

South Somerset District Council

Minutes of a meeting of the **Area East Committee** held at **The Council Offices Churchfield Wincanton** on **Wednesday 9 December 2015**.

(9.00 am - 2.20 pm)

Present:

Members: Councillor Nick Weeks (Chairman)

Mike Beech	Henry Hobhouse
Tony Capozzoli	Tim Inglefield
Nick Colbert	Mike Lewis
Sarah Dyke-Bracher	William Wallace
Anna Groskop	Colin Winder

Officers:

Helen Rutter	Area Development Manager (East) / Assistant Director (Communities)
Sarah Hickey	Locum Planning Solicitor
Kelly Wheeler	Democratic Services Officer
Becky Sanders	Democratic Services Officer
Katy Menday	Countryside Manager
Tim Cook	Neighbourhood Development Officer (East)
James Divall	Neighbourhood Development Officer (East/South)
Pam Williams	Neighbourhood Development Officer (East)
Adrian Noon	Area Lead (North/East)
Dominic Heath-Coleman	Planning Officer
Alex Skidmore	Planning Officer

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

126. Minutes of Previous Meeting (Agenda Item 1)

The minutes of the meeting held on 11th November 2015, copies of which had been circulated, were agreed and signed by the Chairman.

127. Apologies for absence (Agenda Item 2)

An apology of absence was received from Councillor David Norris.

128. Declarations of Interest (Agenda Item 3)

Councillor Colin Winder clarified that he was no longer serving as a member of Wincanton Town Council.

Councillors Anna Groskop, Mike Lewis and William Wallace declared personal interests in agenda item 10 (Community and Leisure Capital Grants Request) as they are also members of Somerset County Council.

Councillor Nick Weeks declared a personal interest in agenda item 18 (planning application 15/04029/FUL) as he is also a member of Castle Cary Town Council.

129. Public Participation at Committees (Agenda Item 4)

Mr Posnett, a resident of Wincanton, addressed the Committee. He expressed his concern that there are undeveloped sites and eyesores in the town of Wincanton.

He was upset that unauthorised works had taken place to a listed building within the town and thought that people should not rely on making retrospective planning applications. He also expressed his concern that the doctor's surgery in Wincanton was too overstretched.

At the end of the discussion by Members, it was suggested and agreed that the Wincanton Ward Members and the Chairman should initially meet with the Development Control Manager and directors to discuss the issues raised regarding Wincanton, and also to discuss Ward Member concerns about representation at planning appeals. Also Parish and Town Council can raise specific concerns at the Annual Parish Meeting on 26th January 2016.

Lilian Elson, a representative of the Holton Heritage Trust, addressed the Committee. She wanted to thank the South Somerset Citizens Advice Bureau for the great work which they carry out. She believed that they offer an outstanding service.

Councillor Tony Capozzoli expressed his concern that road repairs had not been started in Yeovilton.

The Committee noted these comments.

130. Reports from Members Representing the District Council on Outside Organisations (Agenda Item 5)

131. Chairman Announcements (Agenda Item 6)

The Chairman of the Committee wished Members and staff a Merry Christmas and Happy New Year.

132. South Somerset Citizens Advice Bureau (SSCAB) (Agenda Item 7)

The Chairman welcomed Angela Kerr, Chief Executive Officer, Citizens Advice South Somerset to the meeting. She introduced her colleague Julia, who was recruiting volunteers locally. With the aid of a power point presentation she informed members of the work and future development of Citizens Advice South Somerset which is an independent charity.

Points mentioned during her presentation included the following:

- The aim of the service was to provide the advice people need for the problems they faced and to improve the policies and practices that affected people's lives.
- The main client issues were around benefits and debt.
- The service could be accessed through the telephone, email and by drop in, however the majority of contacts made were over the telephone. Face to face help has proved to be more beneficial.
- The service was available in Wincanton at the Balsam Centre every Monday. This is a relatively new service, begun in the last 2 months and currently helps 5 – 8 clients every Monday.
- The service relied on volunteers and was looking to recruit more volunteers from the Area.
- The service was looking at how they could use Skype more effectively;

During the ensuing discussion, the Chief Executive Officer, Citizens Advice South Somerset noted the comments of members and responded to questions.

The Chairman thanked Angela Kerr, Chief Executive, Citizens Advice South Somerset for attending the meeting.

133. Update Report from the Countryside Service (Agenda Item 8)

The Countryside Manager presented the report as detailed in the agenda with the aid of a power point presentation showing photographs. She gave an update on progress to date.

She informed the meeting that strong links were being made with the Somerset Wildlife Trust and that volunteers continue to be an important part of the service. She detailed that nearly 2400 volunteer days had been donated this year to the service and that the service had secured a combined £325,000 funding income.

She offered her thanks to the IT department as a new website has improved the online presence which was helping online bookings for events by members of the public.

She informed the Committee that the works at Moldram's Ground, Pen Selwood was a continued success and that species' numbers were increasing and that she has had an encouraging visit to the former Bruton Abbey Fish Ponds.

The Countryside Manager in response to questions on her report advised Members:

- The team has active links with Lufton College to enable those with learning difficulties to access SSDC sites
- She was investigating Section 106 legacy open spaces
- The team is available to advise local groups and parishes on site management of local open spaces as required

Members thanked the Countryside Manager for attending and her informative report.

RESOLVED: That the report be noted.

134. Highways Update Report - Area East (Agenda Item 9)

The Assistant Highways Service Manager, Somerset County Council, addressed the Committee.

He drew attention to a letter which had been sent to the Parish/Town Councils offering bags of salt/grit and hoped that these bags were collected before bad weather started as take up to date had been low. It was agreed that the Area Development Team would remind parishes about prompt collection via the Area East Bulletin.

He informed the Members of several updates to the report;

- Works to the A30 at Milborne Port had been completed.
- Works around the traffic lights at Henstridge were due to start imminently and the work would be carried out during restricted hours of work.
- Works at Bratton Seymour, to support embankment, had been deferred until next year.

In response to questions, the Assistant Highways Service Manager, advised Members that the flood prevention works at Bridgehampton would be started next year and that it was unclear whether this work would involve the removal of contaminated soil. The Area Development Manager would see if this work can be facilitated by SSDC.

During a short discussion, the Assistant Highways Service Manager responded to questions from Members. The Chairman thanked the officer for attending.

RESOLVED: That the report be noted.

135. Community Capital Grant Requests (Agenda Item 10)

The Neighbourhood Development Officers addressed the Committee. They explained that there were 5 applications contained within the report and it was agreed that each would be discussed individually.

