

Meeting AN 10M 13/14
Date 29.01.14

South Somerset District Council

Draft Minutes of a meeting of the **Area North Committee** held in the Village Hall, Norton Sub Hamdon on **Wednesday 29 January 2014**.

(2.00pm – 5.50pm)

Present:

Members: Shane Pledger (in the Chair – to 5.40pm)

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| Pauline Clarke (2.05 – 4.50pm) | Patrick Palmer | Sue Steele |
| Graham Middleton | Jo Roundell Greene (to 5.15pm) | Paul Thompson |
| Roy Mills (from 2.10pm) | Sylvia Seal | Derek Yeomans (to 5.30pm) |
| Terry Mounter | | |

Officers:

| | |
|-----------------------|----------------------------------|
| Charlotte Jones | Area Development Manager (North) |
| Jo Morgan | Equalities Officer |
| Maggie Baker | South Somerset Disability Forum |
| Catherine Hansford | Welfare Benefits Team Leader |
| Nick Whitsun-Jones | Principal Legal Executive |
| Adrian Noon | Area Lead North/East |
| Dominic Heath-Coleman | Planning Officer |
| Nick Head | Planning Officer |
| Anuska Gilbert | Planning Enforcement Assistant |
| Alex Skidmore | Planning Officer |
| 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.

115. Minutes (Agenda item 1)

Councillor Terry Mounter suggested an amendment to the last paragraph for the minute regarding planning application 13/03272/OUT – land south of Langport Road, Somerton. – so that the word ‘clarified’ was replaced with ‘decided on the advice of the Solicitor and Planning Officer that the application should go to Regulation Committee’. There was a short discussion during which several members commented that procedures stated that applications could be two-starred at the Committee even if not two starred on the agenda.

A vote was taken on whether the minutes should be signed as circulated, without alteration, and when put to the vote was carried 5 in favour, 3 against and 1 abstention. (Councillor Terry Mounter wished his vote against signing the minutes without alteration to be recorded).

The minutes of the meeting held on 18 December 2013, copies of which had been circulated, were therefore approved as a correct record, and were signed by the Chairman.

116. Apologies for Absence (Agenda item 2)

Apologies for absence were received from Councillors David Norris and Barry Walker.

117. Declarations of Interest (Agenda item 3)

Councillor Shane Pledger declared a personal interest in planning application 12/01501/OUT as he knew the applicant, but as an acquaintance only. He also declared a Disclosable Pecuniary Interest (DPI) in planning application 13/04548/S73A as he was the applicant.

118. Date of Next Meeting (Agenda item 4)

Members noted that the next meeting of Area North Committee was scheduled for 2.00pm on Wednesday 26 February 2014 at the Millennium Hall, Seavington.

119. Public Question Time (Agenda item 5)

Neighbourhood Police Team Sergeant, Rob Jameson, addressed members to brief them on recent changes. He noted the whole force was undergoing a re-organisation and that neighbourhood policing teams were being more closely aligned with response teams. He was therefore on the move to Crewkerne and would no longer be covering Area North, and most of Area North would now be combining with Area East. He explained that beat managers and PCSOs were staying the same and it was only the sergeants for the area that were changing. In response to questions from members, he noted that final decisions had yet to be made about police stations but in some instances moving Police into Fire Stations or offices of other agencies was being explored.

120. Chairman's Announcements (Agenda item 6)

There were no Chairman's announcements.

121. Reports from Members (Agenda item 7)

Councillor Patrick Palmer updated members about meetings he had recently attended of the Somerset Water Management Partnership (SWMP) and the Parrett Drainage Board. He made reference to the visit earlier in the week by the Environment Minister, Owen Paterson MP, who had also attended a meeting with stakeholders on the Sunday. Councillor Palmer also commented that local people wanted the river dredging to commence this year not next year, and that many people would have little comprehension of what the people who were directly affected by the flooding were going through.

There was then a general discussion about the flooding situation and comments raised included:

- General consensus that dredging must take place this year
- David Hall, Deputy Leader of Somerset County Council had been invited to take on chairing of the Levels and Moors Task Force

- Government funding must come forward
- Angry that Richard Benyon MP visited the area in 2012 to see the flooding then, but nothing had been done
- Had a good summer but Environment Agency (EA) had not done anything about dredging pinch-points until November.
- Situation is unacceptable
- Should approach dredging to do half this year and half next year to overcome environmental and wildlife issues
- From media coverage it was unclear if the Environment Minister had made any firm promises about funding and dredging
- Hurdles of getting funding to the EA needed to be overcome
- Information may be being mis-reported. £4million was being stated as the cost for dredging, but feel actual cost is far less.
- Costs associated with the Bridgwater Bay National Nature Reserve comparison to flood and river management was outrageous
- Must remember the Levels and Moors always flood, and will continue to do so, but pumping needs to start earlier
- SSDC looking to re-house some residents, and many departments offering support and help

122. Presentation by South Somerset Disability Forum (SSDF) (Agenda item 8)

The Equalities Officer introduced Maggie Baker from the South Somerset Disability Forum who provided members with an informative presentation about the organisation and the work they did for SSDC under a Service Level Agreement (SLA) including:

- Consultation, advocacy and training
- Providing responses to planning and building control applications
- Access reviews for village halls and other sites such as recreation grounds
- Access reviews for SSDC including 123 polling stations and 36 car parks
- Disability awareness training with SSDC licensed taxi drivers

The Portfolio Holder for Equalities, Councillor Jo Roundell Greene, thanked the SSDF for the invaluable work they did for SSDC.

