

South Somerset District Council

Minutes of a meeting of the **Area North Committee** held at **the Edgar Hall, Somerton** on **Wednesday 16 December 2015**.

(2.00 pm - 4.55 pm)

Present:

Members: Councillor Shane Pledger (Chairman)

Clare Aparicio Paul	Crispin Raikes
Neil Bloomfield	Jo Roundell Greene (to 4.50pm)
Adam Dance	Dean Ruddle
Graham Middleton	Sylvia Seal
Tiffany Osborne	Derek Yeomans
Stephen Page	

Officers:

Charlotte Jones	Area Development Manager (North)
Lisa Davis	Community Office Support Manager
Paula Goddard	Senior Legal Executive
Adrian Noon	Area Lead (North/East)
Andrew Gunn	Area Lead (West)
Nick Head	Planning Officer
Vicki Dawson	Principal Environmental Protection Officer
Paul Sanders	Senior Environmental Protection 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.

111. Minutes (Agenda Item 1)

The minutes of the meeting held on 25 November 2015 were approved as a correct record and signed by the Chairman.

112. Apologies for absence (Agenda Item 2)

An apology for absence was received from Councillor Sue Steele.

113. Declarations of Interest (Agenda Item 3)

Councillor Shane Pledger declared a Disclosable Pecuniary Interest (DPI) in planning application 15/04998/S73A as he is the landowner.

Councillors Adam Dance and Crispin Raikes each declared a personal interest in planning application 15/04538/OUT as they are members of South Petherton Parish Council who had submitted comments on the application.

Councillors Clare Aparicio Paul and Derek Yeomans each declared a personal interest for planning application 15/04038/FUL as they are members on the Abattoir Liaison Group.

114. Date of next meeting (Agenda Item 4)

Members noted the next meeting of Area North Committee was scheduled for 2.00pm on Wednesday 27 January 2016, at a venue to be confirmed.

115. Public question time (Agenda Item 5)

There were no questions from members of the public.

116. Chairman's announcements (Agenda Item 6)

The Chairman made no announcements.

117. Reports from members (Agenda Item 7)

There were no reports from members.

118. Area North Neighbourhood Policing Update (Agenda Item 8)

The Area Development Manager (North) introduced representatives from Avon and Somerset Constabulary who covered SSDC Area North – the Neighbourhood Beat Manager, Acting Sergeant and Inspector.

The Inspector provided members with a brief update on their staffing structure and how teams were managed, and explained his role from a local and strategic perspective. He highlighted a new Chief Constable would be in post from February 2016. Referring to the spending review, he noted they were still working through previous cuts and resources were tight.

The Neighbourhood Beat Manager, summarised some of the local statistics, which had been circulated to members, and commented they were actively trying to tackle dwelling burglaries and poaching. Dwelling burglaries had increased in the Langport area and arrests had been made.

During a short discussion, the police officers responded to comments made regarding the fraud statistics, cold calling, agricultural vehicles and scrap metal dealers. Members were also reminded that up to date crime statistics were available by postcode via the national police website www.police.uk

The Chairman thanked the officers for attending the meeting,

119. Citizens Advice South Somerset (Agenda Item 9)

The Area Development Manager (North) welcomed Angela Kerr, Chief Executive Officer of Citizens Advice South Somerset (CASS) to the meeting, who provided members with a presentation about the work and future development of CASS. The presentation included information about:

- Aims, vision and principles of CASS
- The type of help provided
- Statistics about the number of clients helped, types of client issues, and how or where clients made their first contact with CASS
- Recruitment and training of volunteers
- Ambitions for the future
- Re-branding of Citizens Advice nationally

In response to comments raised during a short discussion, the Chief Executive Officer of CASS clarified that:

- There is no duplication of work with the SSDC Welfare Advice team. A referral system and protocol were in place to check if clients were already receiving, or had received advice from either organisation.
- Money was set aside for investing in volunteers
- It was recognised young people were under represented in their service, and they were looking to develop relationships with organisations that were trusted by young people.

Members thanked and congratulated the Chief Executive on the work of CASS, and commented it was an organisation that must be supported. The Chairman thanked the officer for her informative presentation.

120. Community Offices Update (Agenda Item 10)

The Community Office Support Manager presented the report as detailed in the agenda. She noted footfall across the district had reduced but at a lesser rate than in previous years. She highlighted the Langport Community Office was the only location with a slight increase in footfall.

