

South Somerset District Council

Minutes of a meeting of the **Area North Committee** held at the **Edgar Hall, Somerton** on **Wednesday 27 April 2016**.

(2.00 pm - 6.20 pm)

Present:

Members: Councillor Shane Pledger (Chairman) (to 5.25pm)

Clare Aparicio Paul
Neil Bloomfield
Adam Dance
Graham Middleton
Tiffany Osborne
Stephen Page

Crispin Raikes
Jo Roundell Greene
Dean Ruddle
Sylvia Seal
Derek Yeomans (to 5.25pm)

Officers:

Charlotte Jones
Paula Goddard
Adrian Noon
Angela Watson
Alex Skidmore
Nick Head
John Millar
Becky Sanders

Area Development Manager (North)
Senior Legal Executive
Area Lead (North/East)
Legal Services Manager
Planning Officer
Planning Officer
Planning Officer
Democratic Services Officer

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

185. Minutes (Agenda Item 1)

The minutes of the meeting held on the 23 March 2016 were approved as a correct record and signed by the Chairman.

186. Apologies for absence (Agenda Item 2)

An apology for absence was received from Councillor Sue Steele. An apology for a late arrival was received from Councillor Adam Dance.

187. Declarations of Interest (Agenda Item 3)

Councillor Derek Yeomans declared a personal and prejudicial interest regarding planning application 15/05090/FUL as he part-owned a property close to the site.

Councillor Dean Ruddle declared the following interests:

- Personal interest regarding planning application 15/04331/S73 as a member of Somerton Town Council.

- Personal interest regarding planning application 15/03585/OUT as a member of Somerton Town Council, and a prejudicial interest as his home was close to the site.
- A Disclosable Pecuniary Interest (DPI) regarding planning application 16/00933/FUL as his company was the applicant.

Councillor Shane Pledger declared a personal and prejudicial interest in planning application 15/05090FUL as he had had business dealings with the applicant.

188. Date of next meeting (Agenda Item 4)

Members noted the next meeting of Area North Committee was scheduled for 2.00pm on Wednesday 25 May, at Long Sutton Village Hall.

189. Public question time (Agenda Item 5)

There were no questions from members of the public.

190. Chairman's announcements (Agenda Item 6)

There were no Chairman's announcements.

191. Reports from members (Agenda Item 7)

There were no reports from members.

192. Area North Committee Forward Plan (Agenda Item 8)

The Area Development Manager (North) noted there were no updates to the Forward Plan.

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

193. Planning Appeals (Agenda Item 9)

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

RESOLVED: That the report be noted.

194. Schedule of Planning Applications to be Determined By Committee (Agenda Item 10)

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

**195. Planning Application 15/04331/S73 - Northfield Farm, Northfield, Somerton.
(Agenda Item 11)**

Proposal: Section 73 application to vary condition no. 25 of planning approval 10/03704/FUL dated 17/05/2013 to amend the list of approved drawings to amend house types.

The Planning Officer introduced her report and briefly reminded members why the application had been previously deferred. She noted there had been further consultation with Somerton Town Council, who were happy with the three storey element originally proposed being reduced to two and half storey, but they still objected to the reduction in leisure contributions.

Members were updated that since the agenda had been published, another letter of representation had been received raising concern about impact, density and the two and half storey element.

During her presentation, the Planning Officer detailed the changes in the proposed scheme now being considered compared to the original approved application. She also highlighted the reduction in required leisure contributions which had been carefully considered and took into account the maximum amount that could be requested.

Mr T Bown, spokesperson for Somerton Town Council, commented they supported the amendment about the building storeys, but noted they had not been advised of any construction transport plan, and there were concerns about traffic and diversion through residential areas. It was felt there were issues with the stopping up of the road and compliance with Highway Act, and the town council requested that there was a full highways review.

Members were then addressed by Ms F Richardson and Mrs Short in objection to the application, their comments included:

- Concern about traffic and need to know what will happen about construction vehicle movements
- Concern about the height of properties, and reference to the roofline of the care home on Behind Berry being disastrous on the view over the town.

Ward member, Councillor Dean Ruddle, supported the Town Council comments. He agreed with comments made about heights but noted the two and half storey element had already been agreed at the previous application. The town was in need of housing, and he was of the view the application needed to be approved.

Ward member, Councillor Stephen Page, felt highway safety and pedestrian access was still a concern, but noted the development has prior approval. He noted the mixture of housing proposed was welcome, and on balance, felt the application should now go ahead.

Following comments made during a brief discussion, the Area Lead responded that:

- It was not possible to add a carry over clause at this stage regarding leisure contributions – but the comments made would be noted for the future.
- The road network through the proposed development had been considered in the previous application, and had been designed to be unattractive for goods vehicles to travel through when there was a much easier route available.