In response to comments and suggestions raised by members during discussion, Ms Baker and the Equalities Officer responded that:

- A full review and report of the Blake Hall in South Petherton had been completed, and they would liaise directly with the ward member.
- Acknowledge idea of being in contact with independent living teams and this would be explored as SSDF were building up a database of contacts in communities.
- Exact numbers of disabled people in the district was unknown as not everyone identified themselves as having a disability. From DWP data it was estimated to be approximately 20% of residents.

The Chairman and members congratulated the work of SSDF and thanked Ms Baker for her interesting report and presentation.

123. **SSDC Welfare Benefit Work in South Somerset (Agenda item 9)**

The Welfare Benefits Team Leader summarised the report as shown in the agenda, and highlighted key points including information about:

- Work of the team
- Changes to the welfare system
- Welfare benefit statistics by Area including the number of cases and monies generated in lump sums and annual income
- Saved and maintained tenancies
- Appeal and tribunal statistics, including achieving a 91% success rate
- Examples of compliments received

During a short discussion members praised the work of the team and commented it was outstanding the amount of money coming in given such a small team of officers. They acknowledged more difficult times may be ahead given the introduction of Universal Credit.

The Chairman thanked the officer for attending the meeting and the work of the team...

Catherine Hansford, Welfare Benefits Team Leader
catherine.hansford@southsomerset.gov.uk or (01935) 463737

124. **Consultation – Draft Vision for the Levels and Moors (Agenda item 10)**

The Area Development Manager (North) summarised the report as shown in the agenda, and informed members that she had noted comments made earlier in the meeting at agenda item 7 (see minute 121). She clarified that the document in the agenda was not the plan for the future but the vision of what the area would be like in 2030. She explained that a common voice from Somerset was required in order to take matters forwards at a higher level, and also stressed the importance of taking the whole Parrett catchment into account and not just the rivers. This was not a formal consultation seeking the view of SSDC but was an opportunity to make comments on the draft vision.

During discussion a member queried the tense used in some of the vision statements. In response the Area Development Manager (North) explained that as the document reflected the vision as was hoped if it were 2030, it was normal practice to write in the tense as shown, but she acknowledged it probably need to be made more clear.

Another member noted that with regard to statement (b) in the draft vision that much more could be done to hold water in the upper reaches, and commented that matters in statement (c) were very important.

The Area Development Manager commented anyone was welcome to make comments individually to her or to the contact as detailed in the report.

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

125. **Area North Committee – Forward Plan (Agenda item 11)**

There were no updates to the Area North Forward Plan detailed in the agenda..

RESOLVED: That the Area North Forward Plan be noted.

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

126. Planning Appeals (Agenda item 12)

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*

127. Planning Applications (Agenda item 13)

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: 13/03115/OUT – Residential development of land to the rear of Badger Cottage, Newtown Road, Langport. Applicant: Grosvenor Place Holding Ltd.

The Planning Officer presented the application as detailed in the agenda report, which sought approval for residential development of the land with all matters reserved. He noted that indicative layout drawings provided for 25 dwellings and that no objections had been raised by statutory consultees. He clarified that the Highway Authority had confirmed that a safe means of access could be achieved by conditions.

Mr M Williams, agent, acknowledged the two local councils had raised objections and he also made reference to the NPPF, SSDCs lack of a five-year land supply and the recent appeal decision for land on the other side of Newtown Road. He did not agree with the required education contributions and the Inspector had not deemed them necessary with the other application on appeal. He felt there was little reason to refuse the application.

Ward member, Councillor Roy Mills, expressed his support for the officer's recommendation.

During discussion, comments raised included:

- Report states minimum housing provision in the emerging Local Plan, but when would a maximum apply
- Defra information seems to suggest the site is grade 1 land, and the application should be refused if so
- Unfortunately little reason to refuse the application
- Little difference between grade 1 and 2 land

- Indicative drawings suggest 25 houses, but concerned it could be more
- Concern if indicated road width into the development is adequate
- There are local concerns about drainage and the capacity of the sewerage system

In response to comments made, the Area lead and Planning Officer noted that:

- Figures stated in the emerging Local Plan were a minimum. There would be a maximum when the infrastructure could not cope, but a number could not be defined and it would be unreasonable to do so.
- NPPF required the local authority to consider favourably any development in sustainable locations. It needed to be considered if SDC did have a five-year land supply what would be the harm in developing this site.
- LPA information indicates the site is grade 2 land. Development of grade 1 and 2 land was not fundamentally against the NPPF, but should be avoided where possible. Part of the application site appeared to not be in active agricultural use.
- Grade 1 land was not a reason for refusal.
- At the moment SCC Education stood by their request for contributions assuming 25 dwellings.
- If the S.106 planning obligations were not agreed then the application would come back to the Committee for consideration.
- The number of houses on the site would be considered at the reserved matters stage, but it might be possible for the site to have up to 30 or 35 dwellings. A specified maximum number could be put in as an additional condition if members were minded to approve the application.
- Highways had said that the indicative road layout was adequate
- Sewerage systems on the adjacent development had yet to be adopted by Wessex Water, hence an agreement between the developers to connect the application site to it would be required.
- Condition 4 required full details of drainage to be agreed before any development commenced.

It was proposed and seconded to approve the application as per the officer recommendation, subject to an additional condition to limit the development to no more than 25 dwellings. On being put to the vote the proposal was carried, 9 in favour and 2 against.

