

South Somerset District Council

Minutes of a meeting of the **Area East Committee** held at the **Virtual Meeting - Virtual Meeting using Zoom meeting software on Wednesday 9 September 2020.**

(9.00 - 11.30 am)

Present:

Members: Councillor Henry Hobhouse (Chairman)

Robin Bastable
Hayward Burt
Tony Capozzoli
Nick Colbert
Sarah Dyke
Charlie Hull

Mike Lewis
Kevin Messenger
Paul Rowsell
William Wallace
Colin Winder



Officers:

Tim Cook
Michelle Mainwaring
Angela Cox
Becky Sanders
Trudy Gallagher
Nick Toop
Robert Orrett
Jo Boucher

Locality Team Manager
Case Officer (Strategy & Commissioning)
Specialist (Democratic Services)
Case Officer (Strategy & Commissioning)
Specialist (Development Management)
Case Officer, Service Delivery
Commercial Property. Land & Development Manager
Case Officer (Strategy & Commissioning)

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

187. Minutes of Previous Meeting (Agenda Item 1)

The minutes of the Area East Committee held on 8th July 2020 were approved as a correct record and would be signed by the Chairman.

188. Apologies for absence (Agenda Item 2)

One apology of absence was received by Councillor Lucy Trimnell.

189. Declarations of Interest (Agenda Item 3)

There were no Declarations of Interest.

190. Date of Next Meeting (Agenda Item 4)

Members noted that the next scheduled meeting of the committee would be held at 9.00am on Wednesday 14th October 2020 using Zoom virtual software.

191. Public Question Time (Agenda Item 5)

There were no questions from members of the public present.

192. Chairman Announcements (Agenda Item 6)

There were no announcements made by the Chairman.

193. Reports from Members (Agenda Item 7)

Councillor Mike Lewis commented that District Executive decided that Queen Camel neighbourhood plan request for settlement boundary did not meet the local plan nor the National Planning Policy Framework. Other members who have communities seeking a neighbourhood plan would need to take that into consideration.

194. Area Chapter 20/21 Update & Finance report (Executive Decision) (Agenda Item 8)

The Locality Manager presented his report and asked members to note the development of the food and drink directory. Some projects have been delayed as a result of covid19 and others approached differently. Annual play days as an example could not go ahead in a safe environment so play boxes were given out across South Somerset.

Members commented on the economic and environmental benefits of the food and drink directory.

In response to members questions the locality manager made the following comments:

- Referred to Appendix B outlining the detail of the food and drink directory and explained it was looking to focus on a 'buy local' scheme.
- The budget for play days will exist for next year, the details to be worked out at a later date.
- Tree planting would be supported within the communities and he would look into any schemes that are ongoing at the moment.

The committee were then asked to note the report and endorse the allocation of spend of £2,000 to support the development of a food and drink directory. All members were in agreement and approval was unanimous.

RESOLVED: That Area East Members:

- Noted the report
- Endorsed allocation of spend on the following projects:
£2,000 from the Area Discretionary/Project revenue budget to support the development of a food and drink directory.

Reason: To consider allocating funding towards supporting the development of a food and drink directory.

(Voting: Unanimous)

195. Disposal of Churchfields Office, Wincanton (Agenda Item 9)

The Commercial Property, Land and Development Manager presented the report. He made reference to the report being put to the District Executive meeting the week before and that approval had been granted. He explained that the building will soon be empty and he went through the options that were available before a decision was made. The proceeds of the sale will be ring fenced for the Wincanton regeneration project.

During a short discussion members made the following comments:

- Hopes that the police moving would not reduce the numbers of police and PCSO's in the area.
- The geographical position of the Churchfields building being in the centre of the proposed East Unitary authority, did District Executive discuss this.
- Email circulating from the police advertising for PCSO's to join the police.
- The new police office is progressing.

The Commercial Property, Land and Development Manager responded that the shape of the future of Somerset is unknown and Yeovil and Shepton Mallet already have sizeable office accommodation. The future plans will be up to the new organisation.

Members were then asked to note the recommendations on the report.

196. Area East Committee Forward Plan (Agenda Item 10)

Councillor Hayward Burt commented on the recent new government planning paper and asked that a report and discussion on planning policy to be added to the forward plan.

197. Planning Appeals (Agenda Item 11)

The list of planning appeals was noted by members.

198. Schedule of Planning Applications to be Determined by Committee (Agenda Item 12)

Members noted the schedule of planning applications to be determined by the committee.