At the conclusion of debate, it was proposed to approve the application as per the officer recommendation, and on being put to the vote, this was carried (9 in favour and 2 against, 0 abstentions).

RESOLVED: That planning application 15/04331/S73 be APPROVED, as per the officer recommendation, subject to the following:

a) The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to:

- Ensure the delivery of the development with 46 affordable homes, as specified on the approved plans, with 32 for rent accommodation and 14 shared ownership to the satisfaction of the Strategic Housing Manager.
- Provide for a contribution of £147,084 for the provision of 12 new infant school places, to the satisfaction of the County Education Authority.
- Provide a contribution of £440,012 (or £3,308 per dwelling) towards sports, arts and leisure contributions, to the satisfaction of the Development Manager in consultation with the Assistant Director of Health & Wellbeing broken down as:
 - £281,630 for local facilities;
 - £40,273 for strategic facilities;
 - £113,752 as a commuted sum towards local services;
 - £4,357 as the Community Health and Leisure Service administration fee.
- Secure the provision, and appropriate future management of the on-site open space and LEAP either by adoption (with an appropriate commuted sum as defined by the Open Spaces Officer) or by a Management Company.
- Ensure appropriate Travel Planning measures as agreed by the Development Manager in conjunction with the County Travel Plan Coordinator.
- Provide for the agreement of the phasing of development including the delivery of improvements to the Langport Road junction as identified on the approved plans.
- Ensure that the financial obligations are index linked at the appropriate rate.

b) *The imposition of the planning conditions set out below on the grant of planning permission.*

Justification:

The proposed development is located within the area identified as being within the direction of growth for Somerton and would make a significant contribution to the council's housing supply without

resulting in any demonstrable harm to landscape, residential or visual amenity, ecology, archaeology, highway safety, drainage or flooding, and without compromising the provision of services and facilities in the settlement. As such the scheme is considered to be a sustainable form of development that accords with policies SD1 , SS1, SS4, SS5, SS6, LMT3, HG5, TA1, TA4, TA5, TA6, HW1, EQ1, EQ2, EQ3, EQ4 and EQ7 and the provisions 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 the original planning permission (10/03407/FUL), i.e. before 17 May 2016 2018.

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

02. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works including sustainable drainage principles has been submitted to, and approved in writing by the Local Planning Authority. The submitted details shall include measures to prevent the discharge of surface water from individual plots onto the highways and shall clarify the intended future ownership and maintenance provision for all drainage works serving the site. The approved drainage works shall be completed in accordance with the details and timetable agreed.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal in accordance with the requirements of the National Planning Policy Framework.

03. No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

Reason: In the interests of sustainable development and prudent use of natural materials, in accordance with the requirements of the National Planning Policy Framework.

04. The development hereby permitted shall be carried out in accordance with the Construction Management Plan received 18/01/2016, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highways safety and to safeguard the amenities of the locality in accordance with policies TA5 and EQ2 of the South Somerset Local Plan.

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

(a) Provide a written report to the Local Planning Authority which shall include details of the previous uses of the site and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

(b) If the report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment shall be carried out in line with current guidance. This should determine whether any contamination could pose a risk to future users of the site or the environment.

(c) If remedial works are required, details shall be submitted to the Local Planning Authority, and these shall be accepted in writing and thereafter implemented. On completion of any required remedial works the applicant shall provide written confirmation that the works have been completed in accordance with the agreed remediation strategy.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, in accordance with policy EQ7 of the South Somerset Local Plan.

06. No works shall be carried out above damp course level for the dwellings hereby permitted unless particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the local planning authority. Once approved such details shall be fully implemented unless agreed otherwise in writing by the local planning authority.

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

07. Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority. For a period of five years after the completion of the landscaping scheme, the trees and shrubs shall be protected and maintained in a

healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with policy EQ2 of the South Somerset Local Plan.

08. The boundary treatments shown on the approved plans shall be completed before the part of the development to which it relates is occupied and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the local character and distinctiveness of the area and in the interests of the amenities of the neighbouring residents in accordance with policy EQ2 of the South Somerset Local Plan.

09. Notwithstanding the approved plan no works shall be carried out unless details of all existing levels and proposed finished ground and floor levels have been submitted to and approved by the local planning authority. The scheme shall be completed in accordance with the approved details.

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

10. No works shall be carried out above damp course level for the dwellings hereby permitted unless details of the design, recessing, material and external finish to be used for all windows and doors, including cill and lintel details where appropriate, have been submitted to and agreed in writing by the local planning authority. Once approved such details shall be fully implemented unless agreed otherwise in writing by the local planning authority.