There was no discussion and members were content to note the report.

RESOLVED: That the report be noted.

121. Assessment of Nominations Under Community Right to Bid - Methodist Church, Stoke-Sub-Hamdon (Agenda Item 11)

The Area Development Manager (North) introduced the report, which informed members of the result of an assessment following a nomination for the Methodist Church in Stoke Sub Hamdon to be added to the council's Register of Assets of Community Value.

There was no discussion and members were content to note the report.

RESOLVED: That the report be noted.

122. Area North Committee Forward Plan (Agenda Item 12)

The Area Development Manager (North) confirmed the Highways update report would be made to the February meeting, a Countryside update to March and the report on the Tourism Service would be made to the May meeting.

RESOLVED: That the Area North Committee Forward Plan be noted.

123. Planning Appeals (Agenda Item 13)

Members noted the report that detailed recent planning appeals which had been lodged, dismissed or allowed.

RESOLVED: That the report be noted.

124. Schedule of Planning Applications to be Determined By Committee (Agenda Item 14)

Members noted the schedule of planning applications to be determined at the meeting.

125. Planning Application 15/04038/FUL - Southern Counties Fresh Foods Ltd, Muchelney Road, Huish Episcopi. (Agenda Item 15)

Continued use of site for abattoir and associated purposes. Construction of additional carcass chills and an energy centre. Construction of storage including dry goods and finished product. Infill construction of a covered by-products yard and construction of a relocated security office.

The Planning Officer presented the application as detailed in the agenda report. He provided several updates regarding details of conditions if the application were to be approved including:

- The local flood authority had requested an additional condition regarding drainage.
- An additional condition was recommended for detail of the fencing near Tanyard Cottages, to address the concerns of residents in the cottages about the proximity of the fence.
- Amendment of wording to condition 7 to refer to 'HGVs' not 'vehicles'.

He clarified the aim of the proposal was to rescind all previous permissions and legal agreements, and to establish all planning control under this new application. It was noted that the business was an important part of the local economy around Langport and Huish Episcopi with more than 200 people employed. The officer gave a detailed description of the layout and circulation of the business within the site. He discussed concerns raised by local residents about the proximity of parked HGVs, and explained that loading of livestock took place further away from the northern boundary, with the new loading area being used for dry goods and packed meat products only

Mr L Bennett and Mr D Rees, spoke in objection to the proposal and points raised by them included:

- Concerns about noise. previous breaches with conditions and legal agreements regarding noise levels, and the council seeming to not be able to enforce.
- Lack of detail about what machinery is going in each building and noise assessments should be provided before the application is approved.
- Over the years the boundary fence had been moved nearer to neighbouring cottages, and in this proposal the distance of the fence to Tanyard Cottages did not seem to be confirmed.

Ward member, Councillor Clare Aparicio Paul, acknowledged that the applicant had tried complete openness regarding lines of communication with neighbours, She noted that many issues raised by objectors were related to a previous company running the site., and the current applicant wished to move forward and become more efficient and environmentally friendly.

During discussion comments raised by members included:

- Yes there had been breaches, but then enforced to be within limits
- Old buildings were an eyesore and those proposed are an improvement, new refrigeration units will be silent running.
- Liaison group had been very effective over the years
- Cottages have been there a long time but so has the abattoir, and before that a tannery, conditions will need to be adhered to

In response to a comment made, the Planning Officer and Environmental protection Officer clarified that:

- the details of the distance of fencing had been inaccurately reflected on the plans, and would be 7m (to be checked and finally agreed by condition).
- if the application were to be approved, then the planting scheme would be required in this current season.
- Last time the noise was monitored on site it was within prescribed limits, but acknowledge this is only a snapshot at that point in time.
- A condition was included for the company to undertake their own noise monitoring but SSDC would mirror this to monitor independently.

At the conclusion of debate, it was proposed to approve the application, as per the officer recommendation, subject to the amendment of condition 7, and two additional conditions regarding drainage and detail of fencing. On being put to the vote, the proposal was carried unanimously.

RESOLVED: That planning application 15/04038/FUL 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 ensure that:-
 1. HGVs approaching and leaving the site use agreed routes, as provided for in previous legal agreements regulating the site.
 2. Previous relevant permissions and agreements are rescinded, as necessary.
- b) the following conditions

Justification:

01. The proposal represents an acceptable rationalisation and enlargement of an existing industrial and employment site, located on the edge of a Local Market Town that respects the character and appearance of the setting and causes no demonstrable harm to residential amenity or highway safety, in accordance with the aims and objectives of the NPPF and Policies SD1, SS3, LMT2, EP4, TA5, TA6, EQ1, EQ2 and EQ4 of the South Somerset Local Plan, 2006 - 2028.