RESOLVED: That planning application 13/03115/OUT be APPROVED, as per the officer recommendation, subject to an additional condition to limit permission to no more than 25 dwellings and subject to the following:

- a) The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to:-
 - 1) Secure the agreed contribution of £4,668.20 per dwelling towards strategic and local outdoor playing space sport and recreation facilities.
 - 2) Secure the agreed contribution of £2,451.40 per dwelling towards the provision of primary school facilities.
 - 3) Ensure that 35% of the residential units are of affordable tenure and remain so in perpetuity.

- 4) That a travel plan is agreed with Somerset County Council and fully implemented in accordance with the agreed details.
- 5) To secure a section 106 monitoring fee of 20% of the application fee.

b) The following conditions:

Justification

01. Notwithstanding the local concerns, the provision of up to 25 houses in this sustainable location would contribute to the council's housing supply without demonstrable harm to archaeology, residential amenity, highway safety, ecology or visual amenity, and without compromising the provision of services and facilities in the settlement. 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. Details of the access, appearance, landscaping, layout and scale (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.

02. 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 three years from the date of this permission or not later than two 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.

03. The development hereby permitted shall be carried out in accordance with the following approved plans: 1028/05 received 01 August 2013.

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

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

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

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

05. Prior to, (and within one month of), commencement of each significant stage of ground works, an update survey for badger setts will be undertaken by a competent person, and if any are present within 30 metres (including on adjoining land) of the area of activity, the works shall not commence until a method statement for the protection of badgers has been produced and any necessary Natural England licences have been obtained. The method statement shall be implemented in full.

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

06. Mitigation measures in respect of reptiles shall be implemented in accordance with the Reptile Mitigation Strategy (Michael Woods Associates, July 2013), unless otherwise agreed in writing by the local planning authority.

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

07. 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 and advancing understanding of the significance of heritage assets in accordance with paragraph 141 of the NPPF.

08. 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.

Additional condition

09. The residential component of development hereby approved shall comprise no more than 25 dwellings.

Reason: To ensure that the level and density of development is appropriate to the location in accordance with policies ST5, ST6, and EC3 of the South Somerset Local Plan.

Informatives:

01. The Wildlife and Countryside Act 1981 makes it an offence to disturb a nest of any wild bird whilst it is in use or in the process of being built. Clearance of trees, scrub, ivy, bramble or other dense vegetation, and removal of sheds or outbuildings etc., could cause disturbance to nesting birds, and it is advisable to carry out such works outside of the main nesting season of 1st March to 31st August inclusive, unless a prior check by a competent person has confirmed the absence of nesting birds.

(Voting: 9 in favour, 2 against, 0 abstentions)

Planning application: 13/03399/COU – Change of use from agricultural to a mixed use of agricultural and contractors storage yard on land OS 3038 part, Somerton Road, Compton Dundon. Applicant: Mr G A Doble (Civil Engineering) Ltd.

The Planning Officer presented the application as shown in the agenda report and noted that the contractors storage yard part of the application was retrospective. He updated members that a letter had been recently received from the Highway Authority to say they had no objection to the application. A further letter of objection had also been received raising a number of concerns which were not considered to be planning reasons.

Mr S Berkeita, representative for Compton Dundon Parish Council, noted they had recommended refusal of the application for a number of reasons. He also made reference to the number of accidents in the locality and it was considered the Highways figures were inaccurate, and there had been more accidents since the speed limit was raised to 50mph.

Mr N Berry, objector, commented little agricultural use of the site had been seen for a number of years and much use was against permissions. The entrance was on a dangerous stretch of road near the start of a 50mph zone with accelerating vehicles. He noted on previous permissions there had been a requirement for landscaping and on parts of the site this had not been done.

Mr G Doble, applicant, noted if there had been accidents along the road adjacent to the site they had not been caused by his business. He acknowledged some landscaping still had to be done but there was a need to tidy the site up first and keep the business going.

Ward member, Councillor Pauline Clarke, commented she was torn by the application. She acknowledged that the parish council considered planning applications very carefully, and that she would probably recommend the application for refusal.

In response to various comments and questions raised during discussion, the Area Lead and Planning Officer clarified that:

- No enforcement action had been taken to date at the site, although this application was the result of investigation of enforcement complaints.
- If conditions were not abided by then enforcement action could be taken.
- Site had planning permission for agricultural use of the buildings but use of the site fluctuated with other non-permitted use, and this application was attempting to regularise the site which any applicant was entitled to do.
- Some agricultural activity was taking place on the site including storage of grain.
- Headquarters of the contractors business was not at this site – the application site was part used as a depot.
- Business believed to employ around 40 people.

The Principal Legal Executive reminded members they needed to consider the application before them.

The Planning Officer informed members that if they were minded to approve the application, the Landscape Officer had also suggested there be an additional condition to require supplementary boundary landscaping.

It was proposed and seconded to approve the application, as per the officer recommendation, subject to an additional landscaping condition as suggested. On being put to the vote the proposal was carried 7 in favour, 3 against and 1 abstention.

RESOLVED: That planning application 13/03399/COU be APPROVED as per the officer recommendation, subject to an additional condition to agree supplementary landscaping, and the following:

Justification

01. The proposal provides necessary storage space for an existing local business benefitting local economic development, as well as diversification of any existing farming operation, which would maintain the environment and cause no demonstrable harm to residential amenity in accordance with the aims and objectives of the NPPF and Policies ST3, ST5, ST6 and EC3 of the South Somerset Local Plan, 2006.