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

11. No works shall be carried out above damp course level for the dwellings hereby permitted unless details of all eaves/fascia board detailing, guttering, downpipes and other rainwater goods have been submitted to and approved in writing by the local planning authority. Once approved such details shall be fully implemented unless agreed otherwise in writing by the local planning authority.

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

12. Notwithstanding the approved plan the dwellings hereby permitted shall not be commenced until particulars of all hard surfacing materials have been submitted to and approved in writing by the local planning authority. Such details shall include the use of porous materials to the parking and turning areas where appropriate. Once approved such details shall be fully implemented and maintained at all times thereafter unless agreed otherwise in writing by the local planning authority.

Reason: In the interests of visual amenity and to mitigate any flood risk in accordance with policy EQ2 of the South Somerset Local Plan and the provisions of the NPPF.

13. 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 extensions (including dormer windows) or outbuildings shall be added without the prior express grant of planning permission.

Reason: In the interests of visual amenity and to safeguard residential amenity in accordance with policy EQ2 of the South Somerset Local Plan.

14. The areas allocated for parking, including garages and car ports, shall be kept clear of obstruction and shall not be converted or used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure that adequate parking is provided and maintained to meet the needs of the development in accordance with policy TA6 of the South Somerset Local Plan.

15. All electrical and telephone services to the development shall be run underground. All service intakes to the dwellings shall be run internally and not visible on the exterior. All meter cupboards and gas boxes shall be positioned on the dwellings in accordance with details, which shall have been previously submitted to and approved in writing by the Local Planning Authority and thereafter retained in such form.

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

16. No works shall be carried out above damp course level for the dwellings hereby permitted unless details of lighting in off-street areas have been submitted to and approved in writing by the Local Planning Authority. Once approved such details shall be fully implemented unless agreed otherwise in writing by the local planning authority.

Reason: To minimise light pollution in accordance with policy EQ7 of the South Somerset Local Plan.

17. No part of the development shall be occupied unless that part of the estate road network that provides access to it has been constructed in accordance with the approved plans.

Reason: To ensure that adequate access arrangements exist for each building prior to occupation, in accordance with Policy TA5 of the South Somerset Local Plan.

18. The protection of wildlife identified in the ecological report shall be carried out in accordance with the recommendations of the report by Ecology Solutions Ltd, dated May 2010. In the event that it is not possible to adhere to these recommendations all development shall cease and not recommence until such time as an alternative strategy has been submitted to and approved in writing by the local planning authority.

Reason: To safeguard the ecologic interests the site in accordance with policy EQ4 of the South Somerset Local Plan.

19. The development hereby permitted shall not be commenced until a programme showing the phasing of the development has been submitted to and approved by the Local Planning Authority. Such details shall include the timing for the formation of the new access arrangements, the delivery of the new estate roads and ancillary works, including road closures, stopping up and appropriate traffic regulation orders. Following such approval and commencement of the development hereby permitted the works comprised in the development shall not be carried out otherwise than in complete accordance with such approved programme or such other phasing programme as the Local Planning Authority may in writing subsequently approve.

Reason: In the interest of highway safety and to ensure the comprehensive development of the site in line with the planning obligations that have been agreed in accordance with policies SS6, HG3, TA5 and HW1 of the South Somerset Local Plan.

20. Prior to the commencement of development details of the surfacing of the roads, footways, footpaths and cycleways and the design of any bus stops, street lighting and street furniture shall be submitted to and approved in writing by the Local Planning Authority. Once approved such details shall be fully completed in accordance with the agreed phasing.

Reason: In the interest of highway safety, in accordance with Policy TA5 of the South Somerset Local Plan.

21. The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served

by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

Reason: In the interest of highway safety, in accordance with Policy TA5 of the South Somerset Local Plan.

22. Before any building or engineering works are carried out on the site, temporary pedestrian and cycle links shall be provided in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be maintained during the entire construction phase.

Reason: In the interest of highway safety, in accordance with Policy TA5 of the South Somerset Local Plan.

24. At the proposed access onto Langport Road there shall be no obstruction to visibility greater than 300millimetres above adjoining road level within the visibility splays shown on the submitted plan (no 1049/01P). Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interest of highway safety, in accordance with Policy TA5 of the South Somerset Local Plan.

25. The development hereby permitted shall be carried out in accordance with the plans listed on the Application Drawing Listed dated 11/04/2016 and the supporting information agreed as part of application 10/03704/FUL.

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

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

**196. Planning Application 15/03585/OUT - Land Off Cartway Lane, Somerton.
(Agenda Item 12)**

(Councillor Dean Ruddle having declared a personal and prejudicial interest in this application remained in the meeting until he had made his ward member representation, and then left the room for the debate and decision.)