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: the drawings ref. LP-15, numbers 58A, 60, 62, 63, 64 and 66, and the Site Location Map Rev A,

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

03. No development hereby permitted shall be commenced unless particulars of the 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;
- b) full design details and material and external finish to be used for all windows, all external doors, entrance gates, boarding and openings;
- c) details of all eaves and fascia board detailing, guttering, downpipes and other rainwater goods;
- d) details of the surface material for the parking and turning area;
- e) details of all boundary treatments , including the proposed new 3m high fence with double gates; and
- f) details of the finished floor level of the buildings.
- g) The details, once approved, shall be fully implemented and thereafter retained and maintained.

Reason: To safeguard the character and appearance of the area and to accord with the NPPF and Policy EQ2 of the South Somerset Local Plan.

04. No development hereby permitted shall 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 scheme shall be in accordance with the plans ref. TD779-03C and 04C contained in the submitted Landscape & Visual Statement. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out at the earliest opportunity following the grant of this permission but at the latest within the first planting and seeding season following or concurrent with the commencement of development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The scheme of planting and landscaping shall thereafter be permanently retained and maintained.

Reason: To safeguard the character and appearance of the area, and to accord with Policy EQ2 of the South Somerset Local Plan.

05. No development hereby permitted shall be commenced unless a final detailed noise prediction model for the extended development, based on the finalised plant scheme, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include final noise mitigation measures to be agreed with the Local Planning Authority before work commences. The noise mitigation scheme, once approved, shall be fully implemented and shall be maintained and not altered without the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity and to accord with Policy EQ2 of the South Somerset Local Plan.

06. Day Time noise emitted from the application site shall not exceed 60 dBL Aeq (1 hour) when measured on any boundary of the application site.
Night time noise emitted from the application site shall not exceed 35 dBL Aeq (10 minutes) when measured on the Mucheleny Road boundary of the application site or 45 dBL Aeq (10 minutes) on any other boundary of the application site.

For the purpose of this condition the day time shall apply between:-

0630 to 2300 hours on Monday to Fridays

0630 to 1600 hours on Saturdays

0800 to 1430 hours on Sundays

0630 to 1500 hours on Bank Holidays

The night time limit shall apply at all other times.

Reason: In the interests of residential amenity and to accord with

the NPPF and Policy EQ2 of the South Somerset Local Plan.

07. All heavy goods vehicles shall access and egress to and from and proceed whilst on the site strictly in accordance with the vehicle routes shown on the drawing Appendix 4 (Plan B- Routing of HGV's) contained in the submitted Transport Statement.

Reason: In the interests of residential amenity to accord with the NPPF and Policy EQ2 of the South Somerset Local Plan.

08. There shall be no burning of any waste or other materials on the site, except in an incinerator, the details of which shall have been approved in writing by the Local Planning Authority before being brought into use. The use of the incinerator shall be strictly in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and in accordance with Policy EQ2 of the South Somerset Local Plan.

09. The area allocated for parking and turning on the submitted plan ref. LP-15-58A 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 and to safeguard the amenities and character of the area to accord with Policies EQ2, TA5 and TA6 of the South Somerset Local Plan.

10. No development hereby permitted shall be commenced unless the details of areas on the site for the cleaning and washing of vehicles have been submitted to and approved in writing by the Local Planning Authority. There shall be no cleaning or washing of vehicles other than in the areas specified in such approved details.

Reason: In the interests of residential amenity to accord with Policy EQ2 of the South Somerset Local Plan.

11. No machinery shall be operated, no process shall be carried out (with the exception of essential cleaning and maintenance and occasional slaughter solely in the interests of animal welfare) and no loading of vehicles shall take place on the application site other than as follows:-

Slaughtering

0630 to 1800 hours - Monday to Fridays
0630 to 1300 hours - Saturdays and Bank Holidays

Meat Processing (within the boning room and associated rooms as shown on the submitted plan ref.LP-15-62).