Conditions

01. Notwithstanding the time limits given to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission (being granted under section 73A of the Act in respect of development already carried out) shall have effect from the 13 August 2013.

Reason: To comply with Section 73A of the Act.

02. The subject land including any building(s) thereon shall be used for agricultural purposes or for a civil engineering contractor's storage

yard, and for no other purpose (including any other purpose in Classes B1, B2 or B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To establish the scope of the permission and in the interests of safeguarding the character and amenity of the area, in accordance with the aims of the NPPF and Policy ST6 of the South Somerset Local Plan, 2006.

03. No burning of any materials, crushing of stone or concrete, screening, or servicing of motor vehicles shall take place on the subject land.

Reason: To safeguard the residential amenity of neighbouring residents in accordance with the aims of the NPPF and Policy ST6 of the South Somerset Local Plan, 2006.

04. No manufacturing, including carpentry, joinery or metalworking, shall take place on the subject land.

Reason: To safeguard the residential amenity of neighbouring residents in accordance with the aims of the NPPF and Policy ST6 of the South Somerset Local Plan, 2006.

05. No operational activity in connection with the contractor's yard, including manoeuvring of vehicles and equipment, access to and egress from the site and washing down of vehicles, shall take place outside the hours of 07h00 to 18h00 Mondays to Fridays; and 07h00 to 13h00 on Saturdays.

Reason: To safeguard the residential amenity of neighbouring residents in accordance with the aims of the NPPF and Policy ST6 of the South Somerset Local Plan, 2006.

06. At the access to the site there shall be no obstruction to visibility greater than 300 millimetres above adjoining road level within the visibility splay shown on the submitted plan (drawing No 2086-03A received on 24 October 2013) along the entire frontage of the site, including the land edged blue on the plan.

Reason: In the interests of highway safety, and to accord with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review, 2000, and Policy ST5 of the South Somerset Local Plan, 2006.

Additional condition

07. Within three months of the date of this permission, a scheme of landscaping shall be submitted for approval to the Local Planning Authority. The scheme shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, as well as details of any changes proposed in existing ground levels. The scheme shall also provide a survey of the existing boundary

treatments and hedges and proposals for improvement and maintenance of these where necessary. 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 grant of this permission 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. Once implemented, the scheme shall thereafter be fully retained and maintained.

Reason: To safeguard the character and appearance of the area and to accord with the aims of the NPPF and Policies ST3, ST6 and EC3 of the South Somerset Local Plan, 2006.

Informatives:

01. The applicant's attention is drawn to the conditions attached to planning permission 08/02510/FUL in relation to the grain storage building, which remain relevant.

(Voting: 7 in favour, 3 against, 1 abstention)

Planning application: 12/01501/OUT – Residential development and construction of new access road at Home Farm, West End, Somerton. Applicant: H & S Developments Ltd.

Before presentation of the application, the Principal Legal Executive read out a statement, prepared by the Solicitor to the Council, which had already been circulated to members.

The Area Lead presented the application as detailed in the agenda report. He updated members that a further letter of representation had been received raising previous concerns about accuracy of drawings in relation to their own property and recent damage to a neighbour's outbuilding. He highlighted the area omitted from the proposed development to allow for an open space which could become a garden within the curtilage of Home Farm, and explained that a similar area would have been required to protect the setting of the listed building. Access had been modified to meet requirements of the Highway Authority which included repositioning of some boundary walls to provide for visibility splays. He explained the S.106 obligations being sought and noted there was nothing committing SSDC to do anything other than hold the land.

Mr M Frost, agent, commented that the site was detrimental to visual amenity and redevelopment of the site was long overdue. The site was within development limits and therefore the principle of development was considered acceptable. A legal agreement would transfer a portion of land to be residential curtilage to Home Farm, and he urged members to approve the application.

Ward member, Councillor Pauline Clarke, commented the site was an eyesore in the town. She supported the application provided the estate information provided was indicative only and that the visibility splays could be delivered. She noted there were concerns locally about potential traffic and drainage, as there were no pavements along West End when exiting the site, but acknowledged matters regarding drainage would be

picked up at the reserved matters stage. She expressed concern that land at Southview was lower than the application site, but overall was content to support the officer recommendation.

The Area Lead clarified that levels, as covered in condition 10, had yet to be agreed. He commented that regarding the level of development no numbers had been specified and the LPA were content that the application was silent on the number of dwellings as it would be a difficult site to develop at a high density. The amount of traffic likely to be generated by the development would probably be insufficient to trigger the requirement for a pavement on West End, but he acknowledged that the LPA could be mindful at the reserved matters stage.

In response to comments made during a short discussion, the Area Lead commented that:

- The LPA could be mindful at the reserved matters stage regarding the necessity to fell the mature tree at the entrance.
- He acknowledged concerns regarding boundary security for the open space area to be held by SSDC. He suggested the need for the site to be secured with suitable boundary fencing prior to transfer of the land could be specified in the S.106.

It was proposed and seconded to approve the application, as per the officer recommendation, subject to an additional requirement in the S.106 agreement for the site (land being transferred to SSDC) to be secured with suitable boundary fencing prior to the transfer of the land to SSDC. On being put to the vote the proposal was carried unanimously.