Proposal: Outline application for the construction of up to 59 dwellings with a new vehicular access from Cartway Lane, associated car parking and open space including the provision of a play area and laying out of an access road. (The maximum height of buildings to be two storeys above existing ground level) with some matters reserved.

The Planning Officer presented the application, as detailed in the agenda report, and highlighted that the red line for the application excluded a strip of land to the south of the site which was a bridleway. She explained and presented to members a number of amendments that had been made to the application as it had progressed, including that the play areas were no longer proposed to be linked. Since the agenda had been published there were a number of updates:

- County Archaeology raised no objection to the proposal subject to a condition.
- Additional comments in objection had been received from Somerton Town Council:
 - Lack of safe pedestrian access
 - Linking of the play areas
 - Using the bridleway for emergency access
- Five further letters from the public had been received
- Leisure had revised their required contributions – these were detailed to members and the Planning Officer explained that this would require a change to the figures in the recommendation should the application be approved.

The Planning Officer noted that since writing the report, concerns about the width of Cartway Lane had been considered by the developer. The developer had agreed to the addition of an extra clause into the Section 106 obligations to make provision to safeguard land to widen the road should this be necessary if a new school site came forward on Cartway Lane. The officer recommendation was to approve the application, subject to the addition of an archaeology condition, the increased leisure contributions and the additional clause in the Section 106 for safeguarding land for road widening.

Members were then addressed by Mr T Bown of Somerton Town Council, Mr J Andrews, Mr S Law, Ms M Fletcher, Mr M Vicker-Craddock, Mrs Richardson, Mrs P Short and Mr A Bartlett who all spoke in objection to the application. Their comments included:

- Concern regarding lack of pedestrian access along Cartway Lane, even if developer does provide a section of pavement it will not connect to Langport Road.
- Question why bridleway needs to be used for emergency access.
- The eastern side of the site is often waterlogged or flooded - concern about lack of detail regarding a suitable surface water drainage scheme, and storage of excess water needs to be conditioned.
- Concern that any linking of the play areas will allow pedestrian access from one site to the other.
- Oppose due to lack of pathways, much of the bridleway is unsurfaced, dark and gloomy. Residents will have a long walk around and there is no continuous pathway along Bancombe Road and Cartway Lane.
- Highway safety is a concern, especially as when Bancombe Road is stopped up there will be increased traffic along Cartway Lane.
- Concern that an attenuation pond will be located close to properties at Parklands – how big will it be? What will happen if the pond overflows and who will be responsible for its maintenance?
- Concerned if the bridleway will be accessible for emergency vehicles in its current condition, and will it affect access to the property at the eastern end.
- Of the opinion that safe routes for pedestrians should be conditioned on all applications.
- As current tenant of the fields, feel the tenancy agreement should be observed until its termination and the water supply must be maintained without any break.
- Clarity is needed regarding whether or not the hedge to the south is being retained.

Mr M Hirsh, agent, noted that the proposal was in line with policy and the Local Plan. The open space had been re-considered and had been moved to provide more natural surveillance and to be situated further away from housing. The principle of using the bridleway for emergency access had been agreed with the County Rights of Way department, and there had been no objection by County on highway grounds. Comments made about the prospect of a school site coming forward were acknowledged.

Ward Member, Councillor Stephen Page, acknowledged that if the application was approved it would take Somerton about 34% over the suggested growth for the town detailed in the Local Plan. He felt some very valid comments had been made by the public speakers and concerns raised by the local farmer needed to be addressed. The proposal had a good mix of homes which was to be commended, but he felt the application should be deferred to address the issues raised.

Ward Member, Councillor Dean Ruddle, was pleased that the developer had been in discussions with the Town Council. He noted it was unreasonable to expect the developer to put in a path to connect to Langport Road which is outside of the proposed development. He commented that the site did flood onto the bridleway, and that the issue regarding the play area had been resolved, and as the Town Council owned the Parklands play area they would be in a position to control any linking in the future.

(Councillor Dean Ruddle left the room.)

During a lengthy discussion members raised a number of concerns and sought clarity on several issues including:

- Pedestrian safety and traffic along Cartway Lane
- Distance from the town centre and feel it's an isolated site
- Farmers concerns are very valid
- Clarity needed about use and surface of the bridleway
- Need to know what width of land would be designated for a pathway
- Unless work done to the surface of the bridleway emergency services won't be able to use it.
- Other recent appeal decisions would suggest this site is too far away from the town centre to be a sustainable location
- Many concerns about pedestrian access to and from the town
- Consultation with communities at the Local Plan stage identified the directions of growth.
- Concern about indicative layout, and feel layout needs revising
- More detail needed regarding drainage issues

The Area Lead and Planning Officer replied to comments raised and their responses included:

- Indicating the direction of growth for Somerton
- Cannot expect developer to make highway improvements to land not in their control
- Unable to say exactly what width would be required to widen the road, however the plans suggested ample land available. A clause could be added to the Section 106 obligations to agree the amount of land required with County Highways and the ward members.