24 hours - Mondays to Fridays
0630 to 1600 hours - Saturdays
0800 to 1430 hours - Sundays
0630 to 1300 hours - Bank Holidays

Loading

0630 to 2300 hours - Mondays to Fridays
0630 to 1600 hours - Saturdays
0800 to 1430 hours - Sundays
0630 to 1500 hours - Bank Holidays

Reason: In the interests of residential amenity to accord with Policy EQ2 of the South Somerset Local Plan

12. There shall be no changeover of weekday meat processing shifts at the plant between the hours of 2230 and 0630 Monday to Friday (inclusive).

Reason: In the interests of residential amenity to accord with Policy EQ2 of the South Somerset Local Plan.

13. The change over of weekday shifts at the plant shall not take place between the hours of 1530 and 1630.

Reason: In order to minimise conflicting traffic movements along the A372 at the end of the school day.

14. There shall be no more than 130 movements of heavy goods vehicles with unladen weight of 7500kg or more in or out of the site within any 24 hour period. Of these movements, there shall be no more than 8 movements per night in or out of the site between the hours of 2200 and 0630. Records of all such vehicle movements shall be kept and made available to the Local Planning Authority.

Reason: In the interests of residential amenity and highway safety and to accord with the NPPF and Policies EQ2 and TA5 of the South Somerset Local Plan.

15. (a) Prior to commencement of development, a phasing plan for the construction of the development hereby permitted shall be submitted to and agreed with the Local Planning Authority. The applicant shall, on completion of all works on each identified phase, and on completion of the development as a whole, employ an acoustic consultant to monitor noise levels from the site to check and ensure full compliance with the conditioned noise levels. Should monitoring show non-compliance this shall be reported to the local planning authority as soon as reasonably practicable along with proposed actions to reduce the noise to within the set limits. Once agreed, actions shall be implemented in full.
(b) The applicant shall notify the Local Planning Authority in the

event of any replacement or installation of fixed plant or machinery, or changes to structures or installations on the site which would materially affect noise emissions, and agree with the Local Planning Authority any further necessary noise monitoring and appropriate mitigation measures.

Reason: In the interests of residential amenity and to accord with Policy EQ2 of the South Somerset Local Plan.

16. All HGV chiller trailers units shall be run on electric hook-ups at all times whilst on site, with the exception of times when they are departing from site or arriving. There shall be no HGV trailers at all parked on the loading bay on the east side of the building (the loading bay shown on the plan ref. LP-15-58A immediately adjacent to the 'Dry Goods' area) outside of the following hours:-

0630 to 2300 hours Monday to Fridays
0630 to 1600 hours on Saturdays
0800 to 1430 hours on Sundays
0630 to 1500 hours on Bank Holidays.

Reason: In the interests of residential amenity and to accord with Policy EQ2 of the South Somerset Local Plan.

17. With the exception of windows to the office accommodation (as indicated on the submitted plan ref. LP-15-62) all external doors and windows to the premises shall be kept closed at all times except for the explicit purpose of entry to or exit from the premises.

Reason: To avoid unnecessary noise from open doors and windows, in order to protect the amenity of the locality, especially for people living nearby in accordance with Policy EQ2 of the South Somerset Local Plan.

18. Any forklift trucks used on the application site shall be fitted with noise attenuated reversing alarms. All such alarms are to be kept in working condition and operable wherever a forklift truck is used on the site.

Reason: In the interests of residential amenity and to accord with Policy EQ2 of the South Somerset Local Plan.

19. No additional external lighting shall be erected on the site unless a lighting scheme for such exterior lighting on the site has been submitted to and approved in writing by the Local Planning Authority to provide that:

1. Light into neighbouring residential windows generated from the floodlights shall not exceed 5/10*Ev (lux) (vertical luminance in lux)
2. Each floodlight must be aligned to ensure that the upper limit of the main beam does not exceed 70 degrees from its

downward vertical.

3. The floodlighting shall be designed and operated to have full horizontal cut-off and such that the Upward Waste Light Ratio does not exceed 2.5/5*%.

Any submitted scheme shall include an isolux diagram showing the predicted luminance in the vertical plane (in lux) at critical locations on the boundary of the site and at adjacent properties. No exterior lighting shall be erected on site other than that approved under the scheme. The approved scheme shall be implemented prior to beneficial use and thereafter permanently retained and maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity and to accord with Policy EQ2 of the South Somerset Local Plan.

20. No development shall be commenced until surface water drainage details, (including surface water from any additional access routes), together with a programme of implementation and maintenance of the approved scheme for the lifetime of the development have been submitted to and approved by the Local Planning Authority. Such works shall be carried out in accordance with the approved details.