RESOLVED: That planning application 12/01501/OUT be APPROVED, as per the officer recommendation, subject to an additional requirement in the S.106 agreement for the site (land being transferred to SSDC) to be secured with suitable boundary fencing prior to the transfer of the land to SSDC and subject to the following:

- a) The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to:-
 - 1) Secure the agreed contribution of £4,946.07 per dwelling towards strategic and local outdoor playing space sport and recreation facilities to the satisfaction of the Assistant Director (Wellbeing).
 - 2) secure, to the satisfaction of the Development Manager, the transfer of the land edged in blue on the approved plans to the local planning authority, making provision for:-
 - Suitably secure boundary treatments
 - The land to be maintained as open space until such time as an scheme for the renovation of Home Farm is approved by the local planning authority
 - A suitable commuted sum to cover the maintenance cost
 - In the event of the approval of a scheme for the renovation of Home Farm the land shall be transferred to the ownership Home Farm subject to the satisfactory completion of the approved scheme

- In the event that a scheme of renovation is not agreed within 10 years the land shall revert to the applicant's ownership

b) The following conditions:

Justification

The residential development of this site within development limits, which includes the former curtilage of Home Farm, represents an acceptable form of development that would preserve the setting of the listed building, whilst not prejudicing the future renovation of this listed building at risk. The proposed access arrangements would not be detrimental to highways safety and all other matters could reasonably be considered at reserved matter stage. 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.

Conditions

01. The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of the approval of the last of the reserved matters to be approved, whichever is the later.

Reason: In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004 (Commencement No. 5 and Savings) Order 2005.

02. Application for approval of the appearance, landscaping, layout and scale of the development, referred to in this permission as the reserved matters, shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

03. All reserved matters referred to in Condition 2 above shall be submitted in the form of one application to show a comprehensive and coherent scheme with respect to design, layout, plot boundaries, internal ground floor levels, materials, and landscaping.

Reason: To ensure that the development of the site is dealt with in a comprehensive manner to protect the character and appearance of the local setting and to secure a high quality development in accordance with policies ST5, ST6 and EH5 of the South Somerset Local Plan.

04. The proposed estate roads, footways, footpaths, tactile paving, 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 the details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose details of 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 visual amenity in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan.

05. 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 residential amenity in accordance with saved policies ST5 and ST6 of the South Somerset Local Plan.

06. No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. Such a scheme shall include details of the prevention of the discharge of surface water onto the highway along with details of how the scheme shall be maintained and managed after completion. The development shall be carried out and subsequently maintained in accordance with the approved details.

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.

07. No development hereby approved shall be commenced until details and specifications of the new access to West End, based on the revised site layout received 05/04/13 have been submitted to and approved in writing by the local planning authority. Once approved the new access arrangements shall be fully implemented prior to the occupation of any dwelling on the site and shall be maintained at all times thereafter.

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

08. No development hereby approved shall be commenced until details, including the provision of samples, of the rebuilt wall to the front of Home Farm have been submitted to and agreed in writing by the local planning authority. Once approved such details shall be fully implemented prior to the new access being first brought into use and shall be maintained at all times thereafter.

Reason: In the interests of highways safety and to safeguard the setting and special architectural and historic qualities of this listed building in accordance policies ST5, EH3 and EH5 of the South Somerset Local Plan

08. No development hereby approved shall be commenced until such

time as the findings and recommendations of a reptile specific survey of the site have been submitted to and agreed in writing by the local planning authority. Once approved the development shall be carried out in accordance with the agreed mitigation measures. In the event that it is not possible to adhere to these measures all work shall cease and not recommence until such time as an alternative and been submitted to and agreed in writing by the local planning authority. All subsequent work shall comply with any amended mitigation measures.

Reason: To safeguard the ecology of the site in accordance with saved policy EC3 of the South Somerset Local Plan.

09. 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 in writing by the Local Planning Authority.

Reason: To safeguard the archaeological potential of the site in accordance with saved policy EH12 of the South Somerset Local Plan.

10. No development hereby approved shall be commenced until such time and details of the existing and final levels, including finished floor levels, have been submitted to and approved in writing by the local planning authority. Once approved such levels shall be implemented as part of the development hereby approved.

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

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

- (a) provide a written report to the Local Planning Authority which shall include details of the previous uses of the site and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.
- (b) If the report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment shall be carried out in line with current guidance. This should determine whether any contamination could pose a risk to future users of the site or the environment.
- (c) If remedial works are required, details shall be submitted to the Local Planning Authority, and these shall be accepted in writing and thereafter implemented.

On completion of any required remedial works the applicant shall provide written confirmation that the works have been completed in accordance with the agreed remediation strategy.

Reason: To ensure that any land contamination can be dealt with adequately in the interests of the amenities of future occupiers in accordance with saved policy EP5 of the South Somerset Local Plan.

12. The development hereby permitted shall not commence unless a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include construction operation hours, construction vehicular routes to and from site, construction delivery hours, car parking for contractors and specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice. Once approved the development shall be carried out in accordance with the approved Construction Management Plan.

Reason: To safeguard the amenities of the locality in accordance with accord with Policy EP6 of the South Somerset Local Plan.

13. The development hereby permitted shall be carried out in accordance with the revised site layout received 05/04/13.

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

(Voting: Unanimous in favour)

Planning application: 13/03341/COU – Continued use of land for a mixed use of residential and B8 storage of used windows and doors with ancillary sales at Leggs Stores, West Street, Stoke Sub Hamdon. Applicant: Mr M Legg.

The Planning Enforcement Assistant presented the application as detailed in the agenda report. She updated members that a further letter of representation had been received raising health and safety issues as made by other representations. She explained there was a long planning history of temporary permissions for the site, the last one expiring in 2007. Research suggested it had been since expiry of the last permission that the storage aspect appeared to have considerably expanded. The site was clearly unsightly and there was a need to require the site to be cleared up to an acceptable level - to the area and size as permitted by the original 1954 permission.

