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# **Informal Discussion by Members of Area North Committee**

**Wednesday 22nd September 2021**

**2.00 pm**

**A virtual consultative meeting via  
Zoom meeting software**

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The following members are requested to attend this virtual consultation meeting:

Neil Bloomfield  
Malcolm Cavill  
Louise Clarke  
Adam Dance

Mike Hewitson  
Tim Kerley  
Tiffany Osborne  
Clare Paul

Crispin Raikes  
Dean Ruddle  
Mike Stanton  
Gerard Tucker

Any members of the public wishing to address the virtual consultative meeting during either Public Question Time or regarding a Planning Application, need to email [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk) by 9.00am on Tuesday 21 September 2021.

The meeting will be streamed and viewable online at:

**[https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF\\_soA](https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA)**

For further information on the items to be discussed, please contact:  
[democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk)

This Agenda was issued on Monday 13 September 2021.

**Jane Portman**, Chief Executive Officer

**This information is also available on our website  
[www.southsomerset.gov.uk](http://www.southsomerset.gov.uk) and via the mod.gov app**

## **Information for the Public**

In light of the coronavirus pandemic (COVID-19), Area North Committee will meet virtually via video-conferencing to consider reports. As of 7 May 2021 some interim arrangements are in place for committee meetings.

At the meeting of Full Council on 15 April 2021 it was agreed to make the following changes to the Council's Constitution:

- a) To continue to enable members to hold remote, virtual meetings using available technology;
- b) To amend Part 3 (Responsibility for Functions) of the Council's Constitution to allow those remote meetings to function as consultative bodies and delegate decisions, including Executive and Quasi-Judicial decisions, that would have been taken by those meetings if the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 had continued in force to the Chief Executive (or the relevant Director in the Chief Executive's absence) in consultation with those meetings and those members to whom the decision would otherwise have been delegated under Part 3 of the Constitution;
- c) The delegated authority given under (b) will expire on 31 July 2021 unless continued by a future decision of this Council;

For full details and to view the report please see -

<https://modgov.southsomerset.gov.uk/ieListDocuments.aspx?CId=137&MId=2981&Ver=4>

Further to the above, at the meeting of Full Council on 8 July 2021, it was agreed to extend the arrangements for a further 6 months to 8 January 2022.

For full details and to view the report please see -

<https://modgov.southsomerset.gov.uk/ieListDocuments.aspx?CId=137&MId=3033&Ver=4>

## **Area North Committee**

Meetings of the Area North Committee are usually held monthly, at 2.00pm, on the fourth Wednesday of the month (unless advised otherwise. However during the coronavirus pandemic these meetings will be held remotely via Zoom.

Agendas and minutes of meetings are published on the council's website

<https://modgov.southsomerset.gov.uk/ieDocHome.aspx?bcr=1>

Agendas and minutes can also be viewed via the mod.gov app (free) available for iPads and Android devices. Search for 'mod.gov' in the app store for your device, install, and select 'South Somerset' from the list of publishers, then select the committees of interest. A wi-fi signal will be required for a very short time to download an agenda but once downloaded, documents will be viewable offline.

## **Public participation at meetings (held via Zoom)**

### **Public question time**

We recognise that these are challenging times but we still value the public's contribution to our virtual consultative meetings. If you would like to participate and contribute in the meeting,

please join on-line through Zoom at: <https://zoom.us/join> You will need an internet connection to do this.

Please email [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk) for the details to join the meeting.

The period allowed for participation in Public Question Time shall not exceed 15 minutes except with the consent of the Chairman and members of the Committee. Each individual speaker shall be restricted to a total of three minutes.

If you would like to address the virtual consultative meeting during either Public Question Time or regarding a Planning Application, please email [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk) by 9.00am on Tuesday 21 September. When you have registered, the Chairman will invite you to speak at the appropriate time during the virtual meeting.

#### **Virtual meeting etiquette:**

- Consider joining the meeting early to ensure your technology is working correctly.
- Please note that we will mute all public attendees to minimise background noise. If you have registered to speak during the virtual meeting, the Chairman will un-mute your microphone at the appropriate time.
- Each individual speaker shall be restricted to a total of three minutes.
- When speaking, keep your points clear and concise.
- Please speak clearly – the Councillors are interested in your comments.