Reason: To ensure that the development is served by a satisfactory system of surface water drainage and in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, Paragraph 103 of the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework (March 2015).

21. No development hereby permitted shall be commenced unless details of the layout of the access, including details of gates and fencing, at the entrance to the site onto Tanyard Lane have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of residential and visual amenity, and to accord with the NPPF and Policy EQ2 of the South Somerset Local Plan.

Informatives:

01. The applicant's attention is drawn to the advice of the Environment Agency set out in their letter of 1 October 2015, a copy of which was sent to the applicant.
02. The applicant's attention is drawn to the advice of Wessex water, particularly in relation to construction within 3m of a public sewer, in their letter dated 14 September 2015, which can be viewed on the Council's website.

03. Noise and dust control
The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of the development. This should include not working outside regular day time hours, the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environmental Health service.

Planning and Permitting

The premises concerned benefits from an existing permit issued by the Environment Agency under the Pollution Prevention and Control (England and Wales) Regulations 2000.

The permit covers:

Slaughtering animals at a plant with carcass production capacity of more than 50 tonnes per day.

Disposal of non-hazardous waste in a facility with a capacity of more than 50 tonnes per day by physico- chemical treatment.

Planning and permitting decisions are separate but closely linked. Planning permission determines if a development is an acceptable use of the land. Permitting determines if an operation can be managed on an ongoing basis to prevent or minimise pollution.

04. In respect of Conditions 14 and 15, 'movement' is defined as either the arrival or departure of a vehicle from the site.

(Voting: Unanimous in favour)

126. Planning Application 15/02269/FUL - OS 0062, Mildmays Road, High Ham. (Agenda Item 16)

Change of use of land for the creation of two additional gypsy pitches for occupation by family members of the applicant.

The Area Lead (West) presented the application as detailed in the agenda report and briefly reminded members of the previous permission granted for one pitch, and highlighted that this proposal was for two additional pitches adjacent to that. He drew members attention to the comments of the Parish Council and Landscape Officer.

Ward member, Councillor Shane Pledger, noted that High Ham Parish Council had concerns that nothing regarding the previous permission had been implemented.

During discussion, several members expressed varying concerns including:

- No detail is included about foul and surface water drainage, and this should be implemented before occupation.
- Should defer a decision to sort out detail regarding drainage issues.
- Existing pitch does not look like it is in use
- Is there a water supply suitable for the site

In response to comments made the Area Lead (North/East) clarified that the application stated a septic tank was proposed to deal with foul water drainage, and further details could be by condition.

At the end of discussion it was proposed to defer the application for clarification regarding availability of services and proposals to deal with foul water drainage. On being put to the vote, the proposal was carried unanimously.

RESOLVED: That planning application 15/02269/FUL be DEFERRED for clarification over availability of services and proposals to deal with foul water.

(Voting: unanimous in favour)

127. Planning Application 15/04538/OUT - Derelict Barn at Compton Durville, South Petherton (Agenda Item 17)

The erection of 1 No. dwelling with associated parking.

The Area Lead (West) presented the application as detailed in the agenda report. He noted that it was believed the site had been occupied until the 1960s, and post residential use it had been used for hay storage. He explained that the site was not considered to be an old or redundant building, but was more of a ruin. Reference was also made to old an old appeal decision for the site, and whilst the local support was acknowledged it was not considered to be sufficient to recommend approval of the proposal.

Ms S Beaufoy, representative for South Petherton Parish Council, noted there was much local support in South Petherton and Shepton Beauchamp for the proposal. She noted the applicants and family used to live at the site until the late 1950's.

Mrs S Bishop, representative for Shepton Beauchamp Parish Council, read comments from a neighbour which made reference to previous refusals due to highways and turning space. She noted it was not felt visibility was a problem and any issues could be overcome. The proposal would not detract from the night sky as there much more light from the nearby Branstons site.

Mr D Woan, supporter, considered the proposal to be reconstruction of a previous dwelling, and if additional land was required for turning space that it was within the applicant's ownership.. He noted there were no local objections to the proposal, and it would not impact upon anyone. The deterioration of the existing dwelling was unfortunate, and if the proposal were to refuse it would continue to be an eyesore.