She explained that the applicant had acknowledged he was willing to enter into S.106 legal agreement requiring the site to be cleared in defined stages and with specified trigger points.

Mr M Sampson, spoke as representative for Stoke Sub Hamdon Parish Council. They had no problems with the business itself but objected to how it was run. There had been a slight improvement now in that a vehicle could park on the driveway, but due to the lack of space most business was conducted at the roadside. Due to storage issues they recommended refusal.

Mr and Mrs J & N Pilton, both spoke in objection to the application. They noted they had suffered the site for many years and approached the applicant several times about the state of the site but always been met with a frosty reception. He referred to the planning history and the Inspectors decision in 1992 limiting the storage on the site, which was still not being adhered to. As the applicant would not dispose of anything they questioned how he would wind the business down, the timeframe and whether a licence was required for the storage of what they considered to be waste. They felt the business should be situated on a trading estate and given the long history it was time to refuse the application.

Mr D Stephens, agent, commented the current use might be considered as recycling. The applicant accepted things had got out of hand, partly due to health reasons, and that a managed wind down was being recommended, however he had limited means. He thanked the officers for a proactive and pragmatic approach to the situation.

Ward member, Councillor Sylvia Seal, noted that neighbours had been very tolerant over the years. She felt it was not a business, but an obsession, and the applicant found it difficult to say no. History indicated that conditions would not be abided by and she felt the application should be refused and the site cleared within a year.

The Principal Legal Executive advised members that timeframes for removal of the windows and doors etc could not be included in a reason for refusal. The Committee could indicate a strong recommendation for enforcement action and he reminded the Committee that the Development Manager had delegated powers to authorise planning enforcement.

The Area Lead acknowledged the comments made and noted he would prefer to suggest deferring the application to receive information about enforcement action that could be taken, and for members to make a decision with full information about the options available.

The Principal Legal Executive advised that the Committee were not in a position to decide on enforcement action at the meeting, and that a decision to take enforcement action should not be made on the back of a planning application refusal. A bespoke enforcement report was needed for the Committee's consideration as there were legal issues that needed to be carefully considered. The application could be refused but it would be better to have two options (the planning application and an enforcement report) on the table to consider at a future meeting, which was deferral was recommended. He also mentioned that any consideration of enforcement could include the possibility of a notice under section 215 of the Town and Country Planning Act 1990.

During discussion members acknowledged neighbour concerns and most agreed something needed to be done about the site as the use had been going on for a number of years.

The Area Lead clarified that if members wished, the application could be deferred for a month to enable a further report to come forward, to include consideration of implications and impacts of enforcement action as an alternative.

Members broadly agreed more information on alternative options was required. It was proposed to defer the application for one month to receive enforcement information, and on being put to the vote was carried unanimously.

RESOLVED: That planning application 13/03341/COU be DEFERRED to enable

further information to be received regarding possible enforcement action as an alternative option.

(Voting: unanimous in favour)

Planning application: 13/03881/FUL – Erection of detached dwelling and garage, alterations to existing access on land between 30 and 34 South Street, South Petherton. Applicant: Mr and Mrs M & W Turner.

The Planning Officer presented the application as shown in the agenda. He noted the site was in the defined development area for South Petherton and so the principle of development was acceptable. He highlighted the conservation concerns regarding the street scene and the impact on a nearby listed building.

Mr Twiddy, spoke as a supporter living adjacent to the plot. He noted he had a letter of support from the occupier of the listed building, and that many other dwellings in the locality had had extensions or changes all within view of the current site. He felt lowering of the boundary walls would help to open the street scene and view of the mature trees. Should the application be refused he had concerns about the future appearance of the land.

Mr M Turner, applicant, believed that in the 1960s permission had been given for building on that side of the street, there was no number 32, suggesting at some point the site would be developed. He noted that the application had been recommended for approval by the parish council, and that he intended to retain all the specimen trees which were already suffering from a lack of care.

Ward member, Councillor Paul Thompson, commented that the view beyond the plot was only one field and then on to modern development. He considered the site to be an infill plot that had been awaiting development for some time and expressed his support for the application.

During a short discussion members expressed their support for the application with comments including:

- Listed building was gable end on to the road and towards the site
- Applicant gone to lengths for a low building
- Plot didn't have to be maintained
- As in a conservation area, permission would be required for work on the trees any way
- The trees needed to be retained

In response to other comments raised about the trees, the Area Lead commented there were no Tree Preservation Orders (TPO) on any of the trees, but the application stated they would be retained, but an application to remove them could be made at a later date,

The Principal Legal Executive advised members that a planning permission would override a TPO.

As members appeared minded to approve the application, the Area Lead suggested that the justification would essentially be the reversal of the reason for refusal as shown the agenda report, and there would need to be conditions for:

- Time limit

- Approved plans
- Materials
- Finish to doors, windows and boarding etc
- Levels
- Trees shown on plans to be retained and safeguarded and reference to arboricultural method statement
- Vehicle access and first occupation
- Visibility splays
- Parking and turning

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. On being put to the vote the proposal was carried unanimously.

RESOLVED: That planning application 13/03881/FUL be APPROVED, contrary to the officer recommendation, for the following reason and subject to the following conditions:

Justification

The proposed development, by reason of its size, scale and materials, respects and relates to the character of the area, maintains the character and appearance of the conservation area, has no adverse effect on the setting of the nearby listed building and causes no demonstrable harm to residential amenity or highway safety, in accordance with the aims and objectives of saved policies ST5, ST6, EH1 and EH5 of the South Somerset Local Plan 2006 and the provisions of chapters 4, 6, 7 and 12 and the core planning principles of the National Planning Policy Framework.