#### **Planning applications**

***It is important that you register your request to speak at the virtual meeting by emailing [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk) by 9.00am on Tuesday 21 September. When you have registered, the Chairman will invite you to speak at the appropriate time during the virtual meeting.***

Consideration of planning applications at this meeting will commence no earlier than the time stated at the front of the agenda and on the planning applications schedule. The public and representatives of parish/town councils will be invited to speak on the individual planning applications at the time they are considered.

Comments should be confined to additional information or issues, which have not been fully covered in the officer's report. Members of the public are asked to submit any additional documents to the planning officer at least 72 hours in advance and not to present them to the Committee on the day of the meeting. This will give the planning officer the opportunity to respond appropriately. Information from the public should not be tabled at the meeting. It should also be noted that, in the interests of fairness, the use of presentational aids (e.g. PowerPoint) by the applicant/agent or those making representations will not be permitted. However, the applicant/agent or those making representations are able to ask the planning officer to include photographs/images within the officer's presentation subject to them being received by the officer at least 72 hours prior to the meeting. No more than 5 photographs/images either supporting or against the application to be submitted. The planning officer will also need to be satisfied that the photographs are appropriate in terms of planning grounds.

At the committee chairman's discretion, members of the public are permitted to speak for up to three minutes each and where there are a number of persons wishing to speak they should be encouraged to choose one spokesperson to speak either for the applicant or on behalf of any supporters or objectors to the application. The total period allowed for such participation on each application shall not normally exceed 15 minutes.

The order of speaking on planning items will be:

- Town or Parish Council Spokesperson
- Objectors
- Supporters
- Applicant and/or Agent
- District Council Ward Member

**If a member of the public wishes to speak at the virtual meeting they must email [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk) by 9.00am on Tuesday 21 September.**

In exceptional circumstances, the Chairman of the Committee shall have discretion to vary the procedure set out to ensure fairness to all sides.

## **Recording and photography at council meetings**

Recording of council meetings is permitted, however anyone wishing to do so should let the Chairperson of the meeting know prior to the start of the meeting. The recording should be overt and clearly visible to anyone at the meeting, but non-disruptive. If someone is recording the meeting, the Chairman will make an announcement at the beginning of the meeting.

Any member of the public has the right not to be recorded. If anyone making public representation does not wish to be recorded they must let the Chairperson know.

The full 'Policy on Audio/Visual Recording and Photography at Council Meetings' can be viewed online at:

<http://modgov.southsomerset.gov.uk/documents/s3327/Policy%20on%20the%20recording%20of%20council%20meetings.pdf>

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# Informal Discussion by Members of Area North Committee

**Wednesday 22 September 2021**

## Agenda

### *Preliminary Items*

#### **1. Minutes**

To approve as a correct record the minutes of previous meetings held on 24 March, 14 April, 26 May and 14 July 2021. The draft minutes can be viewed at:  
<https://modgov.southsomerset.gov.uk/ieDocHome.aspx?bcr=1>

#### **2. Apologies for Absence**

#### **3. Declarations of Interest**

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting.

Members are reminded that they need to declare the fact that they are also a member of a County, Town or Parish Council as a Personal Interest. Where you are also a member of Somerset County Council and/or a Town or Parish Council within South Somerset you must declare a prejudicial interest in any business on the agenda where there is a financial benefit or gain or advantage to Somerset County Council and/or a Town or Parish Council which would be at the cost or to the financial disadvantage of South Somerset District Council.

#### **Planning Applications Referred to the Regulation Committee**

The following members of this Committee are also members of the Council's Regulation Committee:

Councillors Neil Bloomfield, Malcolm Cavill, Adam Dance and Crispin Raikes.

Where planning applications are referred by this Committee to the Regulation Committee for determination, Members of the Regulation Committee can participate and vote on these items at the Area Committee and at Regulation Committee. In these cases the Council's decision-making process is not complete until the application is determined by the Regulation Committee. Members of the Regulation Committee retain an open mind and will not finalise their position until the Regulation Committee. They will also consider the matter at Regulation Committee as Members of that Committee and not as representatives of the Area Committee.

#### **4. Date of Next Meeting**

Councillors are requested to note that the next Area North Committee meeting is scheduled to be held at 2.00pm on **Wednesday 27 October 2021**, and will be a virtual meeting using Zoom.