- Normal to ask for permission to use a Right of Way for access during an absolute emergency. There was no reason to assume gates could not be kept locked and only opened by emergency services.
- Regarding concerns raised by the farmer many aspects were covered by other laws.
- The proposal was that the southern hedge is not removed.
- Regarding connectivity between communities – it would be reasonable to accept that links may be needed in the future, and opening up a link from the play area would be in the control of the Town Council.
- Applications such as this had to be supported by detailed drainage proposals including technical detail and maintenance, and would be conditioned.
- Cartway Lane is adequate width for HGVs as it was built to serve an industrial estate.
- Only the western end of the bridleway to midway along the development site is proposed to be emergency access.
- No phasing of growth is detailed in the Local Plan.
- Acknowledgement that Highways had some concerns about the internal layout.
- Clarity could be sought that waste and emergency vehicles can access around the site.
- There is no need for a sequential test as the site is situated within Flood Zone 1, but acknowledge more detail could be requested.

Hearing comments made by members, the Legal Services Manager advised that a starting point for consideration was the Local Plan Policy and the site was in the defined direction of growth for Somerton. She advised that members should not be worried about a refusal going to appeal if the reasons for refusal could be defended -but did need to be aware that an unjustified refusal could be subject to costs.

At the conclusion of debate, most members felt more clarity and information was required on a number issues. It was proposed to defer the application to allow for clarification of drainage, highways widening and footpath provision along Cartway Lane, and treatment of the bridleway. On being put to the vote the proposal was carried (9 in favour, 2 against, 0 abstentions).

RESOLVED: That planning application 15/03585/OUT be DEFERRED to allow for clarification of drainage, highways widening and footpath provision along Cartway Lane, and treatment of the bridleway.

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

197. Planning Application 16/00933/FUL - Brunel Shopping Precinct, West Street, Somerton. (Agenda Item 13)

(Councillor Dean Ruddle having declared a Disclosable Pecuniary Interest remained absent from the room for the presentation and consideration of this application).

Proposal: Erection of a new retail unit (Revised Scheme).

The Planning Officer presented the application as detailed in the agenda report and briefly explained why a revised scheme had come forward.

Ms J Fryer, agent, noted that in order to comply with Building Regulations the external staircase was no longer required, and so the design of the proposal had been revised slightly. They had also taken the opportunity to encompass small changes in design to take into account comments raised when the previous proposal was approved.

Ward member, Councillor Stephen page, noted he hadn't supported the proposal last time for various reasons, but acknowledged some improvements had been made.

There being no other debate, it was proposed that the application be approved. On being put to the vote, this was carried (10 in favour, 1 against).

RESOLVED: That planning application 16/00933/FUL be APPROVED, as per the officer recommendation, subject to:

Justification:

01. The proposal, by reason of its scale, design and materials, respects the character and appearance of the setting, and causes no demonstrable harm to residential amenity. The addition of this small single unit of retail accommodation would enhance the vitality of the existing shopping centre and the town centre, and cause no harm to highway safety. In these respects, the proposal accords with the aims of the NPPF and Policies SD1, EQ2, EQ3, TA5 and TA6 of the South Somerset Local Plan.

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: the drawings ref. DRSO-GA numbers 001, 201B and 202B.

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) details of the materials (including the provision of samples where appropriate) to be used for external walls, including design details of timber cladding;
- b) full design details and material and external finish to be used for all windows and external doors;
- c) details (including dimensions and materials) of the sign boards shown on the submitted elevation drawing ref. DRSO-GA202B;
- d) details of rainwater goods.

Reason: To safeguard the character and appearance of the area and to accord with the NPPF and Policies EQ2 and EQ3 of the South Somerset Local Plan.

04. The subject land including any building thereon shall be used for retail (A1) use and for no other purpose (including any other purpose in any use class of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To safeguard the vitality of the shopping area and the character of the setting, in accordance with the aims of the NPPF and Policies SD1, EQ2 and EQ3 of the South Somerset Local Plan.

