, unless otherwise agreed in writing. Written notice of the date of the commencement of the approved works shall be given to the Local Planning Authority.

Reason: In the interests of character of the special architectural and historic interests of the listed building.

04. No further work shall be carried out on site unless particulars of the materials (including the provision of samples where appropriate) to be used works to external walls have been submitted to and approved in writing by the Local Planning Authority. Reason: in the interests of the special architectural and historic interests of the listed building

Reason: In the interests of character of the special architectural and historic interests of the listed building.

05. No further work shall be carried out on site unless full details the new natural stonework/brickwork walls, including the materials, coursing, bonding; mortar profile, colour, and texture along with a written detail of the mortar mix, have been be provided in writing and supported with a sample panel to be provided at a time to be agreed in writing.

Reason: In the interests of the special architectural and historic interests of the listed building

06. The area(s) of rebuilding shall be restricted to that defined on the approved plan(s) and shall not be enlarged without the prior express

grant of Listed Building Consent. In the event that completion strictly in accordance with such approved plans shall become impracticable for whatever reason, work shall thereupon cease and only be re-commenced if and when consent has been obtained in regard to an amended scheme of works which renders completion of the scheme practicable.

Reason: In the interests of character of the special architectural and historic interests of the listed building.

07. No work shall be carried out on site unless details of the design, materials and external finish for all new doors, windows, boarding and openings have been submitted to and approved in writing by the Local Planning Authority. This will include detailed drawings including sections of at least 1:5 such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of character of the special architectural and historic interests of the listed building.

08. No works for the following shall commence before details have been submitted to and agreed in writing by the Local Planning Authority and such details as agreed shall be undertaken as part of the development hereby permitted:

- Details of the new LED lighting system for the front of the property including colour and hours of operation are to be
- Details of the colour grey to be used for the external doors and signage
- Detail of the new position of the front canopy
- Details of the new ventilation to the front wall for the fire
- Details of the new CCTV camera including design and cable runs
- Existing timber and stone work to be lightly sanded, not sand or shot blasted.
- Details of the new lobby/porch to include the manifestations detail and finish not currently submitted
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Reason: In the interests of character of the special architectural and historic interests of the listed building.

09. No works are to be undertaken to any structural timbers until details of any alteration have been submitted to and approved in writing by the Local Planning Authority. The works will only be undertaken in accordance with the agreed details, and if found to be impracticable will cease until an alternative has been agreed. Any intervention into historic fabric will be minimal with the introduction of additional timber or steel to the structure always being preferred to the replacement of timber.

Reason: In the interests of the special architectural and historic interests of the listed building.

10. No work shall be carried out on site unless details of all new services to all bathrooms, kitchens etc, including details of routes of foul water and any ventilation or extraction have been submitted to

and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: in the interests of the special architectural and historic interests of the listed building

11. No work shall be carried out on site unless details of all new and replacement plasters, renders, floor surfaces, ceilings, paint finished etc, including any making good including to any existing structure abutting any of those to be demolished, have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority

Reason: in the interests of the special architectural and historic interests of the listed building

12. No work shall be carried out on site unless details of the works to the staircase, including detailed design, materials and finish are to be submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: in the interests of the special architectural and historic interests of the listed building

13. No work shall be carried out on site unless full construction details of the new partitions and finishes have been submitted to and agreed in writing by the Local Planning Authority. Such details shall show new partitions scribed around, not cut into the existing cornices, skirting or other features.

Reason: in the interests of the special architectural and historic interests of the listed building.

14. No works are to commence on the replacement/new fireplace & surround until full details of the new works have been submitted to and approved in writing by the Local Planning Authority.

Reason: in the interests of the special architectural and historic interests of the listed building

15. No work shall be carried out on site unless details of the of the existing walls to improve acoustic and fire separation between the rooms on the first floor have been submitted to and agreed in writing by the Local Planning Authority. This will include which side of the wall is to be altered.

Reason: in the interests of the special architectural and historic interests of the listed building.