Bayford Mission Hall Society – Purchase and refurbishment of Bayford Chapel

The officer explained the request for capital grant made by Bayford Mission Hall Society for the purchase and refurbishment of Bayford Chapel.

Adrian Goldsack, Chairman of Bayford Mission Hall charity addressed the Committee to speak in support of the application. He explained that the church could no longer maintain the building and that 89% of the households surveyed, believed that it was 'very important' or 'important' that Bayford continued to have a hall/meeting place.

He informed the Committee that the aim was to open the refurbished community building before Christmas 2016.

Hadspen Village Hall – Extension to provide additional storage

The officer explained the report to Members.

Chris Mounsey, the Vice-Chairman and Treasurer of the hall, addressed the Committee. He explained that funds were raised through hall income and fundraising events which are limited. He highlighted that storage was a problem for the hall.

Wincanton Town Council – Cale Park Improvements

The officer explained the report to Members and pointed out that the improvement relied on the success of a funding application to Viridor.

Kingsdon Village Shop – Interior refurbishment works

The officer explained the report to Members. The works will require Listed Building Consent and that this had been applied for and was awaiting decision.

Mudford Parish Council – Installation of speed sign(s)

Tony Cavalier, a representative of Mudford Parish Council, spoke in support of the application.

He explained that studies from a speed indicator device showed that motorists often exceeded 30mph when driving through the village and that the speed camera would soon be removed.

During a short discussion, Members expressed disappointed that Somerset County Council had not contributed funding to the scheme.

It was pointed out that the total scheme cost had decreased to £7010 and that the funding requested from SSDC was now £3500, rather than £4000 as detailed in the report.

RESOLVED: It was resolved that members:

1) agreed a contribution of £11,000 (14% of the total project costs) from the Community Planning Implementation budget to Bayford Mission Hall Society towards the purchase and refurbishment of Bayford Chapel, subject to the standard conditions set out in appendix A of the agenda report.

(10 in favour, 1 abstention)

2) agreed a contribution of up to £3000 (27% of the total project costs) from the Community Capital Budget to Hadspen Village Hall Committee towards the provision of additional storage space for the hall, subject to the standard conditions set out in appendix A of the agenda report.

(10 in favour, 1 abstention)

3) agreed a contribution of up to £10,043 (5% of the total project costs) from the Community Capital Budget to Wincanton Town

Council towards the refurbishment of Cale Park Play Area, subject to the standard conditions set out in appendix A of the agenda report.

Unanimous in favour

4) agreed a contribution of up to £7000 (44% of the total project costs) from the Community Capital Budget to Kingsdon Village Shop (Kingsdon Centre Ltd) towards the refurbishment of the village shop and the facilities, subject to the standard conditions set out in appendix A set out in the agenda report.

(10 in favour, 1 abstention)

5) Members agree a contribution of £3500 (50% of the total project costs) £2470 from Community Safety budget and £1030 from the Community Planning Implementation Budget to Mudford Parish Council towards the installation of speed signs subject to the standard conditions set out in appendix A.

(4 in favour, 5 abstention)

REASON: To consider requests for capital grants from various organisations.

136. Retail Support Initiative Update (Agenda Item 11)

The Neighbourhood Development Officer informed Members that there were two updates to the report.

- No response had been received from the owners of The Green Dragon regarding shop front improvements. She confirmed that a follow up letter would be sent shortly.
- The property at Silver Street was now believed to be 'under offer'.

During a short discussion the Ward Members for Wincanton provided a brief update regarding The Green Dragon, and commented that they felt action should be taken sooner rather than later.

The Chairman thanked the officer for her report.

RESOLVED: That the report be noted.

137. Area East Committee Forward Plan (Agenda Item 12)

The Area Development Manager (East) suggested that Members may wish to receive an update on Economic Development and Infrastructure Board at the Members workshop in February, and this was agreed.

RESOLVED: That the Forward Plan be noted.

138. Planning Appeals (Agenda Item 13)

Members noted the appeal decisions for Land OS 1445 Torbay Road, Castle Cary and noted the costs decision which had been allowed for Land rear of The Burrows, High Street, Sparkford where an officer had not attended the appeal site visit. Members strongly held the view that planning officers should attend all appeal site visits.

139. Date of Next Meeting (Agenda Item 14)

Members noted that the date of the next meeting would be Wednesday 13th January 2016 at 9.00am at The Churchfield Offices, Wincanton.

140. Schedule of Planning Applications to be Determined by Committee (Agenda Item 15)

Members noted the Schedule of Planning Applications.

141. 15/03274/FUL - Land off Cuckoo Hill, Bruton (Agenda Item 16)

Development of 68 homes and associated car parking, public open space and infrastructure

The Area Lead Officer (North/East) presented the application as detailed in the agenda and with the aid of a power point presentation showing the site and proposed plan to include a mixture of social and open market houses.

He clarified the planning application site and the adjacent site which had outline approval for a doctor's surgery.

He informed Members that the site had been previously affected by flooding and explained that he believed that this was due to a poorly maintained ditch which had become overwhelmed. Since this, the ditch had been re-engineered and large culverts had been installed under the roads. He had been assured that the development will not cause problems with flooding or drainage.

He explained to Members that;

- The Conservation Officer supports the development and the modern design of dwellings.
- There was a high level of parking on site.
- The developer had agreed to contribute £30,000 towards a new footpath.
- Bruton Town Council and the Bruton Trust had been heavily involved with the application
- The developer had agreed to the Sports, Arts and Leisure planning obligations.

Ms J Shipp spoke in objection to the footpath element of the scheme. She was pleased that a footpath was proposed within the development but wanted to see the footpath provided straight away and build at the same time as the houses and with more suitable materials, not gravel which was proposed. She believed that the development would

increase traffic on Quaperlake Street by 10-12% and that the already busy road would become a more dangerous route for children walking to school.

Mr H Sedman, architect for the development noted that this was a bespoke scheme which had benefited from large amounts of community involvement and engagement and no objections had been received from statutory consultees.

The aim was to create a development which Bruton could be proud of. He highlighted that the scheme would deliver a pedestrian crossing on Frome Road as well as financial contributions. He hoped that Members would be in favour of the scheme as no technical or environmental objections had been received.

Mr M Meyer, agent, informed the Committee that the planning of this development of energy efficient homes started 5 years ago and the site was chosen following consultation. The aim was to build a development fit for the future, to improve drainage and to improve the links with the town centre. He highlighted that outline approval had been secured for a doctor's surgery on the adjoining site and offered his thanks to the Planning Officer.

