

MEETING
DATE 14.07.21

South Somerset District Council

Minutes of a meeting of the **Area East (Informal)** held at **the Virtual Meeting using Zoom meeting software on Wednesday 14 July 2021.**

(9.00 - 10.30 am)

Present:

Councillor Henry Hobhouse (Chairman)

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

Mike Lewis
Kevin Messenger
Paul Rowsell
Lucy Trimnell
William Wallace
Colin Winder

Officers

Jan Gamon
Mark Lynch
Colin Begeman
Peter Thomas
Michelle Mainwaring
Jo Morris

Director (Place and Recovery)
Specialist - Lead Principal Planner
Principal Planner (Development Management)
Planning Specialist, Service Delivery
Case Officer (Strategy & Support Services)
Case Officer (Strategy & Commissioning)

Also Present:

Linda Vijeh

20. Apologies for Absence (Agenda Item 1)

There were no apologies for absence.

21. Declarations of Interest (Agenda Item 2)

There were no declarations of interest.

22. Date of next meeting (Agenda Item 3)

Members noted the next meeting of Area East Committee was scheduled for Wednesday 11th August at 9.00am and would be a virtual meeting.

23. Public Question Time (Agenda Item 4)

There were no questions from members of the public present at the meeting.

24. Chairman's Announcements (Agenda Item 5)

The Chairman reminded everyone that the meeting was being live streamed, and that at the last full council meeting on the 8th July it was agreed to extend the delegation to allow virtual meetings to continue for a period of 6 months.

A report would be brought back to the next Area East meeting regarding outside organisations - CAT bus representative, so that a member could be voted on as a non-voting member to the CAT bus committee.

There had been a major fire at dimmer dump recycling centre and all recycling has been transferred to Evercreech whist the recycling centre was being rebuilt.

Councillor Sarah Dyke who is the Chair of Somerset Waste Board confirmed the continuity and fire plans in place by Somerset Waste Partnership were all carried out correctly and business is now continuing as usual. The fire hadn't affected the services.

In response to a question on the 5-year land supply The Specialist, Lead Principal Planner referred to the recent appeal decision letter 3265558 and provided members with an update on the position of the 5-year land supply and recommended actions by the barrister. By September there would be a more up to date picture but that SSDC have been advised to accept that there is not currently a 5-year housing supply. He confirmed that the phosphates were a factor, and would come back to next month's meeting with a further update.

Councillor Hayward Burt asked for more regular updates to members in relation to the condition of the 5-year land supply so that councillors have up to date information.

There was some further discussion between members regarding the 5-year land supply and how it affected another appeal decision. A request was made to have a statement from the planning department regarding pollution control in the Dorset Stour area which affects The Vale and Wincanton.

25. Reports from Members (Agenda Item 6)

Councillor Hayward Burt asked why a planning referral had been approved without prior knowledge. The Chairman explained he would look into it.

Councillor Mike Lewis asked for feedback from members on grass cutting in their areas and if there were issues to let him know.

There was a discussion between a number of members regarding the request and maintaining of dog bins and Councillor Sarah Dyke informed members that she was in discussions with the team on how to improve the service, and that she would bring a report back to Area East Committee with an update.

26. Area East Forward Plan (Agenda Item 7)**RESOLVED:**

The following items to be added to the forward plan;

- a. Outside Organisations – Cat Bus representative
 - b. Update on Dog Bins in area Area East.
 - c. Update on River pollution in the North Stour catchment area
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27. Planning Appeals (Agenda Item 8)

Councillor Hayward Burt asked that ward members also receive Public Enquiry notices as well as local residents.

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

28. Schedule of Planning Applications to be Determined by Committee (Agenda Item 9)

Members noted the Schedule of Planning Applications to be determined at the meeting.

29. Planning Application 20/03243/FUL - Coombe Farm West Street Templecombe (Agenda Item 10)

Proposal: Demolish farm buildings and domestic garage and erect three detached houses and two semi-detached dwellings, garages with parking and amend field access.

The Specialist, Planning presented the application as detailed in the agenda, and with the aid of PowerPoint presentation, continued to show the site and proposed plans. His key considerations were policy SS2, highways and ecology. The site was already found to be sustainable and suitable for housing with an application already approved on the site. There had been no highways objections. He felt the application for 5 houses were beneficial. A recent bat survey had been completed and no bats had been found. He recommended a couple of minor condition amendments to conditions 3 and 7 if members were minded to approve the application.

The Agent then addressed members and some of his comments included:

- He thanked the planning officer for setting out the application clearly.
- The client bought the site with planning permission granted, and saw the opportunity to benefit the community with 2 smaller houses rather than 4 large houses.