Conditions

1. 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.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: '3497/01', received 26th September 2013, '3497/02 A' and '3497/03 A', received 14th November 2013.

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

3. No development shall be carried out on site unless particulars of materials (including the provision of samples) to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the conservation area and the setting of the nearby listed building, in accordance with saved policies ST5, ST6, EH1 and EH5 of the South Somerset Local Plan 2006 and the

provisions of chapters 7 and 12 of the National Planning Policy Framework.

4. No development shall be carried out on site unless details of the colour finish for all new doors, windows, boarding and openings have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the conservation area and the setting of the nearby listed building, in accordance with saved policies ST5, ST6, EH1 and EH5 of the South Somerset Local Plan 2006 and the provisions of chapters 7 and 12 of the National Planning Policy Framework.

5. The finished floor levels and ridge heights of the dwellings hereby permitted shall be carried out in accordance with the details submitted on approved plans '3497/02 A' and '3497/03 A'. Such approved details, shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the conservation area and the setting of the nearby listed building, in accordance with saved policies ST5, ST6, EH1 and EH5 of the South Somerset Local Plan 2006 and the provisions of chapters 7 and 12 of the National Planning Policy Framework.

6. All trees shown for retention shall be safeguarded and retained as part of the development hereby approved. In this respect development shall be carried out in complete accordance with the specification of works indicated within the 'Arboricultural Method Statement - ref: AMS.S-peth.25.9.13V2' and 'Tree Protection Plan V3 - ref: TPP.SP.28.11.13v3', received 11th December 2013 and as indicated on approved plans '3497/02 A' and '3497/03 A'.

Reason: To preserve the health, structure and amenity value of existing landscape features (trees) in accordance with the objectives within saved policy ST6 of the South Somerset Local Plan 2006 and those statutory duties as defined within the Town & Country Planning Act, 1990 (as amended)(1).

7. The vehicular access (including surface details, gradient and drainage arrangements) hereby permitted shall be constructed in complete accordance with details as indicated on approved plans '3497/02 A' and '3497/03 A'. Such approved works shall be provided and constructed before the dwelling hereby permitted is first occupied and shall thereafter be retained and maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan and the provisions of chapter 4 of the National Planning Policy Framework.

8. There shall be no obstruction to visibility greater than 900mm above

adjoining road level forward of the visibility splay indicated on approved plans '3497/02 A' and '3497/03 A'. Such visibility shall be fully provided prior to the access hereby permitted first being brought into use and shall thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with saved policy ST5 of the South Somerset Local Plan and the provisions of chapter 4 of the National Planning Policy Framework.

9. The area allocated for parking and turning on approved plans '3497/02 A' and '3497/03 A', 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, in accordance with saved policy ST5 of the South Somerset Local Plan and chapter 4 of the National Planning Policy Framework.

(Voting: Unanimous in favour)

Planning application: 13/04557/OUT – Change of use and erection of two new 4 bedroom dwellinghouses and associated garaging, the formation of access drive and the demolition of part of existing vacant retail unit, retaining part for residential use at Hambridge Fisheries, Underhill, Hambridge.

The Planning Officer presented the report as detailed in the agenda report, highlighting that no alterations were proposed to the access which had good visibility, and that considerable planting was proposed along the edge of the site. Although Hambridge had no development area, the village did have several facilities including, primary school, post office, pub and village hall. The site was partly brownfield and the recommendation was for approval.

Mr J Alford, spokesman for Hambridge and Westport Parish Council, commented that they had no concerns regarding the application, nor did neighbours. Three cottages adjacent to the site would benefit from rear access to the properties, and it would be family members in the existing house that would move in to the new dwellings.

Mr M Williams, agent, commented that officer considerations were well balanced. He referred to the approved Old Barn Owl application in Westport that was considered near enough to facilities, and this site was nearer. The site had been previously developed, neighbouring properties would benefit from improved access, and he could see no reason to refuse the application.

Ward member, Councillor Sue Steele, supported the officer recommendation to approve the application. She noted three roadside properties would see a great improvement and Hambridge was a vibrant village.

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

RESOLVED: That planning application 13/04557/OUT be APPROVED, as per the officer recommendation, subject to the following conditions:

Justification

The proposed development, in this sustainable location, would contribute to the council's housing supply whilst making appropriate re-use of brownfield land without demonstrable harm to the local landscape, visual or residential amenity, drainage and flooding, ecology and highway safety, as such the proposed development is considered to accord with the aims and objectives of the National Planning Policy Framework and saved policies ST3, ST5, ST6, EC3, EC7, EC8, EP1, EP5, EU4 and TP4 of the South Somerset Local Plan.

Conditions:

01. Details of the appearance, layout and scale (herein 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: For the avoidance of doubt and in the interests of proper planning.

02. 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 three years from the date of this permission or not later than two 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.

03. The development hereby permitted shall be carried out in accordance with the following approved plans location plan and drawing numbered BH-OPP01 Rev A received 11/11/2014.

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

04. The development hereby permitted shall comprise no more than 2 dwellings.

Reason: To ensure that the level and density of development is appropriate to the location in accordance with policies ST5, ST6 and EC3 of the South Somerset Local Plan.