Cllr Anna Groskop, Ward Member spoke in support of the application. She agreed that many years of consultation had been put into the planning application and commented that all the views had been well recorded in the report. She welcomed the additional social housing which the scheme would bring to Bruton and suggested that the social homes were allocated to local residents or those with links to Bruton first.

During a short discussion, mixed opinions were raised including some concerns about the design of houses and the risk of flooding. At the conclusion of the debate it was proposed and seconded that planning permission be approved as per the officer's recommendation and subject to the following additions to the conditions;

- Additional wording to the third point of the Section 106 planning obligations list. Affordable housing obligation - to include a requirement to offer to those with a local connection first
- An additional informative to advise that drainage maintenance (cond.5) should provide for annual maintenance of the ditch to northern boundary

On being put to the vote, the proposal was carried 7 in favour, 2 against with 1 abstention.

RESOLVED:

That planning permission **15/03274/FUL** be approved as per the officers recommendation subject to affordable housing obligation requirement and drainage informative and subject to the prior completion of a section 106 planning agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to secure:-

- (i) Contributions towards offsite recreational infrastructure, to the satisfaction of the Assistant Director (Wellbeing) broken down as:
 - £9,167 towards enhancing the youth facility provision at Jubilee Park, Bruton.

- £24,695 towards enhancing the playing pitch provision at Jubilee Park, Bruton.
 - £50,139 towards enhancing the changing room provision at Jubilee Park, Bruton.
 - £25,044 as a commuted sum towards the above local facilities
 - £32,355 towards enhancing the community hall provision in Bruton;
 - Monitoring fee of 1% - £1,414
- (ii) The provision of an on-site LEAP to the satisfaction of the Assistant Director (Wellbeing).
- (iii) At least 35% of the dwellings as affordable dwellings of a tenure and mix that is acceptable to the Corporate Strategic Housing Manager.
- (iv) the safeguarding of a footpath route to the southern boundary of the site, generally in accordance with the details shown on drawing A202, and the provision of up to £30,000 towards the cost of provision of such footpath
- (v) Travel Planning measures to the satisfaction of the Development Manager in consultation with the County Highways Authority
- (vi) Off-site highways and footpath improvements, including a pelican crossing on the A359 any contribution necessarily to the full cost of applying for any Traffic Regulation Orders to the satisfaction of the Development Manager in consultation with the County Highways Authority

Justification

01. Notwithstanding the local concerns the provision of 68 dwellings, which would contribute to the district Council's housing shortfall and make provision for enhancements to drainage, highways safety and community facilities and without undue impacts in terms of landscape, residential amenity, ecology, drainage or highway safety. As such the proposal accords with the policies of the South Somerset Local Plan 2006 - 2028 and the provisions of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

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

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

02. Unless required otherwise by conditions attached to this permission the development hereby permitted shall be carried out in accordance with the plans set out below.

DRAWING	NUMBER
Site Location Plan	13-063-203
Site Layout Plan	A201
Floor Plans	A101, A104, A108, A110, A114, A117,

	A120, A123, A126, A129, A132, A135, A138, A141, A144, A147, A150
Elevations	A102, A105, A108, A111, A112, A115, A118, A121, A124, A127, A130, A133, A136, A139, A142, A145, A148, A151
Access Arrangement Proposed Pedestrian Access	FMW1192T-SK18 FMW1192T-SK17
Drainage Layout	FMW1192T-SK01_G
Landscape Masterplan	13-21-30

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

03. Notwithstanding the details should in the submitted plans, no development hereby approved shall be commenced out until particulars of following have been submitted to and approved in writing by the Local Planning Authority;
- a) details of materials and positioning where appropriate (including the provision of samples where appropriate) to be used for the external walls and roofs;
 - b) details of the recessing, cills and lintels, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
 - c) details of all hardstanding and boundaries
 - d) details of the rainwater goods and eaves and verge treatments.
 - e) Details of meter boxes, any external aerials/satellite dishes, vents, flues and extracts

Once approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan 2006-2028.

04. No development hereby approved shall be commenced until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. Such scheme shall include measures to prevent the run-off of surface water from private plots onto the highways. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

Reason: To ensure the development is properly drained in accordance with policy EQ1 of the South Somerset Local Plan 2006-2028 and the provisions of the National Planning Policy Framework

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

Reason: To ensure the development is properly drained in accordance with policy EQ1 of the South Somerset Local Plan 2006-2028 and the provisions of the National Planning Policy Framework.

06. The development shall not be commenced until a foul water drainage strategy is submitted and approved in writing by the local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker. Such strategy scheme shall include appropriate arrangements for the agreed points of connection and provision for capacity improvements as required to serve the development. Once approved drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority.

Reason: In the interests of residential amenity and to ensure that proper provision is made for sewerage of the site in accordance with policies EQ1 and EQ2 of the South Somerset Local Plan 2006-2028 and the provisions of the National Planning Policy Framework.

07. Prior to the commencement of the dwellings hereby approved details of measures for the enhancement of biodiversity, which shall include the provision of bat, swallow and swift boxes and a time scale for delivery of all such measures, shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be implemented in accordance with the approved details unless otherwise approved in writing by the local planning authority.

Reason: For the conservation and protection of species of biodiversity importance in accordance with policy EQ4 of the South Somerset local Plan 2006-2028.

08. The works shall be implemented in accordance with details of the proposed bat compensation/mitigation measures (as outlined in 'Bat Addendum', Sep 2015, Clarkson and Woods Associates), and as modified to meet the requirements of the 'European Protected Species Mitigation Licence' issued by Natural England, unless otherwise approved in writing by the local planning authority.

Plots 28 and 29 shall not be sold or occupied until inspection and written confirmation, by a Natural England licenced bat consultant, that compensatory bat roosting features have been provided in accordance with the bat compensation proposals and/or the requirements of any 'European Protected Species Mitigation Licence' issued by Natural England, has been submitted to and approved in writing by the Local Planning Authority.

If the demolition of Frome House or its outbuildings hasn't been completed by 31st March 2017, then a further survey shall be undertaken to ascertain any changes in bat presence or activity before demolition work commences. Such surveys shall be submitted to the local planning authority and approved in writing before work commences along with any further mitigation or compensation proposals that may be necessary as a result of any significant changes in bat presence or activity. Any amended compensation/mitigation measures shall thereafter be implemented as agreed.

Reason: For the conservation and protection of species of biodiversity importance in accordance with NPPF and Policy EQ4 of the South Somerset Local Plan, and

to ensure compliance with the Wildlife and Countryside Act 1981 and The Habitats Regulations 2010.

