

Meeting AN 02M 14/15
Date 28.05.14

South Somerset District Council

Draft Minutes of a meeting of the **Area North Committee** held in the Council Chamber, Council Offices, Brympton Way, Yeovil on **Wednesday 28 May 2014**.

(1.30pm – 6.40pm)

Present:

Members: Shane Pledger (in the Chair)

Pauline Clarke	Patrick Palmer	Paul Thompson
Graham Middleton	Jo Roundell Greene	Barry Walker
Roy Mills (to 5.40pm)	Sylvia Seal	Derek Yeomans (to 4.55pm)
Terry Mounter	Sue Steele	

Officers:

Charlotte Jones	Area Development Manager (North)
James Divall	Neighbourhood Development Officer (North)
Chris Cooper	Streetscene Manager
Roger Meecham	Engineer
Nick Whitsun-Jones	Principal Legal Executive
David Norris	Development Manager
Adrian Noon	Area Lead (North/East)
John Millar	Planning Officer
Nick Head	Planning Officer
Alex Skidmore	Planning Officer
Linda Hayden	Planning Officer
Paul Huntington	Senior Environmental Protection Officer
Steve Joel	Assistant Director (Health & Well-Being)
Angela Cox	Democratic Services Manager
Becky Sanders	Democratic Services Officer

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

4. Minutes (Agenda item 1)

Councillor Pauline Clarke requested an amendment to minute 166, planning application 14/00249/FUL to indicate that the reason for deferral also included parking.

Members were content that the minutes of the meeting held on 23 April 2014, copies of which had been circulated, be approved and signed by the Chairman as a correct record, subject to the amendment being made to minute 166.

5. Apologies for Absence (Agenda item 2)

An apology for absence was received from Councillor David Norris.

6. Declarations of Interest (Agenda item 3)

Councillor Shane Pledger declared a personal and prejudicial interest in planning application 14/00249/FUL as he was an appointed member to the Huish Episcopi Leisure Centre Board.

Councillor Terry Mounter declared a personal and prejudicial interest in planning application 14/00249/FUL as he was an appointed member to the Huish Episcopi Leisure Centre Board.

Councillor Roy Mills declared a personal and prejudicial interest in item 11 – Thorney Ring Bank Flood Defence Scheme – as he was an appointed member to the Parrett Drainage Board. He also declared a personal and prejudicial interest in planning application 14/00249/FUL as he was a Governor of Huish Episcopi Academy.

Councillor Patrick Palmer declared a personal and prejudicial interest in item 11 – Thorney Ring Bank Flood Defence Scheme – as he was an appointed member to the Parrett Drainage Board.

7. Date of Next Meeting (Agenda item 4)

Members noted that the next meeting of Area North Committee was scheduled for 2.00pm on Wednesday 25 June 2014 at the Village Hall, Chilthorne Domer.

8. Public Question Time (Agenda item 5)

There were no questions from members of the public.

9. Chairman's Announcements (Agenda item 6)

There were no Chairman's announcements.

10. Reports from Members (Agenda item 7)

Councillor Paul Thompson commented that he had attended a meeting of Seavington Parish Council where there had been a request for further information on the planning system and the role of the parish council. The Area Development Manager (North) agreed to follow up with the Development Manager.

Councillor Pauline Clarke noted she had recently attended a meeting of the Strode College Community Education Committee however there was nothing of note to report to members.

Councillor Shane Pledger enquired if SSDC had run a 'village of the year' scheme in previous years. There was a short discussion with exchange of information about previous schemes after which he commented he would do some more research.

11. Community Grant; High Ham Recreation Ground – Youth Park (Executive Decision) (Agenda item 8)

The Neighbourhood Development Officer (North) presented the grant application as detailed in the agenda, and explained that consultation had taken place and further phases were planned for the future. He highlighted that decisions were awaited from three grant applications.

Ward member, Councillor Shane Pledger noted his support for the project and commented that the play area was very popular as it was near the school.

During a short discussion comments made by members included:

- Support for the project
- Community were actively fundraising
- Would be good to see school make a small contribution to indicate support
- Awaited decisions – grants may not come forward

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

RESOLVED: That a grant of £6,000 be awarded to High Ham Parish Council on behalf of the High Ham Playing Field Management Committee towards the cost of purchasing play equipment and park enhancements, to be allocated from the Area North capital programme (Local Priority Schemes), subject to SSDC standard conditions for community grants (appendix A to the agenda report).

Reason: To facilitate the provision of new play equipment at High Ham Playing Field.

(Voting: Unanimous in favour)

*James Divall, Neighbourhood Development Officer
james.divall@southsomerset.gov.uk or (01935) 462249*

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

Neil McWilliams, Assistant Highway Service Manager had tendered his apologies for the meeting.

The Area Development Manager (North) explained that the Assistant Highway Service Manager was at a meeting to discuss the grants received from central government, in response to the winter flooding and subsequent damage to the highway network. He was aware that Area North Committee members would like an update on this particular subject. She suggested that the report was noted and the Assistant Highway Service Manager invited to the next meeting to provide an update, to which members agreed.

During discussion members raised some comments and queries which would be forwarded to the Assistant Highway Service Manager for a response.

RESOLVED: That the report be noted.

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

13. Performance of the Streetscene Service (Agenda item 10)

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

- Weather conditions over the winter had been challenging, with high rainfall and significant flooding – around 9,000 sandbags had been distributed
- Flytipping incidents were reducing
- A second quad bike was being purchased to enable an increase in the frequency of weed-spraying.
- They had won the tender for footpath cutting across most of the district
- Trying to develop a programme of work using the Probation Service
- The business model for the plant nursery had been re-modelled
- Starting to replace machinery, some of which was over 20 years old

During discussion members raised several comments including:

- Compliments and praise for team
- Figures on fly-tipping may be reducing as more prosecutions now and also 'naming and shaming'
- Disposal of some of the many sandbags were causing issues in some places
- Good to see service was on budget

A couple of questions were raised, to which the Streetscene Manager responded that:

- The responsibility for fallen trees on or alongside highways depended on the exact location, but due to them causing disruption to traffic, a pragmatic approach was taken.
- Maps indicating footpaths to be cut under routine maintenance would be sent to members. Requests for additional cutting would need to be made to the appropriate SCC Area Footpath Warden.

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

14. Somerset Levels and Moors 20 year Action Plan – Thorney Ring Bank Flood Defence Scheme (Executive Decision) (Agenda item 11)

(in error, the title in the agenda had not indicated this was an Executive Decision)

Before introducing the report, the Area Development Manager (North) updated members that the title of the report should have indicated that it was an Executive Decision and not a report for information.