16. The development hereby permitted shall be carried out in accordance with the following approved plans: 0373.P.01, P.05 C, P. 20 A, 21 A, 22, 23 B, 24, 30, 31, 32, 33 B, 34, 35 A, 36 B, 37 A, 50 A, SK4, SK5 received 1 July 2013, and P.10 L, 11 M, 12 H, 13 F,

38 A, 39 B, received 4 October 2013,

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

(Voting: Unanimous)

*(Councillor Terry Mounter having declared a prejudicial interest, left the room for the presentation and consideration of 13/03132/OUT)*

**Planning application: 13/03132/OUT – Outline planning permission for demolition of filling station and construction of four houses and one flat with associated parking and access at Country Stores Garage, High Street, Curry Rivel. Applicant: The Country Stores Ltd.**

The Planning Officer updated members that an additional objection had been received regarding the lack of audited figures being available. With the aid of slides and photographs he summarised the details of the application as set out in the agenda report. He noted that the site was within the development area, and the applicant had followed advice from Economic Development regarding marketing, and therefore the LPA considered the proposal to be acceptable.

Mr P Moat, agent, commented that refusal of the application wouldn't necessarily prevent the garage from closing. He acknowledged some people may miss the facility but in reality many people were already using other locations. He noted that the applicants were finding it difficult to compete with other stations with higher turnovers.

During discussion by members varying comments were made including:

- Petrol station was well used, and the shop provided competition for the other shop in the village
- Shires in Langport, and Yandles in Martock also had planning permission and could disappear.
- Junction of B3168 at A378 had poor visibility
- Many people would already be going further afield for shopping and petrol where prices were cheaper
- Site had been marketed as per Economic Development requirements but had not received suitable offers
- Premises could close at any time, and without any permission the site could become an eyesore.
- There would be significantly reduced traffic movements associated with the proposed development compared to the petrol station
- Design of dwellings need to be carefully considered as in a highly visible location, if approved would like the reserved matters to be determined by the committee.

It was proposed to approve the application as per the officer recommendation, as detailed in the agenda, and on being put to the vote was carried 5 in favour and 4 against.

**RESOLVED:** That planning application 13/03132/OUT be APPROVED, as per the officer recommendation as detailed in the agenda report.

**Justification:**

01. Notwithstanding the local concerns, the provision of 4 houses and a flat in this sustainable location would contribute to the council's housing supply without 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.

**Subject to the following conditions:**

01. The site hereby approved for development shall be as shown on the submitted location plan 3116/03 received 02 August 2013.

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

02. Details of the appearance, landscaping, and layout (herein after called the "reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

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

03. 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 and the development shall begin no later than 3 years from the date of this permission or not later than 2 years from the approval of the last "reserved matters" to be approved.

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

04. No development shall commence until a foul, surface water, and land drainage scheme for the site, 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.

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.

05. No development approved by this permission shall be occupied or brought into use until a scheme for the future responsibility and maintenance of the surface water drainage system has been submitted to and approved by the Local Planning Authority. The approved drainage works shall be completed and maintained in accordance with the details and timetable agreed.

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.

06. The development hereby permitted shall not begin until the soil conditions have been assessed and if necessary a scheme to deal with contamination of land, controlled waters and/or ground gas has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures,

unless the Local Planning Authority dispenses with any such requirement specifically in writing:

1. A site investigation report carried out by a competent person to include a desk study, site walkover, and the production of a 'conceptual site model' (CSM). The CSM will consider risks to human health and the environment. The report will state whether the site is 'fit for purpose' or whether further assessment is required.

2. A intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites - Code of Practice. The report should refine and revise the CSM created in condition 1 (above) and include a detailed quantitative human health and environmental risk assessment. The report should state whether the site is 'fit for purpose' or whether remediation will be required.

3. A remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the remediation should be stated, such as site contaminant levels or a risk management action, and how this will be validated as being remediated and fit for purpose.

4. In the event that any signs of pollution such as odour, staining of the soil, unusual colouration or soil conditions, are found in the soil at any time when carrying out the approved development it must be reported in writing within 14 days to the Local Planning Authority. The LPA will then consider if the findings have any impact upon the development and development must be halted on that part of the site and if the Local Planning Authority considers is necessary then an assessment of the site must be undertaken in accordance with BS10175. Where remediation is deemed necessary by the LPA a remediation scheme must be submitted to and approved in writing by the Local Planning Authority and then implemented in accordance with the submitted details.

5. A verification report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show that the site has reached the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with Local Planning Policy.

07. No part of the development hereby permitted shall be occupied until the new access (as shown generally in accordance with drawing) 3116 2 Rev C has been carried out in accordance with a design and specification to be approved in writing by the Local Planning Authority and to be fully implemented in accordance with the approved details, unless otherwise agreed in writing with the Local



Planning Authority.

Reason: In the interests of highway safety and in accordance with policy ST5 of the South Somerset Local Plan.