09. The proposed estate roads, footways, footpaths, tactile paving, cycle ways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: In the interests of highways safety in accordance with Policy TA5 of the South Somerset Local Plan 2006-2028.

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

Reason: In the interests of highways safety in accordance with Policy TA5 of the South Somerset Local Plan 2006-2028.

11. None of the dwellings hereby permitted shall be occupied until a scheme of street lighting has been installed in accordance with a design and specification to be approved in writing by the Local Planning Authority.

Reason: In the interests of highways safety and the amenities of the locality in accordance with Policies TA5 and EQ2 of the South Somerset Local Plan 2006-2028.

12. There shall be no obstruction to visibility greater than 600mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access from Frome Road (A359) and extending to points on the nearside carriageway edge 43m either side of the access. Such visibility shall be fully provided before the development hereby permitted is occupied and shall thereafter be maintained at all times.

Reason: In the interests of highways safety in accordance with Policy TA5 of the South Somerset Local Plan 2006-2028.

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

Reason: To safeguard the amenities of the locality in accordance with Policy EQ2 of the South Somerset Local Plan 2006-2028.

14. Prior to implementation of this planning permission, site vegetative clearance, demolition of existing structures, ground works, heavy machinery entering site or the on-site storage of materials, a scheme of tree planting, a Tree Protection Plan and an Arboricultural Method Statement relating to all retained trees on or adjoining the site shall be drafted so as to conform to British Standard 5837: 2005. Such Tree Protection Plan and the Arboricultural Method Statement details shall be submitted to and agreed in writing with the Council and it shall include:
- a) details of any required tree works so as to conform to BS 3998:2010 - Tree Works;
 - b) plans detailing root protection areas, construction exclusion zones and the installation of tree protection fencing;
 - c) layout plans showing the locations of required below-ground services
 - d) special tree protection and engineering measures for any approved installation of built structures, below-ground services and hard surfacing within the root protection areas of retained trees;
 - e) a scheme of arboricultural on-site supervision, monitoring and certificates of compliance relating to the tree protection measures.

Upon implementation of this planning permission, the measures as specified within the agreed scheme of tree planting, the Tree Protection Plan and the Arboricultural Method Statement shall be implemented in their entirety for the duration of construction, inclusive of any landscaping measures.

Reason: To safeguard existing trees in accordance with Policies EQ2 and EQ4 of the South Somerset Local Plan 2006-2028.

15. ***All planting, seeding or turfing comprised in the Landscaping Proposals as shown on drawing 13-31-30 shall be carried out in the first planting and seeding seasons following the occupation of the dwellings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 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 give written approval to any variation.***

Reason: In the interests of visual amenity in accordance with policy EQ2 of the South Somerset Local Plan 2006-2028.

16. No development hereby approved shall be commenced until a scheme of maintenance and management of the structural and open space planting has been submitted to and approved in writing by the local planning authority. Once approved such regime shall be adhered to at all times thereafter 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 2006-2028.

17. In the event that any signs of pollution such as poor plant growth, odour, staining of the soil, unusual colouration or soil conditions, or remains of past industrial use, are found at any time when carrying out the approved development al work shall cease, unless agreed otherwise in writing by the LPA and the findings must be reported in writing to the local planning authority within 14 days. If the LPA considers it necessary, an assessment of the site must be undertaken in accordance with BS10175. Where remediation is deemed necessary, a remediation scheme must be submitted to and approved in writing by the LPA and thereafter all works on site shall be carried out in accordance with the agreed scheme.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with Policy EQ7 of the South Somerset Local Plan 2006-2028.

Informatives

1. You are reminded that development, insofar as it affects a right of way should not be started and the right of way should be kept open for public use until the necessary diversion/stopping up order has come into effect. Failure to comply with this request may result in the developer being prosecuted if the path is built on or otherwise interfered with.
2. You are reminded that there should be no removal of vegetation that may be used by nesting birds (trees, shrubs, hedges, bramble, ivy or other climbing plants) nor works to or demolition of buildings or structures that may be used by nesting birds, shall be carried out between 1st March and 31st August inclusive in any year, unless previously checked by a competent person for the presence of nesting birds. If nests are encountered, the nests and eggs or birds, must not be disturbed until all young have left the nest.
3. Before this development can commence, a European Protected Species Mitigation Licence (under The Conservation (Natural Habitats, &c.) Regulations 2010) may be required from Natural England. You will need to liaise with your ecological consultant for advice and assistance on the application for this licence. Natural England will normally only accept applications for such a licence after full planning permission has been granted and all relevant (protected species) conditions have been discharged.
4. It is suggested that a Condition Survey of the existing public highway will need to be carried out and agreed with the Highway Authority prior to any works commencing on site, and any damage to the highway occurring as a result of this development is to be remedied by the developer to the satisfaction of the Highway Authority once all works have been completed on site.
5. You are reminded that no work should commence on the development site until the appropriate rights of discharge for surface water have been obtained.
6. It should be noted that given the nature and scale of the works required to create the proposed new access, it is likely that these works will need to be secured via a suitable legal agreement rather than a standard 184 Licence. Please contact the Highway Authority to progress this agreement well in advance of commencement of development.

7. The developer delivering the necessary highway works associated with the development hereby permitted is required to consult with all frontagers affected by said highway works as part of the delivery process. This should be undertaken as soon as reasonably practicable after the grant of planning permission and prior to the commencement of said highway works, especially if the design has evolved through the technical approval process. This is not the responsibility of the Highway Authority.
8. Section 59 of the Highways Act 1980 allows the Highway Authority to recover certain expenses incurred in maintaining highways, where the average cost of maintenance has increased by excessive use. The condition survey will be used as evidence should damage to the highway network occur during the construction phase of the development.
9. The applicant should be aware that it is likely that the internal layout of the site will result in the laying out of a private street, and as such under Sections 219 to 225 of the Highways Act 1980, will be subject to the Advance Payments Code (APC).

(Voting: 7 in favour, 2 against with 1 abstention)

142. 15/03678/FUL - Knapp House, The Knapp, North Road, Charlton Horethorne (Agenda Item 17)

Erection of a dwelling and detached garage to include addition of a first floor balcony on west elevation, addition of a window on east elevation, adjustment of roof light positions and adjustment of ridge height

The Planning Officer presented his report to the Committee with the aid of a power point presentation. He informed the Committee that there had been a further three letters of objection received from existing objectors emphasising points already raised and querying procedures.

The Planning Officer explained that this was a retrospective application to regularise works which had been carried out incorrectly and that the images contained within his presentation were up to date images showing the works which were nearing completion.