Mr R Baillie-Grohman addressed committee about his experience of the flooding in Thorney, and described the scenes outside his home of people negotiating the floodwater in waders and transporting people on tractor trailers. He commented that many properties had been damaged and implications of the flooding would continue for many months to come. The earth bank was needed to protect homes and he hoped the scheme would have the support of members.

Councillor Patrick Palmer, commented he was fully supportive of the Thorney Ring Bank scheme, and when taking all the schemes in the 20 year plan into account, was a small sum of money being requested.

(Councillors Roy Mills and Patrick Palmer having declared personal and prejudicial interests then left the meeting for the presentation, discussion and voting of recommendations 1 and 2)

The Area Development Manager presented the flood defence scheme aspect of the report and explained that detailed drawings for the scheme could be circulated on request. She noted that the parish council had confirmed a contribution of £1,000 and the Thorney Ring Bank was one of the first small scale schemes coming forward as part of the 20 year plan.

During discussion members raised several comments including:

- Bank needs to be put in place as soon as possible
- The Internal Drainage Boards need to look at all flood banks
- Full support for the scheme
- The process needed to be speeded up – something needs to be done and soon
- How would contractors be selected and where would materials come from
- Nothing will happen without finance, and pressure needs to be put on partners and third parties to secure funding quickly

In response to comments made, the Engineer commented that the scheme was in the hands of the Internal Drainage Board and would go through their tender process with experienced contractors. Sourcing of materials locally might be a challenge but acknowledged it would be good to do so where possible.

It was proposed to approve recommendations 1 and 2 and when put to the vote, was carried unanimously.

(Councillors Roy Mills and Patrick Palmer returned to the room)

The Area Development Manager (North) continued her presentation providing an update on flood recovery work. During the ensuing brief discussion one member commented that there should not be unnecessary delays with repairs to historic buildings.

Members were content to note the updates regarding progress of the Somerset Levels and Moors 20 year flood action plan and the current flood recovery plan.

RESOLVED: It was resolved that:

- (1) A grant of £10,000 be allocated to the Internal Drainage Board from the Area North Capital Programme (Local Priorities) towards the Thorney ring bank flood defence scheme, in support of the Somerset Levels and Moors 20 year action plan. The grant to be subject to the following conditions:
 - a) All other sources of match funding, based on estimated costs are secured including contributions from the Environment Agency and Somerset County Council.
 - b) Publicity for the scheme acknowledges it as being within the 20 Year Action Plan.

- c) Final detailed design and costing are supported by the relevant agencies including consultation with the residents involved and the SSDC Land Drainage Engineer.
- (2) It be noted that up to a further £5,000 has been allocated by the Engineering and Property Services Manager – land drainage budget in support of the scheme
- (3) The progress of the Somerset Levels and Moors 20 year flood action plan and current flood recovery plan be noted

Reason: To facilitate the provision of a proposed flood defence scheme at Thorney and receive an update on the progress of the Somerset Levels and Moors 20 year action plan.

(Voting: Unanimous in favour)

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

15. Revised Scheme of Delegation – Development Control – Nomination of Substitutes for Chairman and Vice Chairman for 2014/15 (Executive Decision) (Agenda item 12)

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

RESOLVED: That in line with the Development Control Revised Scheme of Delegation, Derek Yeomans (first substitute) and Roy Mills (second substitute) be appointed to act as substitutes for the Chairman and Vice Chairman to make decisions in the Chairman's and Vice Chairman's absence on whether an application should be considered by the Area Committee as requested by the Ward Member(s) for the year 2014/15.

Reason: To appoint two substitute members for the Chairman and Vice Chairman to make decisions in their absence during 2014/15 in line with the Development Control Scheme of Delegation.

(Voting: unanimous)

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

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

The Area Development Manager (North) reminded members that following the discussion of Highways earlier on the agenda they would be invited to the next meeting to provide an update.

RESOLVED: That the Area North Forward Plan be noted.

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

17. Planning Appeals (Agenda item 14)

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*

18. Planning Applications (Agenda item 15)

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

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

Planning application 13/03483/OUT - Outline application for residential development and the provision of access from Wincanton Road at the Trial Ground, Somerton Road, Langport. Applicant: The Lloyds Family Trust.**

The Development Manager advised that the report referred to the District Council's lack of a 5 year land supply, but, as of 23rd May 2014, evidence had been provided that the Council now had a 5 year and one month land supply. However, this did not have a fundamental impact upon the application as it was within the preferred area of growth for Langport and Huish Episcopi.

The Planning Officer reminded Members that they had resolved to approve the application in March 2014, subject to an additional clause to the legal agreement to preserve the beech hedge through the middle of the site. Since the meeting, the applicant's solicitors had challenged the legality of the clause in the proposed Section 106 planning obligation to retain the beech hedge, and the Council's solicitor agreed that it was not a lawful requirement in the context of this application. The SSDC Landscape Officer had also agreed the hedge was not worthy of retention. Therefore, as all other matters relating to the application had previously been agreed, any attempt to now refuse permission on grounds previously considered acceptable would be flawed. Given that the Landscape and Tree Officers clearly advise that these trees are not worthy of retention the Planning Officer advised members that they would need very good reasons to override such professional advice. He had no other updates to report and so recommended that permission be approved, subject to the conditions listed in his report.

Mr J Woods of Huish Episcopi Parish Council said the SSDC Local Plan had designated 400 new properties for Huish Episcopi but over 500 had been given permission so far.

He also expressed concern at the lack of new local jobs generated and the affordability of the new houses for young local people or bungalows for the elderly. He referred to the recent opportunity for Langport and Huish Episcopi Parish Councils to purchase land near the cricket field for community use which he said could be offset against any development contributions from this site.

Mrs S Nichols of Huish Episcopi Parish Council said that local people who used to work for Kelways Nursery had said the purpose of the beech hedge was to act as a wind break for plants.

The Ward Member, Councillor Roy Mills, said that as the District Council could no longer require the retention of the beech hedge at the site, then it must be approved and he proposed the officer's recommendation.

During discussion, some Members expressed their continued concern at the loss of the hedge from the development site. Reference was also made to the lack of supporting evidence in the officer's report, however, it was confirmed that all supporting documentation was available on the SSDC website.