**5. Public Question Time**

**6. Chairman's Announcements**

**7. Reports From Members**

*Items for Discussion*

**8. Area North Committee Forward Plan (Pages 7 - 8)**

**9. Planning Appeals (for information) (Page 9)**

**10. Schedule of Planning Applications to be Considered by Committee (Pages 10 - 11)**

**11. Planning Application 21/01275/S73A - Butterwell Farm, Lower Pitney Road, Pitney.  
(Pages 12 - 20)**

**Please note that members of the Area Committee will make a recommendation on the above reports. The decision will be taken by the Chief Executive.**

# Agenda Item 8

## **Area North Committee – Forward Plan**

*Director:* Nicola Hix, Strategy and Support Services  
*Officer:* Becky Sanders, Case Officer (Strategy & Commissioning)  
*Contact Details:* becky.sanders@southsomerset.gov.uk

### **Purpose of the Report**

This report informs Members of the Area North Committee Forward Plan.

### **Public Interest**

The forward plan sets out items and issues to be discussed over the coming few months. It is reviewed and updated each month, and included within the Area North Committee agenda, where members of the committee may endorse or request amendments.

### **Recommendation**

Members are asked to note and comment upon the Area North Committee Forward Plan as attached, and to identify priorities for any further reports.

### **Area North Committee Forward Plan**

Members of the public, councillors, service managers, and partners may also request an item be placed within the forward plan for a future meeting, by contacting the Agenda Co-ordinator.

Items marked *in italics* are not yet confirmed, due to the attendance of additional representatives.

To make the best use of the committee, the focus for topics should be on issues where local involvement and influence may be beneficial, and where local priorities and issues raised by the community are linked to SSDC and SCC corporate aims and objectives.

Further details on these items, or to suggest / request an agenda item for the Area North Committee, please contact one of the officers named above.

***Background Papers:*** None

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## Area North Committee Forward Plan

Further details on these items, or to suggest / request an agenda item for the Area North Committee, please contact the Agenda Co-ordinator; at [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk)

Items marked in italics are not yet confirmed, due to the attendance of additional representatives.

<b>Meeting Date</b>	<b>Agenda Item</b>	<b>Background / Purpose</b>	<b>Lead Officer(s) SSDC unless stated otherwise</b>
Oct	Area North Chapter	Progress update report – Area North Chapter of the Council Plan.	Locality Team Leader
Oct	Community Grants	To consider any requests for funding.	Locality Officer
<i>TBC</i>	<i>Somerton Conservation Area</i>	<i>Report regarding the Somerton Conservation Area Appraisal and designation of extensions to the Conservation Area.</i>	<i>TBC</i>

# Agenda Item 9

## **Planning Appeals**

*Director:* Kirsty Larkins, Service Delivery  
*Lead Officer:* John Hammond, Principal Planner  
*Contact Details:* john.hammond@southsomerset.gov.uk

## **Purpose of the Report**

To inform members of the appeals that have been lodged, decided upon or withdrawn.

## **Public Interest**

The Area Chairmen have asked that a monthly report relating to the number of appeals received, decided upon or withdrawn be submitted to the Committee.

## **Recommendation**

That members comment upon and note the report.

## **Appeals Lodged**

None.

## **Appeals Dismissed**

None.

## **Appeals Allowed**

None.

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# Agenda Item 10

## Schedule of Planning Applications to be Determined by Committee

Director: Kirsty Larkins, Service Delivery  
Lead Officer: John Hammond, Principal Planner  
Contact Details: john.hammond@southsomerset.gov.uk

### Purpose of the Report

The schedule of planning applications sets out the applications to be determined by Area North Committee at this meeting.

### Recommendation

Members are asked to note the schedule of planning applications.

### **Planning Applications will be considered no earlier than 2.00pm**

The meeting will be viewable online at:  
[https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF\\_soA](https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA)

Any members of the public wishing to address the virtual meeting regarding a planning application need to email [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk) by 9.00am on Tuesday 21 September..

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
11	TURN HILL	21/01275/S73A	Re-development of farm to include alterations to the farmhouse, erection of 2 new 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)	Butterwell Farm, Lower Pitney Road, Pitney.	Robert Rice Contractors Ltd.

Further information about planning applications is shown on the following page and at the beginning of the main agenda document.

The Committee will consider the applications set out in the schedule. The Planning Officer will give further information at the meeting and, where appropriate, advise members of letters received as a result of consultations since the agenda has been prepared.