Agent, Ms J Fryer, commented she understood the need to preserve the countryside but this was not virgin ground. There had previously been a dwelling on the land that was occupied by the applicant's ancestors. The aspiration was to rebuild the dwelling exactly how it was. The turning area had not originally been sought but the applicants were willing to provide if necessary. The proposal had local connections and support.

Ward member, Councillor Adam Dance, commented he had requested the application came to Committee due to the level of local support. He noted members often heard

from objectors not supporters, and that a building had been at the site for many years. He proposed approval of the application.

Ward member, Councillor Crispin Raikes, noted much of the landscape impact would be minimised by re-using stone on stone on site. He felt there were exceptional circumstances and many positive comments from local people and parish councils. He considered the local support should weigh heavily.

During discussion by members, mixed opinions were raised and comments included:

- If building restored it would fit with the setting.
- Previous appeal decision should be noted.
- If approved Permitted Development Rights should be removed.
- Can utilities and drainage be adequately provided?
- A building has been there for about 300 years, so isn't the principle of planning there?
- This will be a total reconstruction not a renovation.
- Buildings of local stone are wanted locally whether a local person or not.
- Has at some stage been a house, and then a store – and people are able to convert barns.
- Decision should be deferred for a report from a structural engineer to see if existing structure could be retained.

In response to comments made the Area Leads (North/East and West) clarified:

- The parking and turning details of this proposal.
- Details about utilities and drainage would be covered by condition in a reserved matters application if this outline application were to be approved.
- The red line for this application could not be changed and would be subject to a new application.
- The view of the LPA was that building had been abandoned, and did not believe the building could be renovated.

Initially it was proposed to approve the application, contrary to the officer recommendation, on the grounds of history of the site, and that the building could be brought back into use. However on being put to the vote the proposal was not supported with 4 votes in favour of approving the application, 7 against and 1 abstention.

It was subsequently proposed to refuse the application, as per the officer recommendation, and on being put to the vote, was carried 7 in favour, 4 against with 1 abstention.

RESOLVED: That planning application 15/04538/OUT be REFUSED, as per the officer recommendation, for the following reasons:

01. The proposal would represent new residential development in open countryside, for which an overriding essential need has not been justified. The application site is remote from local key services and as such would increase the need for journeys to be made by private vehicles. The proposal constitutes unsustainable development that is contrary to policies SD1 and SS1 of the South Somerset Local Plan (2006-2028) and to the aims and objectives of the National Planning Policy Framework, including paragraph 55.

02. A new dwelling in this location would be at variance with the sparse settlement pattern that characterises the area and as a singular development in a field location, with associated domestication of the site including the loss of hedgerow to provide visibility, it would be intrusive in the rural landscape. It would therefore erode local character and distinctiveness, contrary to policy EQ2 of the South Somerset Local Plan (2006-2028) and to the aims and objectives of the National Planning Policy Framework.
03. The proposal is contrary to policy TA5 of the South Somerset Local Plan (2006-2028) and section 4 of the National Planning Policy Framework (NPPF) as the proposed access to the dwelling does not incorporate the necessary visibility splays, turning spaces or adequate radii which are essential in the interests of highway safety.

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, pre-application advice was given to the applicant in the 2010 that such a proposal would be unlikely to be successful. No recent pre-application advice was sought.

(Voting: 7 in favour, 4 against, 1 abstention)

128. Planning Application 15/04256/FUL - Rectory Cottage, Tintinhull Road, Chilthorne Domer (Agenda Item 18)

The erection of timber boundary fencing (part retrospective).

The Planning Officer presented the application as detailed in the agenda report, and noted that a neighbour objection had been raised due to highway visibility.

Mr M Batstone spoke in objection to the application and noted he had previously been granted permission for access to his field and bungalow based on there being adequate visibility. The owners of Rectory House had since erected six foot fence panels and the visibility had subsequently reduced. He noted recently a family member had had an accident at the access point onto the road.

Ms J Jones, addressed members on behalf of the applicant. She highlighted that it had been incorrectly stated that fence panels were to be erected to the end of the garden

when in fact they stopped short of the end of the garden. They were proposing to add one more panel to those existing, as at the time they had erected the existing panels they were unaware that permission was required. She noted the panels were needed for security and safety, and highways had not raised any objections.

Ward member, Councillor Jo Roundell Greene, was concerned about highway safety, and even though the stretch of road was within a 40mph limit vehicles often went faster. She noted the panels were high and felt one more panel would block visibility.