In response to questions, officers confirmed that:-

- The Council had no policy to insist that developers build bungalows or houses at low cost for first time buyers.
- It would be unreasonable to withhold planning permission because local jobs had not come forward.
- No more than 80 houses could be built at the site.
- It was initially considered possible to offset the purchase of land for community use against Section 106 contributions however an agreement on the value of the land was not reached. Although the current negotiations for the land near the cricket field had stalled, they could be restarted.
- There was no reason why surface water should not drain from the site.

Members continued to express their support for the retention of the beech hedge at the site and it was proposed and seconded to approve the application with a planning condition that the beech hedge be retained. At this point the Principal Legal Executive advised that if Members were minded to approve the application with this condition, they would expose the Council to a possible legal challenge as the professional advice was the hedge was not worthy of retention. He drew their attention to the legal advice listed on page 29 of the agenda report. The amended proposal to permit in accordance with the officer's recommendation but with this condition was then put to the vote and was lost (voting: 5 in favour, 7 against).

The officer's recommendation to approve the application was then proposed and seconded and was approved (voting: 7 in favour, 5 against).

At the conclusion of the debate Councillor Terry Mounter asked that his dissent to the decision be recorded.

RESOLVED: That planning application 13/03483/OUT be APPROVED subject to:

- a) The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to:-
 - 1) Secure a contribution of £4,668.20 per dwelling towards the

increased demand for outdoor playing space, sport and recreation facilities to the satisfaction of the Assistant Director (Wellbeing).

- 2) Ensure at least 35% of the dwellings are affordable with a tenure split of 67:33 in favour of rented accommodation over other intermediate types, to the satisfaction of the Corporate Strategic Housing Manager.
- 3) Provide for Travel Planning measures to the satisfaction of the County Highway Authority with the agreement of the Development Manager and fully implemented in accordance with the agreed details.
- 4) Secure a contribution of £2451.40 per dwelling towards primary school places to the satisfaction of Somerset County Council.
- 5) Provide for a S.106 monitoring fee based on 20% of the outline application fee.

b) The following conditions:

Justification

01. Notwithstanding the local concerns, the provision of approximately 80 houses in this sustainable location would contribute to the council's housing supply without demonstrable harm to the setting of the nearby listed building, 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.

SUBJECT TO THE FOLLOWING:

01. The site hereby approved for development shall be as shown on the submitted location plan A081486[C]drg01 revision B received 16 September 2013.

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

02. Details of the 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.

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. 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.

05. No work shall commence on any dwelling on the development site hereby permitted until the access/off-site highway works shown generally in accordance with Drawing Number LGPS/Lloyd/Langport/RTB/SK04 and LGPS/Lloyd/Langport/PR/SK02 (Annex G) have 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.

06. The development hereby permitted shall not be brought into use until that part of the service road that provides access to it has been constructed in accordance with the approved plans.

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

07. No part of the development site hereby permitted shall not be commenced until details of proposed parking spaces for any proposed dwelling and 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 highway safety and in accordance with

policy ST5 of the South Somerset Local Plan.

08. No development shall take place until detailed plans have been submitted to and approved in writing by the Local Planning Authority (in conjunction with the local highway authority) relating to line, level and layout of the access road junction and its means of construction and surface water drainage. The approved access road junction shall be laid out constructed in accordance with the requirements of a Section 278 Agreement under the provisions of the Highway Act 1980.

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

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

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

10. No 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 ensure adequate adoption and maintenance and therefore better working and longer lifetime of surface water drainage schemes.

11. Prior to the commencement of the development, site vegetative clearance, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a tree & hedgerow protection plan and an arboricultural method statement relating to retained trees & hedgerows within or adjoining the site, shall be submitted to and agreed in writing with the Council and they shall include the following details:

- the installation and locations of protective fencing, root protection areas & construction exclusion zones clearly detailed upon a tree & hedgerow protection plan and;
- details of special tree & hedgerow protection measures for any required installation of built structures, below-ground services and hard surfacing within the root protection areas of retained trees & hedgerows.

Upon approval by the Council, the measures specified within the agreed tree protection plan and the arboricultural method statement shall be implemented in their entirety for the duration of the

construction of the development and the required terms of the tree planting scheme.

Reason: To secure the planting and establishment of new trees and shrubs, and to preserve the health, structure and amenity value of existing landscape features (hedgerows & 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)[1].

12. Details of a dormouse mitigation plan shall be submitted with any future reserved matters application. The works shall be implemented in accordance with the approved details and timing of the mitigation plan, as modified to meet the requirements of any 'European Protected Species Mitigation Licence' issued by Natural England, unless otherwise approved 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 the Wildlife and Countryside Act 1981 and The Habitats Regulations 2010.

13. The measures with regard to tree removal detailed in section 4.2 (Bat Roost Assessment Of Trees, WYG, 9 September 2013) shall be fully implemented if any trees are to be removed to accommodate the development hereby approved.

Reason: To protect protected species in accordance with policy Ec8 of the South Somerset local Plan.

14. The development shall not commence (specifically including any site clearance or ground works) until a scheme for the eradication of Japanese Knotweed from the site has been submitted to, and approved in writing, by the local planning authority. The approved scheme shall be implemented in full unless otherwise agreed in writing.

Reason: For the protection of amenity of future owners/occupiers of the site and neighbours, and to ensure compliance with The Wildlife and Countryside Act 1981 (as amended).

15. As part of any reserved matters application details of measures for the enhancement of biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be implemented in accordance with the approved details unless otherwise approved in writing by the local planning authority.

Reason: For the enhancement of biodiversity in accordance with NPPF.

16. The residential development hereby approved shall comprise no

more than 80 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, EH5, ST6, ST10 and EC3 of the South Somerset Local Plan.

Informatives:

01. You are reminded that the County Highway Authority have requested 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 will have to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.
02. You are reminded of the contents of the Parrett Drainage Board's letter of 08 October 2013 which is available on the council's web-site.
03. You are reminded of the contents of the Environment Agency's letter of 15 October 2013 which is available on the council's web-site.
04. You are reminded of the comments of the Council's Climate Change Officer dated 27 September 2013 which is available on the council's web-site.
05. You are reminded of the comments of the parish council indicating that the provision of bungalows for the elderly or infirm would be welcome.
06. Before this development can commence, a European Protected Species Mitigation Licence (under The Conservation (Natural Habitats, &c.) Regulations 2010) will be required from Natural England. You will need to liaise with your ecological consultant for advice and assistance on the application for this licence. Natural England will normally only accept applications for such a licence after full planning permission has been granted and all relevant (protected species) conditions have been discharged.
07. Reptiles (particularly slow worms) are present on the site and could be harmed by construction activity, contrary to legislation (Wildlife and Countryside Act 1981), unless appropriate precautionary measures are employed. Suitable measures could include appropriate management of the vegetation to discourage reptiles away from areas of risk, reptile exclusion fencing, and/or translocation of animals from the site. An ecological consultant should be commissioned to undertake further reptile specific survey and provide site specific advice.