He summarised the amendments to the approved permission;

- The new dwelling has been built approximately 870mm higher than approved
- An additional window/alterations to roof lights
- Slight amendments to garage
- Creation of a balcony

He informed the Committee that he recommended that the application be approved as detailed in his report.

Mr T Gill, Chairman of Charlton Horethorne Parish Council, noted that following a site visit which he had attended, the neighbour's garden could not be seen from the upstairs windows or from the balcony.

He informed the Committee that he visited several of the neighbours to assess the impact of the proposal and that the Parish Council raise no objection to the application, but recommended that the conditions in the officer report were included.

Mr D Hook, a resident representing around 30 objectors, expressed the concern that they disagreed with the officer's report and they considered the new dwelling did adversely impact neighbours and was overbearing, overlooking and over-shadowing to adjoining properties. He highlighted to Members that the dwelling was visible the Conservation Area of Charlton Horethorne. He expressed his disappointment that this was a retrospective planning application and noted the Planning Department had been made aware of the errors of the building several months previously and felt that enforcement action should have been taken.

The Committee were then addressed by Ms J Peet, Mr K Gudgeon and Mr L Grant who spoke in support of the application.

Their comments included;

- The dwelling added interest to this part of Charlton Horethorne
- Dwelling would only be seen in winter months when vegetation died back
- Roof of new dwelling was no higher than surrounding existing properties
- The letters of objection received do not represent the village as a whole
- The application was for a minor correction and the dwelling was not much different to the original application

Mr P Lynch, applicant, informed the Committee that this was his first self-build home and that he had endeavoured to comply with the planning conditions. He explained that the incorrect datum point had been used and that this was the reason that the dwelling had been built higher than approved.

He pointed out to Members that he had agreed to erect a 2.5m high fence and that 4 mature trees would be planted to ensure screening from North Road.

Councillor William Wallace, Ward Member, noted that he was not keen on retrospective planning applications and suggested that it might be appropriate to defer the application to allow a site visit.

Councillor Tim Inglefield, Ward Member, spoke in objection to the application. His view was that the dwelling was too imposing and overbearing on neighbouring properties and he did not support the application.

Following discussion it was initially proposed to defer the planning application to allow a site visit.

On being put to the vote the proposal was not supported, 4 votes in favour of a site visit and 5 against.

It was subsequently proposed to approve the application as per the officer's recommendation subject to an amendment to condition 3 to require landscaping of the site to be completed by 31st January 2016.

On being put to the vote the proposal was carried 4 votes in favour, 3 against and 3 abstentions.

RESOLVED:

That planning permission **15/03678/FUL** be approved as per the officer's recommendation subject to an amendment to condition 3 as detailed below.

Justification

01. The principle of development is considered to be established by earlier permissions. The proposed variations to the extant scheme would respect the character of the locality and the setting of the nearby conservation area with no demonstrable harm to residential amenity or highway safety. As such the proposal complies with policies EQ2 and EQ3 of the South Somerset Local Plan and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be completed in all respects in accordance with the block and location plans 216.100.01P D, 216.100.01 B, and 216.200.SL1 B received 31 July 2015, and 216.100.G.01 and 216.200.SS1 B received 07 October 2015.

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

02. The drainage scheme approved by the local planning authority in relation to application 14/05262/FUL shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

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

03. By 31st January 2016 a scheme of landscaping shall be submitted to the local planning authority for approval. Once approved such planting shall be carried out in the current planting season and the dwelling shall not be occupied until the approved planting has been completed. Any trees or plants which within a period of ten 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 landscaping shall include the planting of specimen trees to the east of the dwelling and a native hedge to the western boundary and driveway.

Reason: To safeguard the character and appearance of the area in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

04. 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 windows/roof lights/dormer windows other

than those expressly authorised by this permission shall be constructed in the east, south, and north elevations of the dwelling or garage hereby approved.

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

05. Prior to the occupation of the building hereby approved a boundary fence of at least 2.5 metres high shall be erected on the eastern boundary of the curtilage, details of which shall have been submitted to and approved in writing by the local planning authority. The fence, once erected, shall be maintained and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

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

06. The windows to the east elevation marked as being obscurely glazed on drawing 216.100.01P D, shall be fitted with obscure glazing prior to the occupation of the dwelling hereby approved. The obscure glazing will be maintained and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

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

07. The level of the first floor shall be as identified on drawing 216.100.01 B received 31 July 2015 and shall not be altered unless otherwise agreed in writing by the Local Planning Authority.

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

(Voting: 4 in favour, 3 against and 3 abstentions)

143. 15/04029/OUT - The Red House, Cumnock Road, Ansford (Agenda Item 18)

Demolition of Part Wall, Outbuilding and Gable End, refurbishment of The Red House, erection of three further dwellings and alterations to vehicular access

The Planning Officer presented his report to the Committee with the aid of a power point presentation. He informed the Committee that there had been no updates to the report.

Members were advised that access to the site would be similar to the previous scheme and that Somerset County Council had raised no objections. He also pointed out that the Conservation Officer and the Ecologist were satisfied with the proposal.

The Planning Officer confirmed to Members that he was recommending that approval be granted.

Ms P Peppin, representative for Castle Cary Town Council, addressed the Committee. She advised the Committee that she was delighted with the original scheme for 3 houses

but was less happy with the revised scheme. She explained that she would like to see a protected footpath route from the Red House site, through the BMI site to the Town Centre. She appreciated that there was a badger sett present, but thought that this link could still be made.

Mr J Paterson, Architect, explained that the development had been carefully designed and that the access had been retained and widened as an improvement.

He highlighted the amendments which had been made to the application were modest and were mostly following the advice of the Conservation Officer, who supported the application.

In response to comments concerning a footpath, he confirmed it was not possible due to the presence of a badger sett.

Councillor Henry Hobhouse, Ward Member, spoke in support of the application. He would like to see work commencing on site and hoped that the application would be approved.

Councillor Nick Weeks, Ward Member, expressed that he would like to have seen a footpath through the site.

Following a short discussion it was proposed to approve the application as per the officer recommendation and on being put the vote, was carried 7 votes in favour, 1 against and 1 abstention.

RESOLVED:

That planning application **15/04029/FUL** be approved subject to;

- a) The prior completion of a section 106 agreement or unilateral undertaking (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to:-
 - 1) Secure a contribution of £20 per square metre of internal floor space towards the provision of affordable housing in the district.
- b) The following conditions:

Justification

- 01. The site is within the development area of a market town and the principle of residential development is therefore considered acceptable. The residential development of the site would respect the character of the conservation area with no demonstrable harm to the setting of the nearby listed building, highway safety, protected species, or residential amenity. The scheme will contribute appropriately to the provision of affordable housing within the district. As such the proposal complies with local plan policies SD1, SS1, SS5, TA5, TA6, HG4, EQ2, EQ3, and EQ4 and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans:, 3414/PL02B, 3414/PL04A, 3414/PL05A, 3414/PL06A, 3414/PL07, and 3414/PL09B received 02 October 2015, and 3414/PL03C received 22 October 2015.