Following a very brief discussion it was proposed to approve the application, as per the officer recommendation, and on being put to the vote, was carried 11 in favour with 1 abstention.

RESOLVED: That planning application 15/04256/FUL be APPROVED, as per the officer recommendation, subject to the following:

Justification

01. The proposal respects the character of the area and does not adversely affect either residential or visual amenity, or highway safety. As such, the proposal accords with Policy EQ2 of the South Somerset Local Plan 2006-28 and the aims and objectives of the National Planning Policy Framework.

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 5th October 2015.

Reason: To comply with Section 73A of the Town and Country Planning Act 1990.

02. The development hereby permitted shall be carried out in accordance with the following approved plans reference 6543-01, and date stamped as received 05.10.15.

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

(Voting: 11 in favour, 1 abstention)

129. Planning Application 15/04998/S73A - Land South of South Barton, Martock Road, Long Sutton. (Agenda Item 19)

(Councillor Shane Pledger having declared a Disclosable Pecuniary Interest left the meeting prior to the presentation and consideration of this application. Councillor Dean Ruddle took the role of Chairman).

Application to vary condition No. 02 (approved plans) of 14/05217/FUL for change of roof material.

The Planning Officer presented the application as detailed in the agenda report, and noted the application was before members due to the Area Chairman being the landowner. He noted it was a simple application to change roofing materials.

There was no discussion, and it was proposed to approve the application, as per the officer recommendation, and on being to the vote was carried unanimously.

RESOLVED: That planning application 15/04998/S73A be APPROVED, as per the officer recommendation, subject to the following:

Justification:

The proposed dwelling represents an appropriate and sustainable form of development which will contribute to the council's housing supply without demonstrable harm to visual or residential amenity or being prejudicial to highway safety and therefore accords with the aims and objectives of policies SD1, SS2, TA5, TA6 and EQ2 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

Conditions:

01. The development hereby permitted shall be begun before the expiration of three years from the date of the original planning permission (14/05217/FUL), i.e. before 30 January 2018.

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 F1223/001F, F1223-100F, F1223-101F, F1223-150C and F1223-151A.

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

03. With the exception of the roofing materials for plot 1 all external roof and wall material details, natural stonewall details, lintel, roof eaves, verges, rainwater goods, gates, fences and surface materials for the parking and turning shall be as agreed under discharge of condition application 15/00915/DOC.

Reason: In the interest of visual amenity to accord with Policy EQ2 of the South Somerset Local Plan.

04. All planting, seeding, turfing or earth moulding comprised in the scheme of landscaping detailed on drawing number F1223/001F shall be carried out in the first planting and seeding season following the first occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants

which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

05. The internal ground floor levels of the dwellings hereby permitted shall accord with the details set out on drawing number F1223/001F, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

06. There shall be no obstruction greater than 300mm above adjoining road level 4.0m back and parallel over the entire site frontage. Such visibility splays shall be fully provided before works commence on the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interest of highway safety to accord with Policy TA5 of the South Somerset Local Plan.

07. Before the dwellings hereby permitted are first occupied, the access over the first 5m of its length shall be properly consolidated and surfaced in tarmac, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to comply with Policy TA5 of the South Somerset Local Plan.

08. Before the dwellings are occupied and the access is first brought into use, the drainage measures to prevent the discharge of surface water onto any part of the highway, as agreed under discharge of condition application 15/00915/DOC, shall be fully implemented and thereafter maintained in this fashion at all times, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highway safety and to comply with Policy TA5 of the South Somerset Local Plan.

09. The area allocated for parking and turning on the approved plans 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 interest of highway safety to accord with Policy TA6 of the South Somerset Local Plan.

10. Any entrance gates shall be hung to open inwards and set back a

minimum distance of 5m from the highway at all times.

Reason: In the interests of highway safety and to comply with Policy TA5 of the South Somerset Local Plan.

11. Prior to the development hereby approved being first brought into use the first floor windows within the north elevations of the dwellings hereby permitted shall be fitted with obscure glass and shall be permanently retained and maintained in this fashion thereafter.

Reason: In the interest of residential amenity to accord with Policy EQ2 of the South Somerset Local Plan.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed above ground floor level within the north or south elevations of the dwellings hereby permitted without the prior express grant of planning permission.

Reason: In the interest of residential amenity to accord with Policy EQ2 of the South Somerset Local Plan.

(Voting: Unanimous)

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Chairman