05. 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, 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. The landscaping scheme shall be in accordance with drawing number BH-OPP01 Rev A. 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 interest of visual amenity to accord with Policies ST5, ST6 and EC3 of the South Somerset Local Plan.

06. Before the development hereby permitted is commenced, foul and surface water drainage details to serve the development, shall be submitted to and approved in writing by the Local Planning Authority and such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: In the interests of environmental health and flooding to accord with Policies EU4 and ST5 of the South Somerset Local Plan.

07. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To safeguard against contamination and in the interests of environmental health to accord with Policies EP5 and ST5 of the South Somerset Local Plan.

08. 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), the retained buildings shall not be used other than for domestic purposes ancillary to the residential use of the development hereby permitted.

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

09. No works shall be carried out unless the existing buildings have been demolished in accordance with drawing number BH-OPP01 Rev A.

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

10. There shall be no obstruction to visibility greater than 600mm above adjoining road level forward of a line drawn 2.4m back and parallel to the nearside carriageway edge on the centre line of the new

accesses and extending to a point 43m either side of the accesses to the nearside carriageway edge. Such visibility shall be fully provided and shall thereafter be maintained at all times.

Reason: In the interest of highway safety to accord with Policy ST5 of the South Somerset Local Plan.

11. The Development hereby permitted shall not be commenced unless a scheme providing an appropriate level of parking in line with the SCC parking strategy March 2012 (including properly consolidated and surfaced turning spaces for vehicles) have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of the provision of adequate parking to serve the development in accordance with the Somerset Parking Strategy 2012 and Policy ST5 of the South Somerset Local Plan.

12. No development hereby approved shall be commenced until such time as details of the provision of access to the rear of properties in Underhill, generally in accordance with drawing BH-OPP01, has been submitted to and approved in writing by the local planning authority. Once approved such scheme shall be fully implemented and the access(es) made available for use by the occupiers of the properties in Underhill, prior to the occupation of the dwellings hereby approved.

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

Informatives:

01. Please be advised of the comments set out within the Environment Agency's letter dated 23/12/2013.

(Voting: Unanimous in favour)

(Councillor Shane Pledger, having earlier declared a DPI left the room for presentation and consideration of planning application 13/04548/S73A).

Councillor Paul Thompson in the Chair.

Planning application: 13/04548/S73A – Application to vary condition 2 of planning permission 12/01461/FUL for the substitution of approved plans 3098/PL/01, 3098/PL/02 and 3098/PL/03 with revised plan F1158_101d for alterations to opening on the south west elevation and the installation of roof lights on the rear elevation at land off Cross Lane, Long Sutton. Applicant: Mr S Pledger.

The Planning Officer presented the application as shown in the agenda and highlighted the proposed changes. She updated members that a letter had been received by a neighbour raising concerns about the difference in rooflights to neighbouring properties and the roof line being higher than nearby barn conversions. It was not felt there was such a significant impact as to recommend the application for refusal.

A member read out a comment from another member who had left the meeting earlier in the afternoon, which noted the quality of the build was very good but it was much larger than adjacent properties. She suggested if members were minded to approve the application, she would draw attention to the Conservation Officer's comments.

Members were content to approve the application, as per the officer recommendation, and on being put to the vote, the proposal was carried 6 in favour, 0 against, and 1 abstention.

RESOLVED: That planning application 13/04548/S73A be APPROVED, as per the officer recommendation, subject to the following conditions:

Justification:

The proposed dwelling would not result in the loss of an important open space and would not be prejudicial to the setting of, and views to and from, the grade 1 listed church. The layout and design of the development would not be at odds with the pattern of local development. The proposal would not constitute unsustainable development and as such complies with the saved policies of the South Somerset Local Plan and the policies set out in the National Planning Policy Framework.

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 drawing number 3098_04 received 18/04/2012 and drawing number F1158_101d received 12/11/2013.

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

03. No works shall be carried out unless particulars of following have been submitted to and approved in writing by the Local Planning Authority;

- a) materials (including the provision of samples where appropriate) to be used for external walls and roofs and supported by a sample panel of the natural stone walls indicating the coursing, bonding, mortar profile, colour, and texture;
- b) recessing, material and external finish to be used for all external windows;

- c) material and external finish to be used for all external doors and lintels;
- d) details of all eaves/fascia board detailing, non-plastic guttering and downpipes and other rainwater goods;
- e) details of all external flues and vents;
- f) details of the surface material for the parking and turning area; and
- g) details of all boundary treatment.

Reason: To safeguard the character of the conservation area to accord with Policy EH1 of the South Somerset Local Plan.

04. The development hereby permitted shall not be commenced unless details of the internal ground floor levels of the building to be erected on the site have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the character of the conservation area to accord with Policy EH1 of the South Somerset Local Plan.

05. 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, 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: To safeguard the character of the conservation area to accord with Policy EH1 of the South Somerset Local Plan.

06. 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 and no additional windows, including dormer windows, or other openings (including doors) formed in the dwelling hereby permitted, or other external alteration made without the prior express grant of planning permission.

Reason: To safeguard the character of the conservation area and in the interests of residential amenity to accord with Policies EH1 and ST6 of the South Somerset Local Plan.

07. Notwithstanding the provisions of the Town and Country Planning

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(General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no sheds, garages or other outbuildings, shall be erected without the express grant of planning permission.

Reason: To safeguard the character of the conservation area and in the interests of residential amenity to accord with Policies EH1 and ST6 of the South Somerset Local Plan.

(Voting: 6 in favour, 0 against, 1 abstention)

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Chairman