### **Referral to the Regulation Committee**

The inclusion of two stars (\*\*) as part of the Development Manager's recommendation indicates that the application will need to be referred to the District Council's Regulation Committee if the Area Committee is unwilling to accept that recommendation.

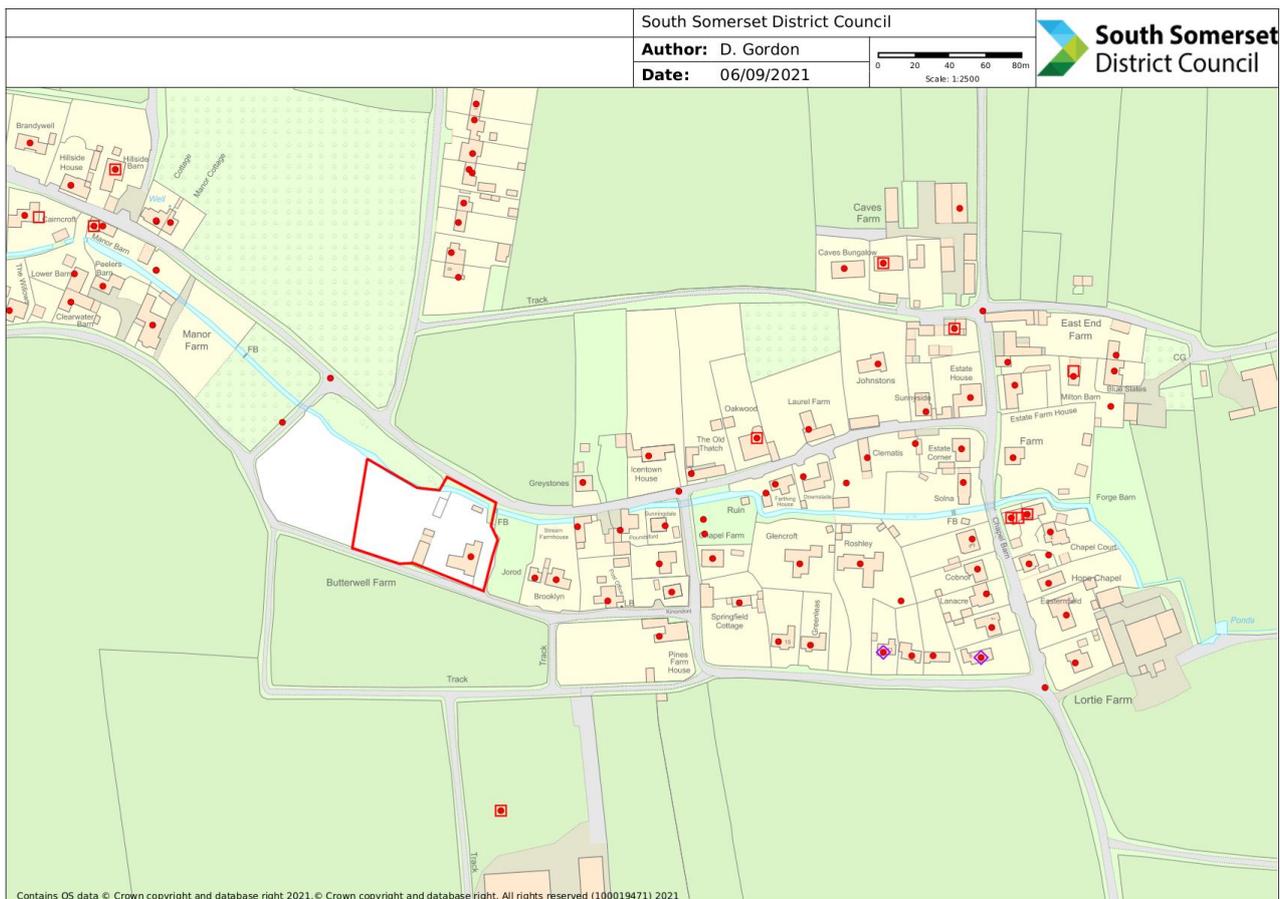
The Lead Planning Officer, at the Committee, in consultation with the Chairman and Solicitor, will also be able to recommend that an application should be referred to District Council's Regulation Committee even if it has not been two starred on the Agenda.