(Voting: 7 in favour, 5 against, 0 abstentions)

Planning application 14/00249/FUL – Construction of an artificial grass pitch, creation of a permanent car park, erection of fencing, floodlighting and associated landscaping and engineering works at Huish Episcopi Academy, Wincanton Road, Huish Episcopi. Applicant: Ms A Eastwood.

(Councillors Terry Mounter and Roy Mills, having earlier declared a personal and prejudicial interest in planning application 14/00249/FUL left the meeting prior to consideration of the application.)

Councillor Shane Pledger, having earlier declared a personal and prejudicial interest in planning application 14/00249/FUL, made the following statement and then left the meeting prior to consideration of the application. He said that although he had some concern at any increased traffic movements, the artificial grass pitch would be a great asset for the school.

Councillor Paul Thompson assumed the role of Chairman for this planning application.

The Planning Officer advised that the Environmental Protection Officer had submitted further comments relating to noise impact, which would have some impact upon nearby residential amenity although the proposed acoustic barrier would mitigate this. Concern had also been expressed at the loss of parking at the site and the impact upon nearby residential streets and this was covered in Condition 13. A suggestion to lower the pitch by 1.5m to reduce noise and light impact was possible but the cost of doing this would affect the viability of the scheme. The nearest neighbour had requested that the acoustic barrier be lowered from 2.5m to 2m and condition 7 could be amended to accommodate this.

Mrs S Nichols of Huish Episcopi Parish Council said they had no objection to the artificial grass pitch but were concerned at its impact upon neighbours and the adequacy of parking at the site. She said it was not acceptable to use a nearby car park, which was for visitors to the church.

Mr C Ward and Mr L Smith, both local residents, spoke in objection to the application. They asked that conditions to limit the hours which the artificial grass pitch was used in the evenings and at weekends be applied to allow local resident some respite from the noise. They also asked that the height of the acoustic barrier be reduced and a construction management plan to protect residents during construction be agreed. They further noted that there was no condition to limit the use of the proposed public address tannoy.

Ms C Charles of Huish Leisure Centre, Miss T Francis, a student of the Academy and Mr A Davies of Huish Academy spoke in support of the application. Their comments included:-

- Huish Leisure was a successful sports centre for the local community and was almost at capacity so needed to expand.
- The artificial grass pitch would mean that local clubs would no longer have to travel to Yeovil or Street to train in future.
- The Academy had recently invested in a new science and language block and the sports facilities also required updating.
- The existing pitch was not suitable for football or hockey but the new pitch would be.
- The car parking issue at the Academy should be resolved when contractors vehicles left the following week.

Mr P Ellingham, Agent for the applicant, said there were a number of constraints to reducing the level of the pitch and even with the changes, there would still be some noise and light overspill to neighbouring properties. He agreed to the neighbour request to reduce the height of the acoustic barrier, noting that noise and light had been addressed in the officer's report and no further restrictions had been recommended by the Environmental Protection Officer.

The Planning Area Lead Officer clarified that although the Highway Authority had used supporting data from 2001, the information did allow a view to be formed on the traffic in the area. The proposed 143 car parking spaces was slightly higher than the 138 listed as standard by the Highway Authority.

During discussion, varying views were expressed. Some Members felt that local residents should expect one day per week when the artificial grass pitch was not used whilst others felt that to do this would restrict the viability of the pitch and limit working people who could only enjoy their sports activities on a Saturdays and Sundays. Concern was also expressed at the use of the public address tannoy on Sundays and Bank Holidays, however, it was pointed out that the existing pitch had no such restriction.

In response to questions from Members, the Environmental Protection Officer clarified the lux of lighting from the floodlights which could illuminate neighbouring gardens and the acoustic barrier proposed to mitigate this and the sound from the proposed pitch.

It was proposed and seconded that the use of the pitch be restricted to Monday to Saturday to allow neighbouring properties one day of peace per week. This amendment was put to the vote and was 4 in favour, 4 against and one abstention. The Chairman used his casting vote against the amendment and so it was lost.

It was then proposed to approve the application with the amendment to Condition 7 to reduce the height of the acoustic barrier to 2m and to limit the use of the public address tannoy on Sundays and Bank Holidays. This was seconded and on being put to the vote, was carried (voting: 7 in favour, 1 against, 1 abstention).

This then became the substantive motion and the Planning Officer suggested dividing Condition 4 to detail the reduced height acoustic barrier and limit on the use of the public address tannoy. Members were in agreement with this and voted to approve the application with these amendments (voting: 6 in favour, 1 against, 2 abstentions).

RESOLVED: That planning application 14/00249/FUL be APPROVED for the following reason:

01. Notwithstanding the objections received the proposal maintains the visual characteristics of the area, adequately safeguards residential amenity, causes no detrimental impact to highway safety, local landscape character or local ecology and meets a proven special recreational need, in accordance with the aims and objectives of the National Planning Policy Framework, Somerset County Council Parking Strategy and saved policies ST5, ST6, EC3, EC8, EP2, EP3, EP9, EU4 and CR1 of the South Somerset Local Plan.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans: 'AN-105-01A', 'AN-105-10H', 'AN-105-11C', 'AN-105-15' and 'AN-105-16', received 16th January 2014.

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

03. No development shall commence unless a floodlighting scheme has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include a site specific isolux diagram, taking into account all relevant local factors, showing the predicted luminance in the vertical plane (in lux) at critical locations on the boundary of the site and at adjacent properties. The submitted scheme shall specifically include details of the following measures:

- Light into neighbouring residential windows generated from the floodlights shall not exceed 5 Ev (lux) (vertical luminance in lux).
- Each floodlight must be aligned to ensure that the upper limit of the main beam does not exceed 70 degrees from its downward vertical.
- The floodlighting shall be designed and operated to have full horizontal cut-off and such that the Upward Waste Light Ratio does not exceed 2.5%.

The lighting shall thereafter be fully installed in accordance with those approved details and any future amendments, alterations or replacement lighting equipment shall be first agreed in writing by the Local Planning Authority.

Reason: To minimise any potential nuisance and disturbance to neighbours and to safeguard the amenities of the surrounding area, in accordance with saved policies ST5, ST6, EC3 and EP3 of the South Somerset Local Plan and the provisions of chapters 7 and 11 and the core planning principles of the National Planning Policy Framework.

