

## South Somerset District Council

**Minutes** of a meeting of the **Area North (Informal)** held by video-conference using Zoom meeting software **on Wednesday 22 September 2021.**

(2.00 pm - 2.35 pm)

**Present:**

**Members:** Councillor Adam Dance (Chairman)

Neil Bloomfield  
Louise Clarke  
Tim Kerley  
Clare Paul

Crispin Raikes  
Dean Ruddle  
Mike Stanton  
Gerard Tucker



**Officers:**

Louisa Brown  
Colin Begeman  
Michelle Mainwaring  
Becky Sanders

Specialist (Development Management)  
Principal Planner (Development Management)  
Case Officer (Strategy & Support Services)  
Case Officer (Strategy & Support Services)

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

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**31. Minutes (Agenda Item 1)**

The minutes of the previous meetings held on 24 March 2021, 14 April 2021, 26 May 2021 and 14 July 2021 were approved as correct records and would be signed by the Chairman.

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**32. Apologies for Absence (Agenda Item 2)**

Apologies for absence were received from Councillors Malcolm Cavill and Tiffany Osborne.

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**33. Declarations of Interest (Agenda Item 3)**

There were no declarations of interest.

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**34. Date of Next Meeting (Agenda Item 4)**

Members noted the next meeting of Area North Committee was scheduled for Wednesday 27 October at 2.00pm, and would be a virtual meeting using Zoom.

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**35. Public Question Time (Agenda Item 5)**

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

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**36. Chairman's Announcements (Agenda Item 6)**

The Chairman reminded everyone present that in order to enable members to continue holding remote, virtual meetings, Full Council agreed in April and July to amend Part 3 of the Council's Constitution to allow its remote meetings to function as consultative meetings and delegate decisions to the Chief Executive.

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**37. Reports From Members (Agenda Item 7)**

As appointed representatives on the Huish Episcopi Leisure Centre Board, Councillor Crispin Raikes noted that he and Councillor Tim Kerley had received an email about the Leisure Centre possibly going to an external provider, He informed members that a meeting of stakeholders would be taking place in early October, and if possible he would provide an update to the next Area North meeting.

Councillor Neil Bloomfield wished to thank the Locality Team for their help regarding grants. He also asked whether the Council would be looking to move back to in-person meetings soon with the actual committees making decisions? In response, the Chairman requested the Case Officer (Strategy & Commissioning) to follow up the query.

Councillor Clare Paul noted that ABP (Food Group) at Langport had multiple vacancies across different roles, and were trying to actively recruit, if members knew of anyone looking for work.

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**38. Area North Committee Forward Plan (Agenda Item 8)**

The Chairman noted that the item on the Somerton Conservation Area would be removed from the Forward Plan, as the item needed to be postponed due to resourcing. One of the ward members acknowledged he had also had a discussion with the Director (Service Delivery) and was aware of the situation.

There was no further discussion and members were content to note the Forward Plan.

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**39. Planning Appeals (for information) (Agenda Item 9)**

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

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**40. Schedule of Planning Applications to be Considered by Committee (Agenda Item 10)**

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

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**41. Planning Application 21/01275/S73A - Butterwell Farm, Lower Pitney Road, Pitney. (Agenda Item 11)**

***Proposal: Re-development of farm to include alterations to the farmhouse, erection of 2 new build dwellings and alterations, extensions and conversion of barns to form 3 further dwellings (Section 73 application to vary condition 2 (approved plans) of approval 17/01176/FUL & 17/01177/LBC) to replace Units 2 & 3 with a single unit and associated garage (Part retrospective).***

The Specialist (Development Management) introduced the application and provided members with some updates:

- There was an application for listed building consent running concurrently with this S73A application. Members were reminded that with the revised Scheme of Delegation the application for listed building consent would be delegated to officers.
- Since the agenda had been published, comments from Ecology had been received, and they had requested a preliminary ecology assessment - however this was not considered reasonable at this stage as the matter had been dealt with when the original application had been considered.

The officer then presented the application in detail and reminded members of the existing approved layout, and clarified the proposal for consideration in this S73A application. She noted construction had already commenced across the wider site in line with the extant approval. Key and other considerations were highlighted, and she referred to the comments of the Parish Council and explained why it was considered unreasonable to apply conditions as suggested by the Parish Council.

The applicant addressed members and noted that market demand in the locality was for larger homes, and he had already had interest regarding the proposed larger dwelling in this current S73A application. The reduction in number of dwellings would also decrease the density of the development. He noted that the existing approval for the 1 and 2 bed dwellings were never approved as affordable homes and they had always been intended for full market housing at the upper end of the scale.

Ward member, Councillor Gerard Tucker, noted the history of planning for development of the site spanned several years, and the opinions of the Parish Council had been similar throughout. He also noted that a parish plan had been undertaken in 2007 and was currently undergoing a refresh - the wants and wishes of the community regarding future development was that smaller homes were needed. He referred to four policies in the Local Plan and when also considering the parish comments, he did not support the application.

The Specialist (Development Management) responded to points of detail, including clarity about the following:

- Sustainability
- Whether considered a Q-class conversion
- The retrospective element

During a further short discussion, varying comments were raised including:

- There are facilities in Pitney including a village hall and farm shop, as well as the nearby public house.
- Acknowledge and understand the comments of the Parish Council.

- The principle of development has already been approved.
- Share disappointment regarding the 5-year land supply and phosphate issues, but these are partly out of our control.
- Acknowledge the Parish Council feel strongly about this application and it may have helped to hear their rationale and not just via the ward member.