In response to a member's question, The Planning Specialist confirmed there was a likelihood of permitted development where existing buildings could be developed if the application was not approved.

Ward member Councillor Hayward Burt didn't feel that the application met policy SS2 in terms of providing employment opportunity or meeting housing needs. Since a 5-year land supply could not be proved, he didn't feel this objection on policy SS2 could be made.

Ward member Councillor William Wallace agreed with Councillor Hayward Burts comments and had nothing further to add.

There was a short discussion and some of the following comments made included:

- This was a brownfield site with planning already approved on the site
- Highways and Ecology had no objections
- How Zero Carbon the build would be?
- EV charging points were within the conditions of the application

The agent confirmed that the scheme would be fully compliant with building regulations. They were looking at heating options such as air source heat pumps.

At the end of discussions, it was proposed and seconded to approve the application in line with the officer recommendation. On being put to the vote the proposal was carried with 11 votes in favour and 2 abstentions.

RESOLVED:

That members of Area East committee recommend to the Director –Strategy & Support Services that Planning Application **20/03243/FUL** be **approved** in accordance with the officer's recommendation and with agreed amended conditions to the report, for the following reason;

01. The principle of development is considered acceptable as the identified harm does not significantly and demonstrably outweigh the benefits of the scheme. The proposed development of the site would respect the character of the area, with no demonstrable harm to highway safety, flood risk and drainage, protected species, or residential amenity. As such the proposal complies with local plan policies SD1, SS1, TA5, TA6, EQ2, 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: Location and Site Plan 5016 D01 rev C 5016 proposed plans and elevations 1096-01-PHL-101-A Lowans Ecology 7 Associates biodiversity Assessment Version no 2 Landmark sitecheck report

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

03. The development shall be carried out in accordance with the construction and Environmental Management Plan dated June 2021, received 15th July 2021.

Reason: In the interests of the amenities of surrounding occupiers in accordance with policy EQ2 of the south Somerset Local Plan.

04. Prior to their first use on the building, details of the materials to be used shall be submitted to and approved in writing by the Local planning authority. The works shall be carried out in accordance with the approved details.

Reason - in the interests of visual amenity in accordance with policy EQ2 of the south Somerset Local Plan

05. Before the dwellings hereby permitted are first occupied, a properly consolidated and surfaced access shall be constructed (not loose stone or gravel) for at least the first 5 metres from the highway edge, and shall be maintained in that fashion thereafter at all times.

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

06. The drainage details shown on plan 5016 D01 rev C 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.

07. Prior to occupation of any of the dwellings hereby approved a scheme of landscaping shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and it 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 and in accordance with policy EQ2 of the South Somerset Local Plan.

08. Prior to first occupation of the dwellings hereby permitted, 16amp electric charging points for electric vehicles shall be provided adjacent to the parking spaces or within the garages shown on the approved plan 2532-PL-02B. Sufficient electric charging points for at least one per dwelling shall be provided in this way. Once installed such parking points shall be retained 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. 09. The development shall be carried out in accordance with the recommendations contained in the biodiversity report carried out by Lowans Ecology & Associates updated 21.05.21.

Reason - In the interests of Ecology in accordance with policy EQ4 of the South Somerset Local Plan and the provisions of the national Planning Policy Framework.

09. 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 from the past use, are found in the soil at any time when carrying out the approved development it must be reported in writing within 14 days to the Local Planning Authority (LPA). The LPA will then consider if the findings have any impact upon the development and development must be halted on that part of the site. If the LPA considers it necessary then an assessment of the site must be undertaken in accordance with BS10175. Where remediation is deemed necessary by the LPA a remediation scheme must be submitted to and approved in writing by the LPA and then implemented in accordance with the submitted details. Evidence of compliance with the watching brief, including details of any findings or none shall be submitted to and approved in writing by the Local Planning Authority.

Reason - In the interests of appropriate remediation in accordance with policy EQ7 of the south Somerset Local Plan.

10. Provision shall be made within the site for the disposal of surface water so as to prevent discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before the first occupation and thereafter maintained at all times.

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

11. The area allocated for parking and turning on the submitted plan, drawing number 2532-PL-02B, including the proposed garages, shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

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

Informatives:

01. Please be advised that approval of this application by South Somerset District Council will attract a liability payment under the Community Infrastructure Levy. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. You are required to complete and return Form 1 Assumption of Liability as soon as possible and to avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place. Please complete and return Form 6 Commencement Notice. You are advised to visit our website for further details:

<https://www.southsomerset.gov.uk/cil> or email cil@southsomerset.gov.uk

02. The applicant may be required to enter into a suitable legal agreement/licence with the Highway Authority to secure the construction of the highway works necessary as part of this development. The developer should contact the Highway Authority to progress this agreement will in advance of commencement of development.
03. The lighting scheme should comply with the Institution of Lighting Engineers Guidance Note on Light Pollution dated 2005. It should be designed so that it is the minimum needed for security and operational processes and be installed to minimise potential pollution caused by glare and spillage.