Informatives:

01. The applicant's attention is drawn to the comments and recommendations of the Police Liaison Officer in his letter dated 15 march 2016, which can be seen on the application file on the Council's website.
02. The applicant's attention is drawn to the possible need to apply for separate advertisement consent for the signage attached to the proposed building. Details to be submitted prior to commencement will enable final checking as to whether these signs would have deemed consent, or need consent under the The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

(Voting: 10 in favour, 1 against, 0 abstentions)

198. Planning Application 15/05581/REM - Land Adj Homestead, Ham Lane, Compton Dundon. (Agenda Item 14)

Proposal: Erection of a single dwelling with associated access (reserved matters)

The Planning Officer presented the application as detailed in the agenda report, and noted this was a follow-up to an outline application approved on appeal. He highlighted that amenity issues had been addressed at the outline stage.

Members were addressed by the agent, Mr J Venton. He noted that the principle of constructing a bungalow had already been determined. The design had been subject to discussion with several officers and would have minimal impact on the streetscene and neighbours, but acknowledged the parish council continued to have some concerns. He felt issues had been addressed and there were no planning reasons to refuse the application.

Ward member, Councillor Stephen Page, commented there was a quite a history to the proposal and he understood the concerns of neighbours and the parish council. He acknowledged there was little planning reason to refuse the application.

Ward member, Councillor Dean Ruddle, did not feel the size of the dwelling was an issue as it was a large site.

There being no other debate, it was proposed to approve the application as per the officer recommendation. On being put to the vote, this was carried unanimously.

RESOLVED: That planning application 15/05581/REM be approved, as per the officer recommendation, subject to the following:

Justification:

01. The proposal, by reason of its scale, design and siting, respects the character and appearance of the area and causes no demonstrable harm to residential amenity or highway safety, in accordance with the aims of the NPPF and Policies SD1, EQ2, TA5 and TA6 of the South Somerset Local Plan.

Subject to the following conditions:

01. The development hereby permitted shall be carried out in accordance with the following approved plans: the revised drawings ref. 191115 numbers 01B, 02A and 03C.

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

02. The area allocated for parking and turning on the submitted plan 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 accord with Policy TA5 of the South Somerset Local Plan.

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, lintels, 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; and
- e) details of all boundary treatments.

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

04. The landscape planting scheme shown on the submitted drawing ref. 191115-03C shall be fully implemented and thereafter retained and maintained. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To safeguard the character and appearance of the area, and to accord with the NPPF and Policy EQ2 of the South Somerset Local Plan, 2006.

05. Before any of the development hereby permitted is commenced details of the internal ground floor levels of the buildings to be erected on the site shall be submitted to and approved in writing by the Local Planning Authority.

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

06. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to this building without the prior express grant of planning permission.

Reason: In the interests of amenity and to safeguard the character and appearance of the area in accordance with Policy EQ2 of the South Somerset Local Plan.

07. The scheme of surface water attenuation indicated on the submitted plan ref. 191115-03C shall be fully implemented prior to the occupation of the dwellinghouse hereby permitted, and shall thereafter be permanently retained and maintained.

Reason: In the interests of sustainable drainage and to accord with the NPPF and Policy EQ1 of the South Somerset Local Plan.

08. The 'ditch crossing details' indicated on the submitted plan ref. 191115-03C shall be fully implemented prior to the occupation of the dwellinghouse hereby approved, and shall thereafter be

permanently retained and maintained.

Reason: In the interests of sustainable drainage and general amenity and to accord with the NPPF and Policies EQ1 and EQ2 of the South Somerset Local Plan.

09. At the proposed access there shall be no obstruction to visibility greater than 300mm above the adjoining road level within the visibility splays shown on the submitted plan ref. 191115-03B. Such visibility splays shall be constructed prior to the commencement of the construction of the dwelling and shall thereafter be retained at all times.

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

(Voting: unanimous in favour)

199. Planning Application 16/00714/OUT - Land North of Brimfield, Lambrook Road, Shepton Beauchamp. (Agenda Item 15)

Proposal: Outline application for the erection of a single dwelling and associated access utilising existing access track.

The Planning Officer presented the application as detailed in his report. He clarified it was an outline application and referred to a nearby previously approved site. He highlighted the key considerations and the access to the site.

Members were addressed by Ms J Bishop of Shepton Beauchamp Parish Council and Mr J Patisson in support of the proposal. Their comments included:

- Permission is sought by the owners of the site and will be used by their family.
- Highway issues have been considered as the recreation field is at the end of the lane, but it is not felt one more dwelling will be hazard.
- Community is thriving with a diverse age of residents. There needs to be a mix of properties and sensible planning.
- The Parish Council know the village and community well, and are aware of local opinions.

Ms J Fryer, agent, noted that the officer identified two issues of concern. One being the road, but very nearby two properties had recently been given permission with similar road issues but this had not been raised, and there needed to be consistency. This would be the second property using the driveway and there was large hedging around some of the site, so there would be minimal residential amenity issues. Regarding overlooking, being able to see elements of neighbouring gardens is not uncommon. It would be unreasonable to ask that an entire garden is private when much, but not all, can be achieved.