199. Planning Application 20/01567/HOU- The erection of a single storey extension to dwelling, Welham Barn Wellham Farm Lane Charlton Mackrell Somerton TA11 7AJ (Agenda Item 13)

Proposal: The erection of a single storey extension to dwelling.

The Planning Officer presented the application as detailed in the agenda and with the aid of a PowerPoint presentation, proceeded to show the site and proposed plans.

Updates:

- The Conservation Specialist had given their view on the proposed scheme and formally objected to the proposals based on the property being considered as a non-designated heritage asset and that the integrity of the original barn would fundamentally change the character.
- There is no permission for change of use of land to allow for the parking area but this does not bear on the consideration for the application of this extension.
- Amended plans were submitted by the applicant on Thursday 3rd September showing amendments, which included a full apex gable roof as opposed to a flat roof. However these were incomplete and could not be considered as valid.

His key considerations were the extension to a converted agricultural building (EQ2) and the impact on a Non-Designated Heritage Asset (EQ3) and Materials not in keeping. In conclusion the application was recommended for refusal.

One resident then addressed the committee in objection to the application. Some of his comments included:

- Without the small objection of the parking space, he would be happy that the plans were approved.
- The extra parking space would require the applicants to cross his land to park there.
- There is already adequate space for parking.

The applicant then spoke in favour of the application. Her comments included:

- Tried to include a minimally invasive design that was approved from pre planning with 2 advisory notes;
 1. To consider windows being overlooked by neighbours
 2. To show adequate parking
- They were advised to proceed with the application.
- Felt the flat roof was not sympathetic to the area after speaking to a local neighbour and submitted amended plans for a full gabled roof.
- Parish Council gave Full approval.
- Nothing had been noted on the pre planning application referencing the Non-designated Heritage Asset
- The existing glazing is not of high quality and is in poor state of repair with poor heat efficiency.
- Felt that the option to extend on the other side of the property, which was proposed in the planning report, would impact the original layout of the courtyard and the cutting down of a mature tree.
- Their understanding was that the land for proposed parking had equestrian use and so there was scope to put down hardstanding in front of gateways.

Councillor Mike Lewis spoke to say that the application being considered today is not what the applicant wants.

Ward Member Councillor Charlie Hull was in support of the applicants proposal and doesn't feel the extension will detract from the building after visiting the property.

Ward Member Councillor Tony Capozzoli commented that the extension roughly mirrors what is already existing and supports the application. He would like to see a condition that the roof is an apex roof.

Ward Member Councillor Paul Rowsell echoed Councillor Lewis in that the application is not what the applicant wants, and it could be amended accordingly and re-presented.

The Chairman then confirmed with the applicant that they would like the application to be determined with the gabled roof and suggested deferring the application.

The Lead Specialist, Development Management then confirmed that the applicant could submit amended plans. She also explained that the consideration of the shape of the extensions deferred from the linear nature of the existing building, which was also part of the objection from the case officer.

After being put to the vote, members voted unanimously to defer the application.

RESOLVED: That Planning application 20/01567 be **DEFERRED** once it became clear that the applicant wanted to revise the scheme. The application will not automatically be heard at the next Area East Committee, but instead will follow the Council's Scheme of Delegation process once again once the amended plans have been received and consulted on and will only return to the Committee if required by the Scheme of Delegation.

(Voting: unanimous in favour)

200. Planning Application 20/01269/HOU - The erection of a double garage and formation of new access, Braggcroft Rimpleton Road Marston Magna Yeovil Somerset BA22 8DH (Agenda Item 14)

Proposal: The erection of a double garage and formation of new access.

The Planning Officer presented the application as detailed in the agenda and with the aid of a PowerPoint presentation, proceeded to show the site and proposed plans. He noted that the property is located in the Marston Magna Conservation Area.

Updates: The Tree Officer provided an objection on initial plans. Since the plans were amended the updated comments were received after the report was submitted.

His comments included:

The intentions for the roadside hedge were unclear and the two tall trees were also not shown on the submitted layout drawing. The amended proposal appears likely to require the removal or damage to the roots. He continued to object to the proposal on the basis that they are contrary to the Council objectives to preserve the quality and historic character of the Conservation Area.

The Planning Officers' key considerations were the domestic garage to serve a dwelling and an additional access and hardstanding, The Conservation Area wouldn't be

impacted as long as existing landscaping is retained. Conditions regarding the new access and hardstanding would need to be signed off prior to the first use. The tree comments were submitted after the Officers final report so members may need to consider this. The application, being finely balanced, was recommended for approval.