It was proposed to approve the application, as per the officer recommendation, subject to the conditions detailed in the office report. On being put to the vote the proposal was carried 5 votes in favour, 4 against and no abstentions.

**RESOLVED:** That members of Area North Committee recommend to the Chief Executive that planning application 21/01275/S73A be APPROVED, as per the officer recommendation, and subject to the following conditions:

### **Justification**

01. The proposed development, by reason of its scale, nature, layout and design, respects and safeguards the special historic and architectural interest of this listed property without causing any demonstrable harm to visual amenity, residential amenity, highway safety, ecology, flooding and drainage or other environmental concern and therefore accords with the aims and objectives of policies SD1, TA5, TA6, EQ2, EQ3, EQ4 and EQ7 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

### **Subject to the following:**

01. Notwithstanding the time limits given to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission (being granted under section 73A of the Act in respect of development already carried out) shall have effect from the commencement of the use hereby approved.

Reason: To comply with Section 73A of the Act.

02. The development hereby permitted shall be carried out in accordance with the following approved plans drawings numbered 6581-02A, 6581-03A, 6581-04A, 6581-05A, 6949-203, 6949-204, 6949-205, 6949-206, 6949-207, 6949-208, 6949-209

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

03. The following elements (a-h) shall be carried out in accordance with the details submitted and discharged under application 18/03812/DOC in relation to planning approval 17/01176/FUL.

- a) materials to be used for all external walls and roofs;
- b) areas of repointing
- c) all new walls including any new boundary walls
- d) design, materials, external finish and recessing for all external doors, windows, roof lights, boarding and openings

- e) all roof eaves, verges and abutments, and all new guttering, down pipes and other rainwater goods, external plumbing and lintels;
- f) all electricity and gas meter boxes and any other utility / service boxes, including their position, design, material and finish;
- g) all boundary treatment; and
- h) surface material for the parking and turning area.

The approved details shall be fully implemented and shall thereafter not be altered unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interest of visual amenity, to safeguard the rural character of the locality and the special historic and architectural interest of this property in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

04. All making good / remedial works to existing walls and roofs for the barn conversion units shall be carried out in accordance with the details submitted and discharged under application 18/03812/DOC in relation to planning approval 17/01176/FUL. The development shall thereafter be carried out in complete accordance with the agreed details unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the special historic and architectural interest of these curtilage listed buildings in accordance with policy EQ3 of the South Somerset Local Plan.

05. The internal ground floor levels of the dwellings shall be carried out in accordance with the details submitted and discharged under application 18/03812/DOC in relation to planning approval 17/01176/FUL

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

06. The Scheme of Landscaping shall be carried out in accordance with the details submitted and discharged under application 18/03812/DOC in relation to planning approval 17/01176/FUL. The approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the dwellings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 10 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 interest of visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

07. The surface water drainage scheme for the site shall be carried out in accordance with the details submitted and discharged under

application 18/03812/DOC in relation to planning approval 17/01176/FUL. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied and shall thereafter be permanently maintained and retained in this fashion unless otherwise agreed in writing by the local planning authority.

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.

08. The alternative nest site provision for swallows shall be carried out in accordance with the details submitted and discharged under application 18/03812/DOC in relation to planning approval 17/01176/FUL. The approved details shall be implemented in full unless otherwise agreed in writing by the local planning authority.

No works to nor 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.

Reason: For compliance with the Wildlife and Countryside Act 1981, and for the conservation of biodiversity (swallows), in accordance with NPPF and Policy EQ4 of the South Somerset Local Plan.

09. The existing ford shall not be used for the purpose of a vehicular access and shall be permanently stopped up in accordance with the details submitted and discharged under application 18/03812/DOC in relation to planning approval 17/01176/FUL. The ford shall thereafter be maintained in this fashion in perpetuity.

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

10. There shall be no obstruction to visibility greater than 300 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the accesses and extending to points on the nearside carriageway edge 43 metres either side of the accesses. Such visibility shall be fully provided before the development hereby permitted is occupied and shall thereafter be maintained at all times.

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

11. The disposal of surface water so as to prevent its discharge onto the highway shall be carried out in accordance with the details submitted and discharged under application 18/03812/DOC in relation to planning approval 17/01176/FUL. Such provision shall be installed before the site is first brought into use and thereafter maintained at

all times.

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

12. Before the dwellings hereby permitted are first occupied, properly consolidated and surfaced accesses shall be constructed (not loose stone or gravel) in accordance with the details submitted and discharged under application 18/03812/DOC in relation to planning approval 17/01176/FUL. The access shall be constructed in accordance with the agreed design and shall be maintained in the agreed form thereafter at all times.

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

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

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

14. 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 industrial 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.

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.

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

Reason: To safeguard the agricultural and historic character and setting of this group of buildings in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

16. 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, fences, gates or walls shall be erected other than those expressly authorised by this permission.

Reason: To safeguard the agricultural and historic character and setting of this group of buildings in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

**Informatives:**

01. Where works are to be undertaken on or adjoining the publicly maintainable highway a licence under Section 171 of the Highways Act 1980 must be obtained from the Highway Authority. Application forms can be obtained by writing to Transport Development Group, Environment Department, County Hall, Taunton, TA1 4DY, or by telephoning 01823 355645. 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

*(Voting: 5 in favour, 4 against, 0 abstentions)*

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Chairman