08. The proposed access shall incorporate pedestrian visibility splays on both its sides to the rear of the existing footway based on co-ordinates of 2.0 metres x 2.0 metres. Such splays shall be fully provided before the access hereby permitted is first brought onto use and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and in accordance with policy ST5 of the South Somerset Local Plan.

09. 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. Such provision shall be installed before (trigger point) and thereafter maintained at all times.

Reason: In the interests of highway safety and in accordance with policy ST5 of the South Somerset Local Plan.

10. Before any of any of the dwellings hereby approved are first occupied, a 1.8m wide footway shall be constructed over the entire frontage to the A378 of the site in accordance with a specification to be approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with policy ST5 of the South Somerset Local Plan.

11. 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 in accordance with policy ST5 of the South Somerset Local Plan.

12. 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 ST5 of the South Somerset Local Plan.

13. The existing vehicular access / dropped kerb to the site shall be stopped up, its use permanently abandoned and the footway crossing reinstated in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such works shall be completed within one month of the new vehicular access hereby permitted being first brought into use.

Reason: In the interests of highway safety and in accordance with policy ST5 of the South Somerset Local Plan.

14. There shall be no obstruction to visibility greater than 300 millimetres above adjoining road level forward of a line drawn 2.4 metres back and parallel to the nearside carriageway edge over the entire site frontage. Such visibility shall be fully provided before works commence on the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and in accordance with policy ST5 of the South Somerset Local Plan.

15. 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, 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 ST5 of the South Somerset Local Plan.

16. The residential component of development hereby approved shall comprise no more than 5 dwellings.

Reason: To ensure that the level and density of development is appropriate to the location and commensurate with levels of contributions sought in accordance with ST5, ST6, and ST10 of the South Somerset Local Plan.

**Informatives:**

01. You are reminded of the comments of the Council's Conservation Officer dated 20 August 2013 which are available on the council's web-site.
02. You are reminded of the comments of Wessex Water dated 13 August 2013 which are available on the council's web-site.
03. You are reminded of the comments of the highway authority in

relation to the need to ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. You are also reminded that a Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.

*(Voting: 5 in favour, 4 against)*

*(Councillor Terry Mounter back in the room)*

**Planning application: 13/03653/FUL – Erection of a dwelling on land rear of Duke of York, North Street, Shepton Beauchamp. Applicant: Mr and Mrs P Rowlands.**

With the aid of slides and photographs the Planning Officer summarised the application as detailed in the agenda report. He drew members attention to the location of the application site in relation to the Duke of York and undeveloped land to the east. He also highlighted that Highways had raised an objection due to the increased use of the substandard junction. Key considerations were principle of development, impact on visual amenity and highway safety.

Mr C Miller, agent, made reference to a garden area permitted at nearby 'Hillside' and noted that a holiday let in the pub car park had already been permitted with no objections, and that the application site was not an open paddock but formed part of the pub garden. The site was not visible from the historical area of the village. There were no neighbour objections and the parish council supported the application and hence he felt there was not detriment or harm.

Ward member, Councillor Paul Thompson, noted that the parish council's only main concern was about drainage and flooding. He made reference to a nearby dwelling recently approved by the committee, and commented that the proposal was for the owner of the pub and the dwelling would not be easily seen from the outside the site. He supported the application.

During the short ensuing discussion members raised comments including:

- Concern about future access arrangements as currently through pub car park
- Traffic would be going in and out of the pub much of the time, one more dwelling would make little difference
- Discreet site
- Mature oak trees on the site should remain
- Materials needed to be carefully considered

In response to comments made, the Area Lead clarified:

- Access arrangements across the car park were a private legal matter for future occupiers and not a planning consideration
- On the plans, the mature oak trees were shown as being retained
- If members were minded to approve the application, it would be difficult for the LPA to justify that the currently undeveloped area of land to the east could not be developed in the future.

The Area Lead commented that as members appeared minded to approve the application, the reason would basically be opposite of the reasons detailed in the agenda report. It was suggested there were conditions for:

- standard time limit
- approved plans
- external materials, door and window details to be agreed
- landscaping
- tree protection measures for all retained trees to be agreed

It was proposed to approve the application, contrary to the officer recommendation, for the reason, and subject to the conditions as suggested by the Area Lead. On being put to the vote, the proposal was carried 8 in favour, 1 against.

**RESOLVED:** That planning application 13/03653/FUL be APPROVED, contrary to the officer recommendation, subject to the following conditions:

**Justification:**

01. The proposed dwelling is in a sustainable location and would not be at odds with the established pattern of development, is of an appropriate design and detailing and would have no adverse impacts on amenity or highways safety. As such the proposal complies with the saved policies of the South Somerset Local Plan and the policies contained within the National Planning Policy Framework.