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

03. No work shall be carried out to the Red House (unit 1) unless a detailed specification has been submitted to and approved in writing by the Local Planning Authority. This shall include all matters relating to the conservation of the existing building, such as repointing and repair / renewal of joinery, re-roofing, as well as the making good of the south and west elevations following demolition, any works of alterations including the introduction of services where they affect the external façade. Once agreed the work shall be carried out in strict accordance with the agreed details unless written agreement is given to any variation.

Reason: In the interests of visual amenity in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

04. No work shall be carried out to construct units 2, 3 or 4 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. Such particulars will include the detailed finish (rough sawn, hand tooled, etc.). details of new masonry shall be supported by the provision of a sample panel to be made available on site. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

05. No work shall be carried out to fit any doors, windows, boarding or other external opening (including garage doors) unless details of the design, materials and external finish of these elements have been submitted to and approved in writing by the Local Planning Authority. This will include detailed drawings including sections of at least 1:5. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

06. The windows comprised in the development hereby permitted shall be recessed in accordance with details to be submitted to and approved in writing with the Local Planning Authority before any windows are fitted.

Reason: In the interests of visual amenity in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

07. No work shall be carried out to construct units 2, 3 or 4 unless design details of all roof eaves, verges and abutments, including detail drawings at a scale of 1:5, and all new cast metal guttering, down pipes, other rainwater goods, and external plumbing shall be submitted to and approved in writing by the Local Planning Authority. Such details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

08. No external fixtures or fittings including externally visible services shall be fitted to units 2, 3 or 4 unless details of such have been submitted to and agreed in writing by the Local Planning Authority. This shall include details of extract vents, boiler flues, soil pipe vents, external lighting and metre boxes. Once agreed the work shall be carried out in strict accordance with the agreed details unless written agreement is given to any variation.

Reason: In the interests of visual amenity in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

09. The access hereby permitted shall not be brought into use until drop kerbs have been installed at the carriageway edge and a vehicle cross-over constructed across the footway fronting the site for the width of the access.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

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

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

11. The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

12. No work shall commence on the development site until an appropriate right of discharge for surface water has been obtained before being submitted to and approved in writing by the Local Planning Authority. A drainage scheme for the site showing details of gullies, connections, soakaways and means of attenuation on site shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

13. The areas allocated for parking and turning on the submitted plan, drawing number 3414/PL02 Rev B, shall kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

14. At the proposed access there shall be no obstruction to visibility greater than 300mm above adjoining road level within the visibility splays shown on the submitted plan. 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 interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

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

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

16. No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:

- Construction vehicle movements;
- Construction operation hours;
- Construction vehicular routes to and from site;
- Construction delivery hours;
- Expected number of construction vehicles per day;
- Car parking for contractors vehicles per day;
- Car parking for contractors;
- Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
- A scheme to encourage the use of Public Transport amongst contractors; and
- Measures to avoid traffic congestion impacting upon the Strategic Road Network.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.]

17. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

18. 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. 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: To ensure that the conservation area building known as The Red House is not left in a derelict or partially restored state in accordance with policy EQ3 of the South Somerset Local Plan.

Informatives:

01. The developer shall note that the works on or adjacent to the existing highway will need to be undertaken as part of a formal legal agreement with Somerset County Council. This should be commenced as soon as practicably possible, and the developer should contact Somerset County Council for information 0300 123 2224.
02. The developer in delivering the necessary highway works associated with the development hereby permitted is required to consult with all frontagers affected by said highway works as part of the delivery process. This should be undertaken as soon as reasonably practicable after the grant of planning consent and prior to the commencement of said highway works, especially if the design has evolved through the technical approval process. This is not the responsibility of the Highway Authority.
03. Where works are to be undertaken on or adjoining the publicly maintainable highway a licence under Section 171 of the Highway Act 1980 must be obtained from the Highway Authority. Application forms can be obtained by writing to the Traffic and Transport Development Group, County Hall, Taunton or by telephoning 0300 123 2224. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services.

The fee for a Section 171 Licence is £250. This will entitle the developer to have his plans checked and specifications supplied. The works will also be inspected by the Superintendence Team and will be signed off upon satisfactory completion.

04. A badger sett is present on site and care will need to be taken to avoid disturbance or damage from construction operations which could contravene wildlife legislation. All site operatives will need to be made aware of appropriate exclusion zones based on site specific advice from an ecological consultant, and other precautionary measures to avoid harm such as covering open trenches overnight or positioning a plank to provide an escape ramp.
05. All contractors working on site should be aware of the recommendations contained within section 4 of the of the submitted bat survey completed by Crossman Associates and dated 14th July 2015. Contractors should be made aware of the legal necessity of complying with these recommendations.

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

144. 15/02951/FUL - Barn At Land OS 6540 Fiddlers Green Lane Corton Denham (Agenda Item 19)

Carry out alterations and conversion of agricultural building to residential and business use

The Planning Officer presented her report to Members with the aid of a power point presentation showing plans of the proposal and photographs of the site.

She explained to Members that the application was seeking to re-use a redundant building which is generally supported by Planning Policy. It was her view that the benefits outweighed the concerns for this existing building and she was therefore recommending the application for approval.

Ms L Elson, a representative of CPRE, spoke in objection to the scheme. She agreed with the views of the Conservation Officer which were detailed in the report and that this wonderful area should be protected.

Mr A Dodge spoke in support of the proposal. He was a resident of the area and in his view that this was a high quality conversion which included a good use of timber. He was in support of the minimal changes to the barn and hoped that the application would be approved to encourage a local family to live and work in the area.

Mr Bourne, applicant, explained to Members that it was his vision to both re-use and to strengthen the character of the redundant building and that he would ensure a high quality finish.

He also advised that;

- He had obtained pre-application advice and had incorporated the suggestions into the scheme.

- The landscaping on site would include native species
- The paddock would be retained
- A Barn Owl box would be included
- The boundary walls would be restored and enhanced

Mr D Carpendale, the agent, commented that the application followed pre-application advice and highlighted that it was a conversion, not a new building.