04. The floodlights hereby permitted shall not be illuminated except between the hours of 08:00 and 21:15 hours Monday to Friday and 09:00 and 18:15 hours Saturdays, Sundays and Bank Holidays.

Reason: To minimise any potential nuisance and disturbance to neighbours and to safeguard the amenities of the surrounding area, in accordance with saved policies ST5, ST6, EC3 and EP3 of the South Somerset Local Plan and the provisions of chapters 7 and 11 and the core planning principles of the National Planning Policy Framework.

05. No system of public address shall be used except between the hours of 08:00 and 21:15 hours Monday to Friday, 09:00 and 18:15 hours

Saturdays and between 09:00 and 12:00 Sundays and Bank Holidays.

Reason: To minimise any potential nuisance and disturbance to neighbours and to safeguard the amenities of the surrounding area, in accordance with saved policies ST5, ST6, EC3 and EP3 of the South Somerset Local Plan and the provisions of chapters 7 and 11 and the core planning principles of the National Planning Policy Framework.

06. The pitch hereby permitted shall not be used except between the hours of 08:00 and 21:15 hours Monday to Friday and 09:00 and 18:15 hours Saturdays, Sundays and Bank Holidays.

Reason: To minimise any potential nuisance and disturbance to neighbours and to safeguard the amenities of the surrounding area, in accordance with saved policies ST5, ST6, EC3 and EP3 of the South Somerset Local Plan and the provisions of chapters 7 and 11 and the core planning principles of the National Planning Policy Framework.

07. Details of the ball damper board to be installed around the perimeter of the pitch to mitigate the impact of hockey balls shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be fully installed and maintained in accordance with such agreed details prior to the facility hereby approved being first brought into use.

Reason: To minimise any potential nuisance and disturbance to neighbours and the surrounding area, in accordance with saved policies ST6 and EP3 of the South Somerset Local Plan and the core planning principles of the National Planning Policy Framework.

08. Unless agreed otherwise in writing, the acoustic fence hereby permitted shall be installed in complete accordance with details as specified in the approved plans and submitted supporting information, prior to any part of the development hereby permitted being brought into use. Following its installation the acoustic fence shall be permanently retained and maintained thereafter.

Reason: To minimise any potential nuisance and disturbance to neighbours and the surrounding area, in accordance with saved policies ST6 and EP3 of the South Somerset Local Plan and the core planning principles of the National Planning Policy Framework.

09. The proposed landscape scheme shall be carried out in accordance with details as indicated on approved plans 'AN-105-15', unless otherwise agreed in writing by the Local Planning Authority. 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 any part of the development hereby permitted being brought into use 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 and residential amenity and to safeguard local ecology, in accordance with saved policies ST5, ST6, EC3 and EC8 of the South Somerset Local Plan and the provisions of chapters 7 and 11 and the core planning principles of the National Planning Policy Framework.

10. The proposed scheme of tree protection measures shall be carried out in accordance with details as specified within the submitted 'Arboricultural Impact Assessment, dated 4th November 2013, unless otherwise agreed in writing by the Local Planning Authority. Such measures shall be implemented for the duration of the construction of the development hereby permitted.

Reason: In the interests of visual amenity and to safeguard existing trees, in accordance with saved policies ST5, ST6 and EC3 of the South Somerset Local Plan.

11. No development shall commence until a surface water drainage scheme for the site, based on the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how the scheme shall be maintained and managed after completion and measures to prevent discharge of surface water onto the adjoining highway. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: In the interests of highway safety, 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, in accordance with saved policies ST5, ST6, EC3, EC8 and EP9 of the South Somerset Local Plan and the provisions of chapters 4, 10 and 11 of the National Planning Policy Framework.

12. The areas allocated for parking and turning on the approved plans shall be kept clear of obstruction at all times 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 the provisions of chapter 4 of the National Planning Policy Framework.

13. Prior to the commencement of the development, a framework for the preparation of an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The updated framework shall set out the proposed contents of the plan, in accordance with the advice contained within 'Somerset County Council Travel Planning Guidance - November 2011'. Within one year of the development hereby approved first coming into use, a Travel Plan shall be submitted to, and approved in writing by the

Local Planning Authority. The plan shall include measurable outputs and arrangements for monitoring and enforcement in accordance with the advice given in the County Council's guidance.

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.

14. 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 (including details of measures to prevent pollution of the local water environment and to reduce noise and dust from the site) 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: To safeguard residential amenity, highway safety and to prevent pollution of the water environment, in accordance with saved policies ST5, ST6, EP6 and EP9 of the South Somerset Local Plan and the core planning principles and provisions of Chapter 4 of the National Planning Policy Framework.

15. Construction works and deliveries to the site shall not take place outside of the hours of 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays. No construction work or deliveries to the site shall take place on Sundays or Public/Bank Holidays.

Reason: To safeguard residential amenity, in accordance with saved policies ST6 and EP6 of the South Somerset Local Plan and the core planning principles of the National Planning Policy Framework.

Informatives:

01. In carrying out the approved landscaping scheme and associated tree planting, it is recommended that modestly sized container-grown stock is used rather than bare-rooted or root-balled stock and watering is encouraged, particularly during the first Spring, post-installation.
02. In relation to conditions 9 and 12, the applicant is reminded of the Environment Agency's comments of 26th February 2014, a copy of which can be viewed on the Council's website.

(Voting: 6 in favour, 1 against, 2 abstentions)

(Councillors Shane Pledger, Roy Mills and Terry Mounter returned to the room)

Planning application 14/01363/FUL – Erection of dwelling and garage, closure of existing access and formation of new vehicular access at Hillside Cottage, Picts Hill, Langport. Applicants: Mr & Mrs Pearce.

The Planning Officer presented the report as detailed in the agenda and made reference to the appeal decision of a previous application on the site. He provided members with two updates:

- The agenda report did not make mention of comments received early on in the process from the neighbour at leafy Cottage. The tenant of the Leafy Cottage had since raised an objection but the owner had noted he had no objection if there was adequate screening.
- As had been stated earlier in the meeting, the Council now considered it had a 5 year land supply and therefore his associated comments in the report no longer really applied.

Agent, Mr C Miller, commented that the plot was in a sustainable location as stated in the appeal decision and two dwellings had also been approved further along the road. He considered the officer report incorrectly stated the impact on nearby properties. The proposal would have minimal visual impact and the previous application had been for a much larger dwelling. This proposal was more modest, set back from the road and of a similar design and scale to existing dwellings. The existing hedge would be retained and the street scene would remain much the same.