Vice Chairman of Marston Magna Parish Council spoke in objection to the application. Some of his comments included:

- The road is busy being located near Perry's Recycling where a number of lorry's use the road every day.
- The property has three entrances already.
- Concerns that the hedge at the front could be compromised if the hedge was cut back.
- The hedge running along the footpath is also going to be cut back considerably.
- Garage to be timber clad, but the last application with timber cladding was turned down.

The Planning Officer confirmed to members that the new access would not be located in the vicinity of the Public right of way

Ward Member Councillor Mike Lewis commented on the plans showing no access from the public right of way. The pictures of the hedges in the report showed little to no maintenance of the hedges inhibiting the visibility of the entrance and could a condition be included to maintain them at the front and alongside the public right of way. He felt that the application could be approved but conditions could be added to make it more acceptable.

In response to a query from The Chairman, The Lead Specialist, Development Management confirmed that the comments from the Tree Officer were accepted as they could still be taken to the committee meeting and be heard from members before a decision was made.

After a short discussion, Members raised some of the following points were raised:

- Proposed a further condition to install an EV charger on the site.
- Approve the application with the additional conditions that were proposed.
- Moving the hedge could compromise the hedgerow.

It was then proposed to approve the application with the conditions to include an EV charger and prohibit commercial use in the property and that the hedges are kept maintained for the Visibility.

On being put to the vote, the application was approved, 8 in favour, 3 against.

RESOLVED: That planning application 20/01269/HOU be **APPROVED** and to add an additional condition to provide an electric vehicle charging point within the site. The following reason for approval:

The proposal, by reason of its size, siting, materials and design, is acceptable to the dwelling and neighbours and causes no demonstrable harm to the quality and character of the Marston Magna Conservation Area, neither is there a risk to highway safety, the adjoining public right of way or the nearby trees, in accordance with Policies SD1, EQ2, EQ3,

EQ4, EQ5, TA5 & TA6 of the South Somerset Local Plan (2006-28) and the provisions of the National Planning Policy Framework 2019.

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 referenced:

Drawing No.

- o 1480/1/2/A, received 1st July 2020
- o 1480/1/3, received 24th April 2020
- o 1480/1/4, received 13th July 2020
- o 1480/1/5 (Proposed Garage Roof Plan), received 24th April 2020
- o 1480/1/5 (Site Survey), received 1st July 2020

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

03. The external surfaces of the development shall be of materials as indicated in the application form and no other materials shall be used without the prior written consent of the local planning authority.

Reason: To ensure the proposed development is completed in accordance with Policy EQ2 of South Somerset Local Plan and the and the provisions of the National Planning Policy Framework 2019.

04. Prior to the first use of the development hereby approved, the access, driveway and turning area to be provided, as shown in drawings No. 1480/1/2A and 1480/1/5, shall be properly consolidated (not loose stone or gravel), surfaced and drained to ensure no surface water discharge onto the highway.

Reason - In the interest of Highway Safety and adequate onsite parking provision, in accordance with Policies TA5 and TA6 of South Somerset Local Plan (2006-2028)

05. Prior to the first use of the development hereby approved, the turning area to be provided shall be constructed to a minimum width of 5 metres except for at the entrance to the garage which shall be constructed to a minimum width of 6 metres as shown in drawing No. 1480/1/2A.

Reason - In the interest of Highway Safety and adequate onsite parking provision, in accordance with Policies TA5 and TA6 of South Somerset Local Plan (2006-2028)

06. Prior to the first use of the development hereby approved, the new access to be created shall be located in the exact position of shown in Drawings No. 1480/1/2A and 1480/1/5

Reason - In the interest of Highway Safety and adequate onsite parking provision, in accordance with Policies TA5 and TA6 of South Somerset Local Plan (2006-2028)

07. There shall be no obstruction to visibility greater than 600mm above adjoining road level in advance of a line drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending 43 metres to the east and west as shown on the approved plan, Drawing no. 1480/1/5. 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 highway safety, in accordance with policy TA5 of South Somerset Local Plan 2006-28.

08. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) the extension hereby permitted shall only be used incidental to the enjoyment of the dwellinghouse.

Reason: In the interests of residential amenity and highway safety in accordance with Policies EQ2 and TA5 of the South Somerset Local Plan (2006-2028)

09. The existing boundary hedgerow growing along the roadside frontage of the site to west of the proposed access, shall be retained and maintained and shall not be removed, either in whole or in part, and shall be maintained at a height no lower than 2.5 metres in height (as measured from the ground level on which it is growing). The hedgerow shall be maintained and retained in this fashion for a period of ten years from the completion of the development hereby permitted. Should any of the hedgerow planting become damaged or diseased during this ten year period the plant(s) shall be replaced in the next planting season with others of a similar species, unless the local planning authority gives written consent to any variation.