Ward member, Councillor Adam Dance, noted the application had been the subject of a long discussion at the Parish Council. Two properties on the other side of the road had recently been granted permission. The site is currently used for horses and a manège so there are multiple visits and vehicle movements daily already. He supported the application.

Ward member, Councillor Crispin Raikes, reminded members it was an outline application and specific concerns amenity could be addressed at the detailed stage. He also supported the application.

It was proposed to approve the application, contrary to the officer recommendation.

On hearing the comments made, the Area Lead explained that he was concerned that members were minded to overturn the officer recommendation without having an indication of what was currently proposed regarding the design and size of the dwelling. With a plan shown on screen he highlighted to members the officer concerns about access alongside 14 Brimgrove Lane and an indicative plan showing the proposed dwelling. He noted that if members were content with the principle of a dwelling and the access, then concerns about design could be addressed at the reserved matters stage.

During a short discussion, members did not raise any concerns. At the conclusion of debate the proposal to approve was reiterated on the grounds development already around this site is not unacceptable.

The Area Lead clarified the wording for a justification, and that a contribution towards affordable housing would be required, and there would need to be conditions for time limit, reserved matters, and plans.

On being put to the vote, the proposal to approve the application was carried unanimously.

RESOLVED: That planning application 16/00714/OUT be APPROVED, contrary to the officer recommendation, subject to:

Justification:

The proposal represents a sustainable development that respects the established character and appearance of the setting, and causes no demonstrable harm to residential amenity of existing and future occupants of the development and the immediate area.

Subject to:

- the prior completion of a S106 Agreement to secure a contribution towards affordable housing in terms of Policy HG4 of the Local Plan, and

the following conditions:

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

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

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

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

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

Reason: To ensure that the development of the site is dealt with in a comprehensive manner to protect the amenities of the adjoining residential properties and to secure a high quality development in accordance with Policies ST5 and ST6 of the South Somerset Local Plan.

4. The development hereby permitted shall be carried out in accordance with the following approved plans: the drawings ref. the two 'Promap' plans, scales 1:1250 and 1:500 received on 17 February 2016.

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

(Voting: unanimous in favour)

200. Planning Application 16/00621/FUL - Long Orchard Farm, Pibsbury, Langport. (Agenda Item 16)

Proposal: Conversion of a double garage into a one bedroom dwelling (retrospective).

The Planning Officer presented the application, and gave a brief overview of the history of the site.

Mr J Wood of Huish Episcopi Parish Council, noted they had originally objected, however on doing a little research on the applicant's circumstances they found he is still farming, and so they feel the dwelling should stay but with an agricultural tie.

Mrs Thornton Bond spoke in objection to the application on behalf of Ms L Crossman who is the owner of the main house. She raised concern that the applicant breeds dogs creating much noise and mess. It was noted the applicant only occasionally lent a hand on the farm and they did not consider him to be a retired farmer.

Members were then addressed by Mr M Jenkins and Mr D Moore in support of the application. Their comments included:

- Known applicant for many years and he is a fourth generation farmer. It is important he lives nearby to check livestock.
- Acknowledged he should have had planning permission before moving to the garage, but it's a complicated family situation.
- Two other houses are being built nearby.
- Perplexing that its being recommended for refusal. Feel only grounds for refusal appear to be because the site is one mile from facilities.
- Although a retired farmer, he still helps on sons farm. Application will regularise the site for a retired farmer.
- A starting point for members to consider is that this is an unauthorised dwelling on an agricultural holding.
- Acknowledge there are some family relationship issues.

Agent, Mr D Trent, highlighted the only reason for refusal was the site not being in a sustainable location. He referred to the Windy Ridge appeal decision noting comments made by the Inspector regarding location and sustainability. He noted what he considered to be the benefits of the application including a nearby bus stop and the proposal not being detrimental to the landscape character. In the absence of a five year land supply the proposal should be considered acceptable.

Ward member, Councillor Clare Aparicio Paul, noted there was much history to the site and had asked that the application be considered by Committee to enable the issues to be discussed fully.

During discussion members raised several comments and the Area Lead responded to points of detail. His comments included:

- Policy SS2 did not apply to Pibsbury
- Acknowledge building is there already, but no justification has been provided to retain the dwelling.
- If members are satisfied about the relationship of this application to the main house, exceptions could be considered.
- A garage could be converted to residential without a need for planning consent but only if ancillary to the house, which isn't the case with this proposal.

The Legal Services Manager explained that in the absence of a legal agreement between the applicant and the owner of the main house, then members needed to consider if a separate and additional dwelling was acceptable.