Ward member, Councillor Shane Pledger, commented he had asked the application to come to committee as he felt the proposal was more in keeping than previously and would not be too dramatic. He noted that there were no windows in the side elevations of the neighbouring property, Leafy Cottage.

During discussion, most members were of the opinion that the scale and siting of the proposed dwelling was not acceptable and comments included:

- Dwelling set too far back into the site away from the road
- Proposed siting would take light away from neighbouring properties
- Proposal would be dominant in terms of position, design and scale

In response to questions raised, the Planning Officer and Area Lead commented that:

- It was difficult to say if siting the dwelling nearer the road would compromise parking, without seeing plans, however there appeared to be sufficient space.
- Members needed to consider the application as presented. If minded to refuse, the applicant would be entitled to submit a revised application free of charge.
- There were two reasons to refuse the application as detailed in the officer recommendation of the agenda report. Members needed to consider whether or not they felt the plot was developable. If felt to be developable the application could be refused for reason 2 only.

It was proposed and seconded to refuse the application on the grounds of scale, design and siting, as detailed in reason 2 of the officer recommendation in the agenda report. On being put to the vote the proposal was carried 10 in favour of refusing the application, with 1 abstention.

RESOLVED: That planning application 14/01363/FUL be REFUSED as per the officer recommendation but for the following reason only:

01. The proposal, by reason of its scale, design and siting, would result in an overbearing presence and some overlooking in close proximity to the private outdoor living space of the occupants of the neighbouring dwellinghouse, thereby harming the residential amenity of those occupants, contrary to the aims and objectives of the NPPF and save Policy ST6 of the South Somerset Local Plan, 2006.

Informatives:

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;
- offering a pre-application advice service, and
 - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case, the applicant/agent did not take the opportunity to enter into pre-application discussions, and there were no minor or obvious solutions to overcome the significant concerns caused by the proposals.

(Voting: 10 in favour, 1 abstention)

Planning application 14/00876/FUL - Installation of a solar farm and associated infrastructure, including photovoltaic panels, mounting frames, inverters, transformers, substations, communications building, fence and pole mounted security cameras, for the life of the solar farm on land at Somerton Door Farm, Somerton Door Drove, Somerton. Applicant: Lightsource SPV87 Limited.

The Planning Officer presented the application as shown in the agenda. Member were updated that verbal comments had been received from County Archaeology stating that some locally significant finds had been identified on the site and as such they did not object to the application, but requested a condition to secure a scheme of archaeological works as set out in condition 19 (incorrectly numbered in agenda – should read condition 17) of the officer's report. She highlighted the key considerations and noted the site was some distance away from residential properties, and so there were not considered to be any residential amenity issues.

Mr P McKeown, agent, referred to other installations by the company across the country and it being well known that dependence on fossil fuels for energy production needed to be reduced. The site had been carefully selected to have minimal impact, and it was not in an area of high landscape or ecological value.

Ward member, Councillor Pauline Clarke, commented that she had discussed the application with her fellow ward member, and whilst they were both concerned for residents of Compton Dundon they believed their concerns could be mitigated by planting. She acknowledged High Ham Parish Council had objected but noted the main village was several miles away from the site. She accepted the officer recommendation but felt planting should include mature trees as well as whips and hedging.

During discussion differing views and comments were raised including:

- Due to government policy there is little reason to refuse

- Question some of the power generation figures stated as panels won't produce energy at night
- Favour renewable energy but proposal would be unsightly
- Panels should be on farm buildings and not in the middle of the countryside
- Land should be used for food production
- Solar power is a way forward if in the right location
- This site was a good location for such a proposal
- There must be other alternatives to using fields for siting of panels
- Town Council were in favour of the application
- Site located near Public Rights of Way so where people go to visit the countryside
- Existing solar park along A303 near Whitelackington was visually awful
- Need electricity by whatever source to live

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

- Solar installations of this size often created concerns.
- Government policy was in favour of such proposals, but directed them against land of high agricultural value
- In terms of power generation, no quality reason to dispute the figures quoted.
- Experience indicated there were often many concerns when solar applications were under consideration, but in time were accepted
- Impact of this proposal was limited by its location, orientation and planting
- There were strong officer recommendations for approval of the application

The Principal Legal Executive reminded members that only the planning application was for their consideration. Questions about technical viability were not a matter of concern to members, only the land use issues.

It was proposed and seconded to approve the application as per the officer recommendation, and on being put to the vote, was carried 7 in favour, 3 against with 1 abstention.

RESOLVED: That planning application 14/00876/FUL be APPROVED as per the officer recommendation, subject to the following:

For the following reason:

Notwithstanding local concerns it is considered that the benefits in terms of the provision of a renewable source of energy, which will make a valuable contribution towards cutting greenhouse gas emissions, outweigh the limited impact of the proposed PV panels on the local landscape character. As such the proposal accords with the Government's objective to encourage the provision of renewable energy sources and the aims and objectives of the National Planning Policy Framework, the National Planning Practice Guidance and Policies ST3, ST5, ST6, EC1, EC3, EC6, EC7, EC8, EU1, EH11, EH12 and EP3 of the South Somerset Local Plan 2006.

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 drawings numbered FIG1 – UA006743-01, SMD_02, SITE_AUX_TRANSFORMER_01, TD_01, ID_01, TD_02, SB_01, DNO_01, CB_01, CSR_01, Deer Fence – inc Mammal Gate, SMD_01_F, CCTV_01.

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

03. The development hereby permitted shall be removed and the land restored to its former condition before 31/12/2044 or within six months of the cessation of the use of the solar farm for the generation of electricity whichever is the sooner in accordance with a restoration plan to be submitted to and approved in writing by the local planning authority. The restoration plan will need to include all the works necessary to revert the site to open agricultural land including the removal of all structures, materials and any associated goods and chattels from the site.

Reason: In the interests of landscape character and visual amenity in accordance with Policies ST3, ST5, ST6 and EC3 of the South Somerset Local Plan.

04. The supporting posts to the solar array shall be anchored into the ground as described on page 9 of the Design and Access Statement dated Feb 2014 and shall not be concreted into the ground.

Reason: In the interests of sustainable construction and to accord with Part 10 of the NPPF.

05. The landscaping / planting scheme shown on the submitted plans (drawing numbered 001-UA006743-06 and Landscape and Biodiversity Management Plan received 26/02/2014) shall be completely carried out within the first available planting season from the date of commencement of the development. For the duration of this permission the trees and shrubs shall be protected and maintained, and any trees or plants which 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 landscape character in accordance with policies ST5, ST6 and EC3 of the South Somerset Local Plan.