### **Human Rights Act Statement**

The Human Rights Act 1998 makes it unlawful, subject to certain expectations, for a public authority to act in a way which is incompatible with a Convention Right. However when a planning decision is to be made there is further provision that a public authority must take into account the public interest. Existing planning law has for many years demanded a balancing exercise between private rights and public interest and this authority's decision making takes into account this balance. If there are exceptional circumstances which demand more careful and sensitive consideration of Human Rights issues then these will be referred to in the relevant report.

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This is an application for the 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 and 17/01177/LBC to replace units 2 and 3 with a single unit and associated garage) (part retrospective) at Butterwell Farm, Lower Pitney.

Butterwell Farm is a livestock holding located within the middle of the village of Pitney. The farmstead sits between two roads, the classified C highway Upper Pitney Road to the north and the narrower and unclassified highway Lower Pitney Road to the south. The farm is currently accessed via two separate accesses leading on to Lower Pitney Road to the south. There is also a further access on the north side, however, this involves passing through a ford with pedestrian access over a narrow footbridge, however this appears to be little used.

The farmhouse is grade II listed and several of the old stone built barns are considered to be curtilage listed in association with the house and the remaining farm buildings being of modern construction and of no historic or architectural merit. The site sits partially within an area of high archaeological potential.

A stream passes through the site from east to west. The site is within flood zone 1.

## HISTORY

17/01176/FUL: 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. - approved

17/01177/LBC: 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. - approved

History relating to replacement farm site:

16/01227/REM: Erection of a temporary agricultural dwelling (Reserved matters following 15/03809/OUT). Permitted.

16/01228/REM: Erection of a hay store (building 2) (Reserved matters following 15/03809/OUT). Permitted.

16/01229/REM: Erection of a machinery store (building 3) (Reserved matters following 15/03809/OUT). Permitted.

16/01231/REM: Erection of a calf rearing barn (building 4) (Reserved matters following 15/03809/OUT). Permitted.

16/01232/REM: Erection of a livestock shed (building 5) (Reserved matters following 15/03809/OUT). Permitted.

15/03809/OUT: Use of land for the creation of a new farmstead and temporary dwelling (Outline with all matters reserved except access, scale and layout). Permitted.

## **POLICY**

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11 and 12 of the NPPF indicate it is a matter of law that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

South Somerset Local Plan (2006-2028)

Policy SD1 - Sustainable Development

Policy SS1 - Settlement Strategy

Policy SS2 - Development in rural Settlements

Policy SS4 - District Wide housing Provision

Policy SS5 - Delivering New Housing Growth

Policy HG5 - Achieving a mix of market housing

Policy EQ2 - General Development

Policy EQ3 - Historic Environment

Policy EQ4 - Biodiversity

Policy EQ7 - pollution control

Policy TA1 - Low Carbon Travel

Policy TA5 - Transport impact of New Development

Policy TA6 - Parking Standards

National Planning Policy Framework

Chapter 2: Achieving Sustainable Development

Chapter 5: Delivering a sufficient supply of homes

Chapter 12: Achieving well-designed places

Chapter 15: conserving and enhancing the natural environment

Chapter 16: Conserving and enhancing the historic environment

National Planning Practice Guidance  
Design

Other Material Considerations  
Somerset County Council Parking Strategy (September 2013)  
Somerset County Council Highways Development Control - Standing Advice (June 2015)  
National Design Guide - September 2019

## **ENVIRONMENTAL IMPACT ASSESSMENT**

None required

## **CONSULTATIONS**

### **Pitney Parish Council:**

There has been a long history with regard to planning applications and pre-planning application consultation with regard to this site. The development was only ever supported on the basis that it would provide a mix of housing sizes including the smaller size units of 2 & 3. It was directly commented on at the time of the original application, at the meeting, that these must not allowed to become one unit as it defeated the purpose of supporting the application.

Unfortunately on viewing the plans on 5/7/2021 the build area is increasing with an extra garage and the joining of the units invalidates the ethos of the support for any planning on the site. The Parish Council reviewed whether this view point with regard to the smaller units had changed. It was agreed that the situation was unchanged and that there was a need for smaller properties, not larger ones.

The applications for these amendments therefore met with the objection of the Parish Council."

### **County highways:**

No comments to make

### **Natural England:**

No comments received

### **SWHT Archaeology:**

No objection

### **Ecology:**

No comments received

## **REPRESENTATIONS**

Thirteen neighbours were notified and a site notice was displayed. No comments received.