At the conclusion of debate members felt there was uncertainty regarding the applicants status, more clarity was needed regarding the holding ownership and the scope for a Section 106 agreement to restrict occupancy. It was proposed to defer the application to clarify ownership and possible restrictions on occupancy. On being put to the vote, this was carried unanimously.

RESOLVED: That planning application 16/00621/FUL be DEFERRED to clarify ownership and possible restrictions on occupancy.

(Voting; unanimous in favour)

201. Planning Application 15/05090/FUL - Land OS 5560 Crouds Lane, Long Sutton. (Agenda Item 17)

(Councillor Derek Yeomans and Shane Pledger, having declared personal and prejudicial interests, left the meeting prior to this application being presented and considered.)

Councillor Dean Ruddle took the role of Chairman.

Proposal: Change of use of agricultural storage barns to domestic storage and workshop for Long Sutton House. Change of use of barn to holiday/ancillary cottage. Change of use of root cellar to Laundry, domestic store, home office and holiday/ancillary cottage with basement. Erection of 2 no. holiday let/ancillary cottages. Change of use of barn to holiday let/ancillary cottage with store and potting shed. Change of use of agricultural land to domestic use. (Part retrospective application).

The Planning Officer presented the application as detailed in the agenda. He provided members with an overview and history of the site, and explained the proposal in detail. He noted that conditions included detail for a drainage scheme and engineers were confident a solution could be found. Clauses within the Section 106 agreement would protect de-fragmentation.

Mr R Fry of Long Sutton Parish Council, Mr S Burdett, Mrs V Burdett, Mr M Lancaster and Mr Ellerbeck, spoke in objection to the proposal. Some of their comments included:

- The application could be refused due to traffic issues and encroachment onto agricultural land. On previous application for an agricultural building there were conditions imposed regarding the impact of traffic.
- If approved, occupation must be by bona-fide tourists.
- The plans show an entertainment building but no detail is provided.
- Will be traffic and noise day and night for local residents.
- Concerned about drainage and possibility of sewage being discharged onto fields. Drainage in Crouds Lane cannot cope in bad weather when sewage is tinkered away from the pumping station in Crouds Lane.
- Will do more harm to village than good.
- Not one permanent resident of Crouds Lane supports the application.
- Feel market for tourism holiday lets is saturated in the area.
- Transport access and service vehicle access should be via Shute Lane and not Crouds Lane.
- Development is not wanted.
- Wording in condition 3 regarding ancillary accommodation should be removed.
- Background documents include a high level business plan with top-end finished letting accommodation, but all of it is based on this customer base customer to Long Sutton.

Members were then addressed by Mr P Cox, Mr E Yiallouris and Mr D Good in support of the application. Some of their comments included:

- The applicant hosted events using Long Sutton House as the base.
- With a background in the hospitality industry I have worked with the applicant on several events in Somerset and London. Takes a similar time to travel by train to Somerset as it does for many to commute daily to work in London.
- Applicant aspires to deliver luxury accommodation.
- Support bringing tourists into the area, and proposal will provide employment which is good for the area.

Applicant, Mr N Gould, addressed the representations that had been made. He was sorry if people had concerns, but was seeking to address and mitigate the issues. There is an element of retrospectiveness, but once officers had raised concerns, the work on site had stopped. If approved, he would probably be employing a total of 35 staff. He noted encroachment onto agricultural land would be very limited, and most of the land where building had taken place was more part of the garden.

During discussion members raised a number of concerns including:

- If this was a new application would we approve?
- More detail on drainage needed.
- Scheme will have little impact on existing situation.
- Difficult application.
- Local economy and tourism is important.
- If want local support then need to consult with them first.
- In effect creating a gated community.
- Feel proposal of this size in Long Sutton is not appropriate.
- Disappointing that someone of the applicant's standing has commenced building without permission.
- A site visit would be useful to comprehend the size and scale.
- An artist's impression of the proposal would be helpful.

On hearing the comments made, the Area Lead and Planning Officer clarified that the drainage detail would need to be agreed by the Council's engineers before planning approval was issued, and that no further detail was provided in the application regarding an entertainment room. The Area Lead acknowledged a site visit might be useful and officers could try to gain more information about the potential drainage solution, plus detail of the business plan could be circulated to members.

It was proposed to defer the application for a site visit and to clarify the business plan, drainage and to obtain drawings to show artist's impressions. On being put to the vote this was carried unanimously.

RESOLVED: That planning application 15/05090/FUL be DEFERRED to allow for a site visit and to clarify business plan, drainage and drawings to show artist's impressions.

(Voting: unanimous in favour)

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Chairman