He informed members that;

- The Parish Council had raised no objections
- Traffic levels will be low
- The application safeguards the character of the building

Councillor Sarah Dyke-Bracher, Ward Member, spoke of her concerns about the elevated and isolated location. She noted the building was close to the Monarchs Way and was concerned that there was a potential to cause harm to the area.

However, it was her belief that the benefits outweigh the concerns and thought that the applicant aspired to enhance the building and would help to sustain a rural economy.

During the discussion, concerns were raised about the glazed gable and issues of light pollution and it was suggested that blinds or tinted glass be installed to limit this. The Area Lead explained that we could not control the internal furnishings of the building but suggested the glazing could be controlled through the materials condition recommended in the officer's report.

Following a short discussion, it was proposed to approve the application, as per the officers recommendation, and on being put to the vote, was carried unanimously.

RESOLVED:

That planning application **15/02951/FUL** be approved as the per the officers recommendation.

Justification

This live work conversion scheme, by reason of its nature, layout, design and materials, is considered to represent a sustainable form of development that makes appropriate use of this disused building without causing any substantive harm to the rural character of the area, visual amenity, residential amenity, highway safety or the environment and accords with the aims and objectives of policies SD1, TA5, TA6, HG4, EQ2, EQ4 and EQ7 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans drawings numbered 14161-1 Rev C and 14161-4 Rev F received 13/11/2015.

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

03. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the areas of rebuilding for the development shall be restricted to that detailed within Diccon Carpendale's email dated 13/08/2015 and shall not be altered without the prior express grant of planning permission. In the event that completion strictly in accordance with such approved details become impracticable for whatever reason, work shall thereupon cease and only be re-commenced if and when an express grant of planning permission has been obtained in regard to an amended scheme of works which renders completion of the scheme practicable.

Reason: In order to ensure that the buildings are of permanent and substantial construction and capable of conversion without major reconstruction, in the interests of sustainable development, to accord with paragraph 55 of the NPPF.

04. All workspace shown on the approved plan including the office shall be used for Class B1a (Office) and B8 Use, as defined in the Town and Country Planning (Use Classes Order) 1987 (or in provision equivalent to that Class in any statutory instrument revoking and re-enacting that order with or without modification), in association with the occupier of the barn's business and for no other purpose.

Reason: In order to maintain employment on the site, to reduce the need to travel and to safeguard the rural amenities of the locality in accordance with policies SD1, TA5 and EQ2 of the South Somerset Local Plan and Part 4 of the NPPF.

05. The development hereby permitted shall not be commenced unless there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the either the completion of the development or the first occupation of any of the dwellings hereby permitted, whichever is the sooner. 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 rural character of the area to accord with policy EQ2 of the South Somerset Local Plan.

06. No works shall be carried out 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 all new external walls and roofs;
- b) details of the design, materials and external finish for all external doors, windows, boarding and openings, including detailed sectional drawings as appropriate;
- c) details of the surface material for the parking and turning area;
- d) details of all boundary treatment.
- e) details of any external lighting

Thereafter the development shall be carried out in full compliance with the approved details unless otherwise agreed in writing.

Reason: To safeguard the rural character of the locality to accord with policy EQ2 of the South Somerset Local Plan.

07. No works shall be carried out unless details of the appearance of the new access and track, including details of any walls, fencing and gates, have been submitted to and agreed in writing by the local planning authority. The approved details shall thereafter be carried out in full and shall not be altered without the express grant of planning permission

Reason: To safeguard the rural character of the area to accord with policy EQ2 of the South Somerset Local Plan.

08. The proposed access over the first 6m of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) for which details shall have been submitted to and approved by the Local Planning Authority.

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

09. Before the new access is first brought into use, provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto any part of the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority and thereafter maintained in this fashion at all times.

Reason: In the interests of highway safety in accordance with policy TA5 of the South Somerset Local Plan.

10. The development hereby permitted shall not be commenced unless a detailed parking and turning plan has been submitted to and agreed in writing by the local planning authority. Such approved details shall thereafter being fully implemented and the allocated parking and turning areas shall be kept clear of obstruction and shall not be 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.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions and no additional windows, including dormer windows, or other openings (including doors) formed in the dwelling hereby permitted without the prior express grant of planning permission.

Reason: To safeguard the rural character of this building and the locality 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 garages or other buildings shall be erected within the curtilage of the dwelling other than those expressly authorised by this permission.

Reason: To safeguard the rural character of the locality to accord with policy EQ2 of the South Somerset Local Plan.

(Voting: Unanimous in favour)

145. 15/04303/OUT - Former Helicopter Depot, Cadbury Business Park, Cary Road, Sparkford (Agenda Item 20)

Proposed classes B1/B2 Industrial Development with associated access

The Planning Officer presented his report to the Committee, with the aid of a power point presentation. He updated Members that the Area Development Manager now also supported the application.

The Planning Officer explained that the Landscape Officer raised no concern to the proposal in principle and Somerset County Council had raised no highway objections. He explained that Planning Policy did not support this scheme and that, for the reasons contained within the report, he recommended that the application be refused.

Mr A Rousell, a representative of Cadbury Business Park explained that there were concerns over the access to the site and that the legal right of access was much smaller than the existing access. This site access was for the current use only and the access for the proposal was neither permitted, nor deliverable.

Mr M Williams, Planning Advisor for the applicant, explained that the application looked to provide rural jobs in a building with a long standing commercial use and that it was no longer possible to use the building as a helicopter depot.

He noted that;

- Support had been received to the application
- The scheme will provide employment
- It was a small scale development
- Close to a classified A road.

Councillor Nick Weeks, Ward Member, offered his support for the application. He commented that the site had a good link to the A303 and that the proposal was a good use of the building.

Councillor Henry Hobhouse, Ward Member, also spoke in support of the application.

Following a brief discussion it was proposed to approve the application contrary to the officer recommendation subject to conditions for;

1. 3 Year time limit condition
2. Approved plans
3. Reserved matters
4. Detailed surface water drainage
5. B1/B2 use

Plus informatives regarding the comments of the SCC Rights of Way Officer and the SSDC Landscape Officer.

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

RESOLVED:

That planning application **15/04303/OUT** be approved contrary to the officer recommendation, subject to the following;

Justification

The proposed B1/B2 use of this previously developed site would deliver much needed additional employment land towards the requirements set out in policy SS2 without detriment to highways safety or visual or residential amenity. As such the proposal complies with policies EP2, EP4, SS3 and EQ2 of the south Somerset Local Plan 2006-2028 and the policies contained within the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING CONDITIONS:

01. The development hereby permitted shall be carried out in accordance with the location plan 1700-17A received 21 September 2015.