06. The management plan and ecological mitigation measures for the site, as detailed within the Landscape and Biodiversity Management Plan by Hyder dated 25/02/2014, shall be fully implemented for the duration of the use hereby permitted, unless any variation is agreed by the local planning authority.

Reason: In the interests of visual amenity and landscape

character in accordance with policies ST5, ST6 and EC3 of the South Somerset Local Plan.

07. The development hereby permitted by this planning application shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 25 February 2014 by Hyder, and the following mitigation measures detailed within the FRA:
1. The lowest part of each panel will be set no lower than 600mm above existing ground level within Flood Zone 3.
 2. All non-water compatible infrastructure to be located within Flood Zone 1.
 3. An 8m development free buffer to be incorporated alongside the River Cary.

Reason: To prevent any increased risk of flooding associated with installation of the solar park development in accordance with the NPPF.

08. No works hereby permitted shall be commenced unless a surface water run-off limitation scheme in the form of Swales or infiltration trenches, has been submitted to and agreed in writing by the local planning authority. The submitted details shall clarify the intended future ownership and maintenance provision for all drainage works serving the site. The approved details shall be implemented in accordance with the approved programme and details and shall be maintained in this fashion for the duration of the development.

Reason: To prevent any increased risk of surface water flooding associated with installation of the solar park development in accordance with the NPPF.

09. No works hereby permitted shall be commenced unless details of a compensatory flood storage scheme to provide for any loss of fluvial floodplain volume as a result of the development has been submitted to and agreed in writing by the local planning authority. The agreed details shall be fully implemented and shall be retained and maintained for the duration of the development.

Reason: To prevent any increased risk of surface water flooding associated with installation of the solar park development in accordance with the NPPF.

10. No means of external illumination/lighting shall be installed without the prior written consent of the Local Planning Authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies EC3, ST6 and EP3 of the South Somerset Local Plan.

11. No CCTV equipment shall be installed on the site other than that shown on drawings numbered SMD_01_F and CCTV_01 received 26/02/2014 and the details set out on page 11 of the submitted Design and Access Statement, unless otherwise

agreed in writing by the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies EC3, ST6 and EP3 of the South Somerset Local Plan.

12. The development hereby permitted shall not be commenced unless the external finish, including the colour, of the CCTV equipment and security fencing has been submitted to and agreed in writing by the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies EC3, ST6 and EP3 of the South Somerset Local Plan.

13. No form of audible alarm shall be installed on the site without the prior written consent of the local planning authority.

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

14. No development hereby permitted shall be commenced unless details of the means of connection to the electricity grid from the site have been submitted to and approved in writing by the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with Policies EC3, ST5 and ST6 of the South Somerset Local Plan.

15. The development hereby permitted shall not be commenced unless the surfacing materials for all hardstanding and tracks to serve the development hereby permitted have been submitted to and agreed in writing by the local planning authority. The development shall be carried in accordance with the approved details and shall not be altered unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of the amenities of the locality and in accordance with Policies ST5, ST6 of the South Somerset Local Plan and Part 10 of the NPPF.

16. 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 vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicle 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 interest of highway safety and the rural amenities of the area to accord with Policies ST5 and ST6 of the South Somerset Local Plan.

17. 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: To safeguard the archaeological interest of the site in accordance with Policy EH12 of the South Somerset Local Plan.

Informatives:

01. You are reminded that the highway authority has requested 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 that any damage to the highway occurring as a result of this development will have to be remedied by the developer to the satisfaction of the highway authority once all works have been completed on site.
02. Please be aware of the comments set out within the Environment Agency's letter dated 26/03/2014 and the Somerset Drainage Board Consortium's letter dated 15/05/2014.

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

Planning application 14/01335/FUL - The conversion, extension and rebuild of redundant farm buildings to form 3 residential units, new dutch barn to form one residential dwelling and conversion of open barn to create garaging/workshop (Part retrospective) at Pond Farm, Old A303, Seavington St Michael. Applicant: Mr M Simmins.

The Planning Officer presented the application as shown in the agenda and noted that a similar application had been refused in 2009 but allowed on appeal. He explained to members the difference between this application and the previous one.

Notwithstanding earlier comments (at the start of the planning items) about the 5 year land supply, this site was deemed to be in a sustainable location. The Dutch Barn, whilst contemporary, was deemed to be acceptable by officers and would be obscured on the site. He noted that whilst there were proposed alterations to the layout of the site, in terms of highway safety it was not significantly different to the previous allowed application.

Mr L Holditch and Mr J Fagan addressed members in objection to the proposal and their comments raised included:

- Reference to the 5 year land supply, Seavingtons Plan, de-listing of the dairy, previous applications and comments made at that time.
- Proposal did not cater for any passing spaces along the drive, and if approved space between the dairy and stable should be kept open to provide for a one-way system around the site

- Planting indicated affected property outside of the applicants control
- Consider that some comments visible on the website should not still be viewable as they were considered offensive
- Feel there are some errors with some of the elevations on the site and the application should not have been validated
- Issues with traffic negotiating the traffic island incorrectly

Mr M Simmons, applicant, commented that he brought the site several years ago and the majority of villagers thought the site had been improved.

Ward member, Councillor Paul Thompson, acknowledged that the main reason the application was before members was due to the dutch barn element being outside development limits. He noted that traffic going the wrong way around the traffic island was a matter for the Police and not members. Many of the buildings in the application were in a state of disrepair and much of the site would not be visible from the road. He supported the application.

Ward member, Councillor Barry Walker, was concerned an element of the proposal was outside of development limits. He acknowledged another application for housing nearby was in the system and might result in too many houses coming forward in total, however he noted that the majority of people in the village seemed to be in favour of the proposal.

During discussion, comments raised by members included:

- Various concerns about the Dutch Barn including scale and design
- Little amenity space with some dwellings
- Not everyone wanted large gardens
- Dutch barns could now be converted into dwellings under new permitted development rights subject to restrictions
- Previous application was to remove the Dutch Barn
- Design of Dutch Barn was not in keeping with the village
- People wouldn't expect to see a contemporary building in this location

In response to comments raised by members and the public, the Area Lead and Planning Officer clarified that:

- The application on the SSDC website included a rebuttle of comments from neighbours, whilst challenging they were not considered to be offensive
- Issues regarding ownership raised during public representation appeared to be with regard to the blue line site and not the red line which was the only area for consideration in this application
- Part of the site being outside the development area did not have much bearing as most of the site was within, and the rest was adjacent. It was also re-use of an existing site.
- At appeal the Inspector found access for the previous application was acceptable. Some increase in traffic with this proposal was due to the fourth dwelling and members needed to consider if it would cause such an increase in traffic as to be detrimental.
- Some buildings in the proposal might be considered listed by association but none were listed on their own merit.