Reason: In the interests of visual amenity, having regard to Policy EQ2 and EQ3 of the South Somerset Local Plan and relevant guidance within the NPPF.

10. Prior to commencement of the development, site vegetative clearance, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree and hedgerow protection measures shall be prepared by a suitably qualified Arboricultural Consultant who is familiar with supporting planning applications in accordance with British Standard 5837: 2012 - Trees in relation to design, demolition and construction and the prepared scheme shall be submitted to the Council for their approval in-writing. Prior to commencement of the development, the appointed Arboricultural Consultant shall inspect and confirm in-writing to the Council (contact us at planning@southsomerset.gov.uk) that the installation of the approved tree and hedgerow protection measures has been carried out to a satisfactory standard. The approved protection requirements must remain implemented in their entirety for the duration of the construction of the development and may only be moved, removed or dismantled with the prior consent of the Council in writing.

Reason: To preserve existing landscape features (trees and hedgerows) in accordance with the Council's policies as stated within The South Somerset Local

Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

11. No works shall be undertaken until there has been submitted to and approved in writing by the Local Planning Authority, a scheme of hard and soft landscaping measures. The submitted scheme shall clearly confirm the details, materials and dimensions of any intended tree or shrub planting, earth-moulding, boundary treatments (e.g. hedgerows, fences & walls), seeding, turfing and the installation of hard surfaces, driveways and parking spaces. All planting stock shall be specified as UK-grown, and details shall be provided in regards to the planting locations, numbers of individual species, sizes, forms, root-types/root volumes and the intended timing of planting. The installation details regarding ground-preparation, weed-suppression, staking/supporting, tying, guarding, strimmer-guarding and mulching shall also be included within the submitted scheme. All planting comprised in the approved scheme shall be carried out within the dormant planting season (November to February inclusively) upon or prior to the first occupation of the development hereby approved; and if any trees or shrubs which within a period of ten years from the completion of the development die, are removed or in the opinion of the Council, become seriously damaged or diseased, they shall be replaced by the landowner in the next planting season with trees/shrubs of the same approved specification, in the same location; unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the planting of new trees and shrubs in accordance with the Council's statutory duties relating to The Town & Country Planning Act, 1990 (as amended)[1] and the following policies of The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

12. Prior to first occupation and use of the garage and access hereby permitted, 1 no. electric charging point (of a minimum 16amps) for an electric vehicle shall be provided adjacent to the double garage shown on the approved plans. Once installed such charging points shall be retained thereafter and maintained in working order, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is resilient and sustainable in accordance with Policy TA1 (Low Carbon Travel) of the adopted South Somerset Local Plan and the provisions of the NPPF.

(Voting: 8 in favour, 3 against)

201. Planning Application 20/00962/FUL - Change of use of agricultural land to garden; the erection of a garden store; amendments to dwelling design (roof height, fenestration and internal layout of east wing); deletion of approved access driveway (17/02438/REM) and the formation of a replacement access and driveway, Meadow House Lower Kingsbury Milborne Port (Agenda Item 15)

Proposal: Change of use of agricultural land to garden; the erection of a garden store; amendments to dwelling design (roof height, fenestration and internal layout of east wing); deletion of approved access driveway (17/02438/REM) and the formation of a replacement access and driveway.

The Lead Specialist, Development Management presented the application as detailed in the agenda and with the aid of a PowerPoint presentation proceeded to show the site and proposed plans.

Her key considerations were:

- The loss of agricultural land. After checking the agricultural land classification for the site, it is grade 3a meaning not high quality, therefore an objection could not be raised on that basis alone.
- Landscaping and character of area, the scheme was considered to soften the edge of the boundary as it goes into the countryside, there are also bio diversity benefits with the proposed planting.
- The proposed new access would be considered as an improvement, as it will protect the trees sited near the old access that was approved.

In conclusion, the recommendation was for approval.

A Milborne Port Parish Council Representative then addressed the committee and some of his points included:

- The Junction at the top of the road is close to the access point where there is also access to a public footpath and a post box. Line of sight remains questionable, as there are often parked cars at the top of the hill.
- The steep hill into the property was queried as to whether emergency vehicles would have access to the property.
- Highways report refers to standing advice only and an independent expert hasn't confirmed this.
- There are flooding issues at the site and pictures show flooding over the winter.
- In the Reserve matters approval, the landscape officer stated there should be no 'creep' to the North of the site, and this application seems to be doing just so.