(Voting: 11 in favour, 0 against & 2 abstentions)

30. Planning Application 21/00153/FUL - Raymonds Farm Underhill Pen Selwood Wincanton (Agenda Item 11)

Proposal: The erection of 1 No. new dwelling at Raymonds Farm. Existing Cottage retained to be used as workshop, ancillary to the new house.

The Specialist, Planning presented the application as detailed in the agenda, and with the aid of PowerPoint presentation, continued to show the site and proposed plans. He explained that the site was within an Area of Outstanding Natural Beauty (AONB) and a dark skies area. There was already a dwelling on the site and the application didn't fit entirely with HG8 policy as they would retain the existing dwelling for storage and build a new dwelling to the north. He showed that all the other buildings on site would be removed. His key considerations were Policy HG8, AONB impact, access consideration, neighbour consideration and ecology.

Overall he believed the scheme would benefit the area, and the glare from the glazing could be controlled within the detail of the glazing to not affect the dark skies area. Landscaping and glazing details would be conditioned to be provided prior to commencement. The current access was poor and the proposal did give a more acceptable access. Overlooking of the property was considered but felt that the long distance to the neighbouring property meant an objection could not be sustained.

A Penselwood Parish Council representative then addressed the committee in objection to the application, and some of their comments included:

- The AONB significance had been underestimated in the report. The heavily wooded area was an important part of the local landscape.
- Felt the site would be very visible in winter months.

The applicant and agent addressed members in support of the application and some of their comments included:

- Being local to the area, he had a strong bond with the area and wished to build a contemporary house on site to retire.
- Researched policies and explored recent applications within the parish as recognised the sensitivity building in an AONB and that the house would need a careful design.
- Has a commitment to the dark skies initiative and the lighting plan would prevent light pollution.
- Landscape concept to allow the dwelling to be hidden from the road with trees and hedging, similar to the neighbouring house.
- The house with have modern insulation, ground source energy, rain water harvesting.

- The extension containing the kitchen and bathroom on the existing cottage will be removed. The cottage will be used as a workshop and storage.
- The house is well design within the site
- It will not be seen from the neighbouring property or the road as is set in the bank following contours at the bottom of the hill.
- The derelict buildings will be removed to improve the visual impact.
- There will only ever be 1 dwelling on the site. The cottage becomes an outbuilding to the proposed dwelling.

Ward member Councillor Robin Bastable commented that it did not comply with policy HG8. He agreed with AONB that this was an application for a new dwelling in the countryside. The existing house there could be made upgraded and lived in. He felt that with all the glazing that it would be very visible at the top of the hill. With the comments from AONB he proposed recommending refusal.

During discussion there were a number of mixed views expressed, some of which included:

- Approving the application would seem like its ignoring the AONB.
- This proposal was eco-friendly.
- Similar applications that were approved in Area East where the property sit within the hill.
- Agreed that dark glazing could be installed to help stop the light pollution.
- Proposal to approve the recommendation.
- What would stop the existing cottage being turned back into a dwelling in the future.
- Commended the applicant for an environmentally friendly build and asked for EV charging points.
- Required further clarity on the access point and visibility splays.

The Planning Specialist explained a condition was already in place restricting the cottage to ancillary use but could be strengthened to say non-residential purposes. Any future use would then require permission.

He clarified the summary paragraph in the report on page 38 was the officer's summary and not the summary of the AONB.

The current turning into the property is poor and the proposal would be an improvement. EV charging points were included in the conditions.

There was no further debate and it was seconded to refuse the application, contrary to the officer's recommendation for the reasons of not complying with policy HG8, and the reasons given from the AONB. On being put to the vote it was not carried (4 for refusal, 8 against refusal).

It was then proposed and seconded to approve the application as per the officer's recommendation with the amended conditions for landscaping and glazing to be pre commencement conditions and the existing dwelling not to be for residential use. On being put to the vote it was carried, 8 votes in favour, 5 against.