**Subject to the following conditions:**

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans: 6317-01, 61317-02 and 6317-03 received 10 September 2013.

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

03. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, 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 and in accordance with policies ST5, ST6 and EC3 of the South Somerset Local Plan.

04. 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. details of the recessing to be used for all new windows (including any rooflights) and doors;
  - c. details of all hardstanding and boundaries
  - d. 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 policies ST5 and ST6 of the South Somerset Local Plan.

05. Prior to implementation of this consent, site vegetative clearance, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree protection measures relating to retained trees on & adjoining the site shall be submitted to and agreed in writing with the Council and it will include the following:
- A plan detailing the installation, specification and locations of tree protection fencing;
  - a written statement providing a commitment to avoiding machinery movements, the storage of materials, the discharge of cement-washings into the soil, the lighting of fires & the installation of hard surfacing & below-ground services within the fenced off areas adjoining retained trees and;
  - a requirement for a pre-commencement site meeting to be held at a mutually convenient time between the appointed building / groundwork contractors, the landowner of the site and the Council's Tree Officer (currently Phillip Poulton - 01935 462670), in order to ensure compliance with the agreed tree protection requirements.

Upon approval by the Council, the measures specified within the agreed scheme of tree protection measures shall be implemented in their entirety for the duration of the construction of the development, inclusive of hard & soft landscaping measures.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees) in accordance with the objectives within saved 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).

**Informatives:**

01. Advisory Note - Prior to commencement, the Council's Tree Officer is able to provide specific guidance regarding appropriate tree protection measures (Direct- Dial: 01935 462670).

*(Voting: 8 in favour, 1 against)*

**Planning application: 13/03756/COU – Use of residential; annexe for short term letting, including the submission of a legal undertaking to prevent the annexe being separated from the dwelling (revised application) at Strachey House, North Street, Drayton. Applicant: Mr S Legg.**

The Planning Officer presented the application as detailed in the agenda. It was a revised application for a similar proposal that had recently been refused regarding a small annexe that was physically attached to the neighbouring dwelling.

Mr S Legg, applicant commented that his family had grown and so spread in to the annexe, and then when some members of the family had left home, and in response to local comments, he had looked to do independent lets. He explained the history to the situation he was now in regarding planning consent, and found it difficult to understand why many other redundant buildings were being granted planning permission but not this one, apparently primarily due to lack of off-road parking.

The Area Lead commented that the fundamental concerns of the LPA were parking and lack of amenity space, and in planning terms the annexe was considered too small for an independent dwelling. If approved, it would mean we have permitted a separate dwelling.

Ward member, Councillor Terry Mounter, commented that the situation had been ongoing for several years with no detriment. Many residents in the locality parked cars along the road and it helped to slow the traffic.

During a short discussion, members raised comments including:

- who defines what is too small for an independent dwelling?
- In effect looking at a free-standing bedsit
- What was so inadequate about the dwelling, as to warrant refusal?
- In every village there were small properties

In response to comments made the Area Lead clarified that 'short-term lets' was the applicant's term. It would not necessarily be a holiday let, but could be for 6 month lets. He noted the application was in effect seeking use of the annexe as a separate dwelling. If members were minded to approve the application there was no need for any conditions, but members should consider if removal of permitted development rights was appropriate due to the confined nature of the site. He advised that justification for the refusal could make reference to the dwelling being considered to be of adequate size, sustainable location, and not detrimental to provision of on-street parking.

Members were of the opinion a legal undertaking was not necessary. It was proposed to approve the application, without the requirement of a legal undertaking, contrary to the officer recommendation, for the reason as suggested by the Area Lead and subject to permitted development rights being removed.

**RESOLVED:** That planning application 13/03756/COU be APPROVED, without the requirement of legal undertaking, contrary to the officer recommendation, and subject to the following:

**Justification**

01. The use of this annex as an independent dwelling in this sustainable location would provide for an adequate standard of amenity for future occupiers and existing residents with no detriment to the provision of on street parking. As such the proposal complies with the saved policies of the South Somerset Local Plan and the policies contained within the National Planning Policy Framework.

**Subject to the following conditions:**

01. 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: In the interests of residential amenity and the character and appearance of the area, and to accord with the aims of the NPPF and Policies ST6 and EH1 of the South Somerset Local Plan, 2006.

*(Voting: Unanimous)*

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Chairman