The agent then addressed the Committee on behalf of the applicants. Some of her comments included:

- All comments from residents and Parish councils have been considered and a number of changes have been made to satisfy these concerns.
- The Garden is supported by the local plan and a logical completion of the settlement edge.
- The area of land is already bounded by gardens on three sides, which contains it. The proposed native hedge along the boundary would provide a buffer to strengthen the settlement edge.
- The new access would mean the trees near to the original approved access will be unaffected. The width of Lower Kinsbury is also wider at this point.
- No physical development proposed in the flood zones 2 and 3, only landscaping proposals.

Ward Member Councillor Sarah Dyke highlighted the pros and cons to the application and discussed some of the following points:

- The new access does develop the area of agricultural land but recognised the 'rounding off' of the boundary.

- Concern for the residential amenity for hilltop view, however the alternative access saves the destruction of a stone wall and protects the root area of the trees with TPO's.
- Highway safety concerns of the proposed access being close to the junction at the top of the lane where there is also a public footpath.
- After seeing some pictures of the site showing flooding of the area had some further concerns with regards to a risk of flooding.
- Proposed a condition to ensure a permeable surface for the access drive if the application was approved.
- EV Charger to be installed on site.

After a short discussion member raised some of the following points:

- This access is more favourable over the initial approved access being away from the protected trees.
- Agreed with the extra conditions raised by Cllr Dyke.
- Minded to approve the application is line with the officer's recommendation.

It was the proposed and seconded to approve the application, and on being put to the vote, was approved unanimously.

RESOLVED: That planning application 20/00962/FUL be APPROVED and to add two additional conditions to secure the following:

- To provide an electric vehicle charging point within the site
- To ensure the access driveway is finished in a permeable surface to reduce surface water run-off. The application was approved for the following reason:

The proposal, by reason of its location, represents appropriate infill within the defined development area and does not foster growth in the need to travel and is therefore sustainable and can achieve an acceptable highways access and on site highway arrangements in accordance with the aims of objectives of policy SD1, SS1, TA5, TA6, EQ1, EQ2, EQ4 AND EQ5. EQ2, EQ3, TA5 and TA6 of the South Somerset Local Plan 2006- 2028.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in accordance with the following approved plans: Garden Room Plans 6987-01b, Proposed Dwelling Plans and Elevations 6987 - 03 and Proposed Landscaping 20.03.44. LAN_01b.

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

02. The finished ground floor levels of the dwelling altered under this planning application must be at least 79.000 AOD as agreed under the previous discharge of condition application (19/01586/DOC).

Reason: To ensure the finished floor levels are of a suitable height to comply with the recommendations of the Flood Risk Assessment previously submitted, in accordance with policies EQ1, EQ2 and EQ7 of the Local Plan and the provisions of the NPPF.

03. Development must continue to proceed in strict accordance with the particulars agreed under 19/01586/DOC for conditions 2 and 3 of 17/02438/REM, concerning the design and installation of the retaining structures and below-ground services required within the designated Root Protection Areas, as well as the agreed Arboricultural Method Statement and Tree Protection Plan.

Reason: To preserve existing landscape features (trees) in accordance with the Council's policies as stated within policy EQ2, EQ4 and EQ5 of the Local Plan and the provisions of the NPPF.

04. Notwithstanding the proposed garden room, development must proceed in strict accordance with the materials, sample panel, rainwater goods, eaves and fascia details and treatments, window and door particulars received on 22nd February 2018 under the previous reserved matters application (17/02438/REM).

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

05. All planting comprised in the approved landscaping scheme (plan reference 20/03/44/LAN_01b) shall be carried out in the timescales detailed on the plan, unless the Local Planning Authority agrees to any variation in writing. If any trees or shrubs which within a period of ten years from the completion of the development die, are removed or in the opinion of the Council, become seriously damaged or diseased, they shall be replaced by the landowner in the next planting season with trees/shrubs of the same approved specification, in the same location.

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

06. Prior to first use of the development hereby permitted, 1 no. electric charging point (of a minimum 16amps) for an electric vehicle shall be provided to serve the parking area shown on the approved plans. Once installed such charging points shall be retained thereafter and maintained in working order, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is resilient and sustainable in accordance with Policy TA1 (Low Carbon Travel) of the adopted South Somerset Local Plan and the provisions of the NPPF.

07. The access driveway hereby permitted shall be constructed in a permeable surface and maintained as such.

Reason: In the interests of highway safety and to prevent increased surface water run-off from the development, in accordance with policy EQ2, EQ7 and TA5 of the South Somerset Local Plan 2006-2028 and the provisions of the NPPF.

(Voting: Unanimous in favour)

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Chairman