RESOLVED:

That members of Area East committee recommend to the Director –Strategy & Support Services that Planning Application **20/03243/FUL** be **approved** in accordance with the officer's recommendation subject to the conditions in the report with amendments to the glazing and lighting to be conditioned prior to commencement and the existing dwelling to be conditioned not for residential use, for the following reason;

01. The proposed development would represent a well-designed form of development without unduly compromising the protected character of the surrounding Cranborne Chase Area of Outstanding Natural Beauty. The new dwelling is also considered acceptable in this location by reason of its size, scale, materials proposed and that it causes no demonstrable harm to residential amenity or highway safety. Overall the removal of the buildings and the use of the existing building to be ancillary would not lead to an additional dwelling and a visual improvement to the site. It is in accordance with policies SD1, SS1, EQ2, EQ3, EQ4, TA5, HG8 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 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:

02 proposed site plan
03 proposed plans
04 proposed west elevation
05 proposed east elevation
06 proposed north elevation
07 proposed south elevation
08 context with trees
Ecological report
Building survey 20.1009

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

03. Prior to commencement of development a scheme of hard and soft landscaping, including vegetation to be retained, shall be submitted to and approved in writing by the Local Planning Authority. All planting, seeding and turfing comprised within the approved scheme shall be carried out in the first planting season following the completion of the development and any trees or plants, including existing vegetation to be retained, which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next available planting season with others of a similar size and the same species. The approved hard landscaping details shall be provided within four weeks of the

development being brought into use, and shall be retained for the life of the development.

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

04. Prior to commencement of development, lighting and glazing details shall be submitted (including through the provision of technical specifications) and where required SMART glass, shall be submitted to and approved in writing by the Local Planning Authority. The glazing shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting or other types of glazing be installed without prior consent from the Local Planning Authority.

Reason: To ensure that the glazing installed has minimal lighting impact upon the dark skies landscape and the impact on the Area of Outstanding Natural Beauty in accordance with policy EQ2 of the South Somerset Local Plan.

05. Prior to occupation of the new dwelling hereby approved drainage measures shall be incorporated into the construction of the widened vehicular access to prevent surface water from discharging onto the highway in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. Such measures shall thereafter be adequately maintained to the satisfaction of the Local Planning Authority.

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

06. Prior to occupation of the dwelling hereby approved, the extensions shown on drawing 20.1009 shall have been removed from the existing dwelling. The remaining building shall not be used for separate residential use and only be used for purposes of incidental storage and domestic office/workshop space to the new dwellinghouse and for no other purpose.

Reason: To define the permission to prevent the creation of an additional market dwelling in the countryside in accordance with policy SS2 of the South Somerset Local Plan.

07. Prior to the installation of any external lighting details of any exterior lighting proposed shall be submitted to and approved in writing by the local planning authority. Such lighting should be designed to minimise light pollution to the surrounding environment. Thereafter the development shall be carried out in accordance with the approved details unless any variation is agreed by the local planning authority.

Reason: To safeguard the character of the Cranborne Chase Area of Outstanding Natural Beauty from intrusive light pollution and to accord with policies EQ2 and EQ4 of the South Somerset Local Plan.

08. Prior to any demolition works, details of the access including cross sectional details shall be submitted to and approved in writing by the Local Planning Authority. The

development shall be carried out and retained in accordance with the approved details

Reason - In the interests of the visual appearance of the access in accordance with policy EQ2 of the South Somerset Local Plan.

09. The development shall be carried out in accordance with the mitigation and enhancements contained within the ecological report carried out by kpecology dated 7th December 2020.

Reason - In the interests of ecology in accordance with policy EQ4 of the South Somerset Local Plan.

10. Prior to first occupation of the dwelling hereby permitted, a 16amp electric charging point, for electric vehicles, shall be provided on the site. Once installed such electric charging points shall be retained 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.

11. The areas allocated for parking and turning on the approved plans shall be fully provided prior to the dwelling hereby permitted being first occupied. Thereafter these areas shall be kept clear of obstruction and not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety, in accordance with policies TA5 and TA6 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

12. There shall be no obstruction to visibility greater than 900 millimetres within a 2.4m x 43m splay in the northerly direction above adjoining road level. 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 to accord with policy TA5 of the South Somerset Local Plan (2006-2028).

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) (with or without modification) there shall be no external alterations or extensions undertaken to the dwelling hereby permitted without the prior express consent of the local planning authority.

Reason: To safeguard local character and residential amenity, in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of the NPPF.

14. Prior to occupation of the dwelling hereby approved, the outbuildings hatched in red and shown as being removed on drawing 02 shall have been permanently removed from the site.

Reason - In the interests of the appearance of the site and surrounding Area of Outstanding Beauty in accordance with policy EQ2 of the South Somerset Local Plan.

- 15. Prior to their first use details of the materials to be used for the exterior surfaces of the dwelling hereby permitted shall be submitted to and approved in writing by the local planning authority. Once approved the development shall be carried out in accordance with the approved details.

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

(Voting: 8 in favour, 5 against 0 abstentions)

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Chairman

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Date