As many members were minded to refuse the application due to concerns regarding the Dutch Barn element, the Area Lead suggested a reason for refusal could include design, detail and appearance of the Dutch Barn failing to respect appearance of the area and listed buildings and therefore contrary to policies.

It was proposed and seconded to refuse the application for the reason suggested by the Area Lead. An amendment was proposed to include the Dutch Barn being outside development limits in the reason for refusal, however the amendment fell as it was not seconded. On being put to the vote the original proposal for refusal was carried 7 in favour and 3 against.

RESOLVED: That planning application 14/01335/FUL be REFUSED for the following reason:

01. The proposal by reason of the design, detailing and appearance of the dwelling referred to as 'The Dutch Barn', would fail to respect the character and appearance of the locality and the setting of the listed buildings. As such is the proposal is contrary to saved policies ST5, ST6 and EH5 of the South Somerset Local Plan 2006 and the provisions of chapters 7 and 12 of the National Planning Policy Framework.

NOTES:

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;
 - offering a pre-application advice service, and
 - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case the case officer was satisfied with the proposed scheme and duly recommended approval. The recommendation was overturned by committee.

(Voting: 7 in favour and 3 against)

Planning application 14/01405/FUL - Continuation of private driveway and provision of a total of 6 parking spaces and turning area, at the rear of and to serve Woodcroft, Bramcote and The Haven at Puckington. Applicant: Mrs B Dean.

The Planning officer summarised and presented the application as detailed in the agenda report, and noted the only reason the application was at committee was due to the access being on to a 'B' road. He highlighted that issues regarding ground stability were a matter for Building Control. Members were updated that a further plan had been received on 21st May and the plan reference would be added into condition 2 accordingly if the application was approved.

Members were content to propose approval of the application as per the officer recommendation, subject to the additional plan reference being added to condition 2, and on being put to the vote was carried unanimously.

RESOLVED: That planning application 14/01405/FUL be APPROVED as per the officer recommendation, subject to an additional plan reference being added to condition 2, and subject to the following conditions:

For the following reason:

01. 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 and causes no demonstrable harm to residential amenity or highway safety, in accordance with the aims and objectives of saved policies ST5, ST6, EC3 and EH1 of the South Somerset Local Plan 2006 and the provisions of chapters 4, 7, 11 and 12 and the core planning principles of 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: '1284-PL-01' and '1284-PL-03', received 18th March 2014 and '1284-PL-04', received 21st May 2014.

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

03. No development shall be carried out on site unless particulars of materials (including the provision of samples) to be used for the external surface of the proposed retaining wall has 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, in accordance with saved policies ST5, ST6 and EH1 of the South Somerset Local Plan 2006 and the provisions of chapters 7 and 12 of the National Planning Policy Framework.

04. The area allocated for parking and turning on approved plan '1284-PL-01', 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.

05. The new access and area allocated for parking and turning on the approved plan '1284-PL-01', shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details, which shall have been submitted to and approved in writing by the Local Planning Authority. Such approved works shall be provided and constructed prior to the development hereby approved first being brought into use and shall thereafter 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.

06. 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 by the Local Planning Authority. Such approved drainage details shall be completed and become fully operational before the dwellings hereby permitted are first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter 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.

07. No development shall be carried out on site 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 after the development hereby permitted is first brought into use; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The landscaping scheme shall specifically include details of the enhancement of the existing hedge line on the north west boundary of the site, as agreed in correspondence dated 14th April 2014.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the conservation area, in accordance with saved policies ST5, ST6, EC3 and EH1 of the South Somerset Local Plan 2006 and the provisions of chapters 7, 11 and 12 of the National Planning Policy Framework.

(Voting: Unanimous in favour)

Planning application 14/01198/FUL - Alterations and change of use of former public conveniences to an office (Use Class B1) at Prigg Lane, South Petherton. Applicant: Inno Group Ltd.

The Planning Officer summarised her report as detailed in the agenda and highlighted that the public toilets had been closed since 2011. The proposal was to change the space to office use hence providing employment space.

Mr G Gatehouse, spokesman for South Petherton Parish Council, felt there had been a catastrophic communication failure between them and SSDC regarding use and aspirations for the building. The building was a key part of the 'Hub' – an imaginative scheme for a centre for community use in South Petherton and was a key project in the South Petherton Plan.

Mr N Ward, applicant, commented they were a small business employing four people, and would convert the building into an administrative base for the company. He noted the building was currently being vandalised and had graffiti on three sides, and anything would be an improvement to current situation.

Ward member, Councillor Paul Thompson, noted that when and since, the toilets had been closed the parish had been offered the facility to run themselves. He felt that South Petherton Parish Council had had at least two to three years to take the facility on or to at least register an interest. The proposal would be a good use of the building.

Ward member, Barry Walker, commented that three years ago every help was given to the parish to take on the toilet building. It was now too late for them to state an interest in this building, and they had procrastinated too long.

During a brief discussion members raised comments in favour of the application including:

- Must be nearly five years since the parish were first approached about the facility
- Cannot refuse the application because the parish may want the building in the future
- Converting the public toilets to office space had been very successful in Stoke Sub Hamdon
- Proposal would make good use of an empty building and provide employment space.

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

RESOLVED: That planning application 14/01198/FUL be APPROVED as per the officer recommendation, and subject to the following conditions:

For the following reason:

The proposed change of use will result in economic benefits and by reason of the limited fenestration alterations will respects the character and appearance of the Conservation Area. Due to the location and proposed use there will be no adverse impact upon highway safety, parking provision or the residential amenities of surrounding properties. The proposal is therefore in accordance with the aims and objectives of the National Planning Policy Framework, Somerset County Council Parking Strategy and saved policies ST5, ST6, EH1 and ME3 of the South Somerset Local Plan 2006.

Subject to the following 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:

Location and Block Plan (1:1250 and 1:200) received 7 March 2014

Proposed Elevations (1:100) received 7 March 2014

Proposed Floor Plan (1:50) received 7 March 2014

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Reason: To safeguard the character and appearance of the conservation area having regard to the provisions of Policy EH1 of the South Somerset Local Plan 2006.

(Voting: Unanimous in favour)

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Chairman