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

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

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

03. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development shall begin no later than 3 years from the date of this permission or not later than 2 years from the approval of the last "reserved matters" to be approved.

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

04. The use of the site shall be for B1 or B2 use only, and for no use falling within use class B8 (offices) of The Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: In the interests of proper planning and to determine the scope of the permission.

05. No development hereby approved shall be commenced until a detailed surface water drainage scheme for the site has been submitted to an approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied.

Reason: To ensure the development is properly drained in accordance with policy EQ1 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

Informatives:

01. The developer should be aware of the comments of the County Rights of Way Officer in relation to their duties regarding the public right of way that runs along the access to the site. The comments are available to view on the LPA's website using reference number 15/04303/FUL.
02. The developer should be aware of the SSDC Landscape Architect's comments in relation to the submitted indicative layout. He considered that the proposal would result in increased massing effects, and the layout tendered would not enable commensurate landscape treatment, to soften and contain the development's outline. The applicant is therefore advised to engage with the SSDC Landscape Architect prior to submitting any reserved matters applications.

(Voting: unanimous in favour)

146. 15/04448/FUL - Banksia, High Street, Queen Camel (Agenda Item 21)

Alterations, including the erection of a carport and store, creation of entrance, construction of porch, pergola and alterations to store

The Planning Officer presented his report with the aid of a power point presentation of drawings and photographs.

He confirmed there were no updates to the report and that following some amendments to the planning application, the Conservation Officer raises no objection to the application.

Mr J Paterson, applicant, explained the reasons for the application to create a new access. He explained to Members that the visibility could not be further improved and that the speed limit on the road was 20mph.

In the absence of the Ward Member, the Chairman noted that there was local concern about the access and the existing access on the other side of the road.

Following a short discussion, it was proposed to approve the application as detailed in the officer's report and on being put to the vote, was carried unanimously.

RESOLVED:

That planning permission **15/04448/FUL** be approved subject to the conditions contained in the officers report.

Justification

01. The proposal, by reason of its size, scale and materials, respects the character of the conservation area, and causes no demonstrable harm to residential amenity, the character and setting of the listed building, and highway safety in accordance with the aims and objectives of Policies EQ2, EQ3, TA5, and TA6 of the South Somerset Local Plan and the aims and provisions of the NPPF.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in accordance with the following approved plans: 3381/201, 3381/202, 3381/206, 3381/210, 3381/212 received 29 September 2015, and 3381/203A received 02 November 2015

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

02. No further work shall be carried out to alter the store building (Drawing no. 3381/206) unless full details of work to the building including details of proposed materials and the provision of samples where necessary have been submitted to and approved in writing by the Local Planning Authority.

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

03. No work shall be carried out to alter the boundary wall unless full details of its repair and alteration have been submitted to and approved in writing by the Local Planning Authority. This shall include details of any rebuilding required, a sample panel of repointing and a sample area of coping, both to be prepared on site and made available for inspection, and details of the roadside gates. Once agreed the work shall be carried out in strict accordance with the agreed details unless written agreement is given to any variation.

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

04. No work shall be carried out to construct the Car Port, Store and Covered Outside Seating Area within the garden unless full details of these elements have been submitted to and approved in writing by the Local Planning Authority. This shall

include details of the materials, including the provision of samples where appropriate, details of rainwater goods and joinery. Once agreed the work shall be carried out in strict accordance with the agreed details unless written agreement is given to any variation.

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

05. No work shall be carried out to construct the porch hereby approved unless full details of the porch have been submitted to and approved in writing by the Local Planning Authority. This shall include details of the materials, including the provision of samples where appropriate, details of rainwater goods and joinery. Once agreed the work shall be carried out in strict accordance with the agreed details unless written agreement is given to any variation.

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

06. The access hereby permitted shall not be brought into use until adequate drop kerbs have been installed at the carriageway edge and a vehicle cross-over constructed across the footway fronting the site for the width of the access.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

07. The access hereby permitted shall not be brought into use until a properly consolidated surface (not loose stone or gravel) has been constructed between the gates hereby permitted and the carriageway edge.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

08. The access hereby permitted shall not be brought into use until details of a method of surface water disposal, so as to prevent the discharge of surface water onto the highway, has been submitted to and approved in writing by the local planning authority. All work shall be carried out in accordance with the approved details and retained and maintained in perpetuity unless the local planning authority gives written consent to any variation.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

(Voting: Unanimous)

147. 15/04449/LBC - Banksia, High Street, Queen Camel (Agenda Item 22)

Alterations, including the erection of a carport and store, creation of entrance, construction of porch, pergola and alterations to store

The planning officer presented his report to the Committee and the application was discussed in conjunction with Agenda Item 21, planning application 15/04448/FUL.

Following a short discussion, it was proposed to approve the application as detailed in the officer's report and on being put to the vote, was unanimously.

RESOLVED:

That planning application **15/04449/LBC** be approved subject to the conditions contained in the officers report.

Justification

01. The proposal, by reason of its materials and design is considered to respect the historic and architectural interests of the building and is in accordance with policy EQ3 of the South Somerset Local Plan, and the provisions of the NPPF.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans: 3381/201, 3381/202, 3381/206, 3381/210, 3381/212 received 29 September 2015, and 3381/203A received 02 November 2015

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

03. No further work shall be carried out to alter the store building (Drawing no. 3381/206) unless full details of work to the building including details of proposed materials and the provision of samples where necessary have been submitted to and approved in writing by the Local Planning Authority.

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

04. No work shall be carried out to alter the boundary wall unless full details of its repair and alteration have been submitted to and approved in writing by the Local Planning Authority. This shall include details of any rebuilding required, a sample panel of repointing and a sample area of coping, both to be prepared on site and made available for inspection, and details of the roadside gates. Once agreed the work shall be carried out in strict accordance with the agreed details unless written agreement is given to any variation.

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

05. No work shall be carried out to construct the Car Port, Store and Covered Outside Seating Area within the garden unless full details of these elements have been submitted to and approved in writing by the Local Planning Authority. This shall

include details of the materials, including the provision of samples where appropriate, details of rainwater goods and joinery. Once agreed the work shall be carried out in strict accordance with the agreed details unless written agreement is given to any variation.

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

06. No work shall be carried out to construct the porch hereby approved unless full details of the porch have been submitted to and approved in writing by the Local Planning Authority. This shall include details of the materials, including the provision of samples where appropriate, details of rainwater goods and joinery. Once agreed the work shall be carried out in strict accordance with the agreed details unless written agreement is given to any variation.

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

(Voting: Unanimous)

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Chairman