## **CONSIDERATIONS**

The principle of the development has been agreed during the 2017 application. This application is made to vary the approved plans condition to alter plot 2 and 3 into one unit of accommodation. The Parish have objected as on the original consent they wished for the development to have a mix of housing. The

Officer at the time within her report stated:

"It is noted that the Parish Council has asked for a condition to restrict units 2 and 3 from being merged into a single larger unit in order to keep them more affordable. Whilst their reasons for seeking such a restriction is understood unfortunately planning policy does not support such a limitation, as such it would be unreasonable to impose a condition of this nature."

The report was referred to the Ward member who requested that a condition was added, which subsequently was.

It is considered that there has been no change to policy which would alter the view made by the case officer in 2017. Currently this council cannot evidence a 5 year land supply and as such local housing policies carry little weight. Policy HG5 of the SSLP states:

"On small sites, housing types and sizes should be provided that, taken in the context of existing surrounding dwellings, contribute to the provision of sustainable, balanced communities."

The other properties on the site that form part of this development will be two 5 bedroomed units and one 4 bedroomed unit, it is considered that in the context of the existing dwellings an additional 4 bedroomed unit would be acceptable. The main part of the policy in relation to ensuring there is mixed housing types and sizes is in relation to large sites and equally as stated above this policy carried little weight due to the lack of a 5 yr. land supply.

As the principle of development has been agreed for residential development in this location and policy HG5 carried little weight in regard to house types and sizes, then the main considerations to the proposed variation are its impact on visual amenity, historic environment, residential amenity, ecology and highway safety.

#### **Visual amenity and historic environment:**

The application site encompasses a farmstead that comprises a listed farmhouse and associated curtilage listed stone barns and a collection of modern but dilapidated barns and structures. The proposal seeks the removal of the modern agricultural structures and concrete yard area to be replaced by the two new build dwellings, with the curtilage listed barns converted to two dwellings.

The scheme as amended does not result in any increase in living floor area to the original approved scheme and merely see the one bedroomed and two bedroomed unit merged to make a four bedroomed unit. The altered internal floor space results in some additional windows/doors, however these are all considered to be acceptable. The proposed garage to serve the unit is in keeping with the other approved garages on the site and matches that of unit 4 which sits alongside it.

No objections to the design have been raised it is considered that the amendments are acceptable and preserve and respect the special historic and architectural interest, character and setting of this listed farmstead and the rural character of the wider locality and do not adversely affect visual amenity in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan and the NPPF

#### **Residential Amenity:**

The proposed amendments do not result in any changes that would adversely impact on residential amenity in accordance with Policy EQ2 of the South Somerset Local Plan (2006-2028).

#### **Biodiversity:**

The site is within the catchment area for phosphates affecting the Somerset Levels and Moors. There is an extant permission for two dwellings on the site and this is to make it into one dwelling and as such a reduction in the occupancy level. Natural England and Ecology have not commented.

It is considered unreasonable to refuse this proposal due to the impact on the Somerset Levels and Moors, as there will be no increased impact of waste water/phosphates above the level created by the extant consent in place, in fact it will be less.

It is considered that there will be no adverse impact on ecology in accordance with policy EQ4 of the South Somerset Local plan and the NPPF.

**Highway Safety:**

The amendments to the original scheme see no changes to the access arrangements. Units 2 and 3 will become one unit with 4 no bedrooms and as such there is a requirements of 3.5 spaces. The plan shows that the unit will have 4 parking spaces available including those in the garage. County highways have no comments to make.

It is considered that the proposal will accord with policies TA5 and TA6 of the South Somerset Local Plan (2006-2028)

**Affordable Housing Contributions and CIL:**

Following a court of Appeal decision, South Somerset District Council will not be seeking affordable housing contributions from schemes of 10 or less dwellings or where the gross floor area of buildings in less than 1000 sq. m. in line with the statement made by the Minister for Housing and Planning.

The proposal will be liable for CIL, Form 1 has been submitted.

**Conclusion:**

The site is considered to be in a location where future residents will have good access to an appropriate range of day to day services and facilities and it is considered that the proposal would not result in any substantive adverse impacts with regards to the onsite and nearby heritage assets, landscape character, ecology, visual amenity, residential amenity, flooding and drainage, or highway safety. Therefore, the proposed development is considered to constitute a sustainable form of development that accords with the aims and objectives of LP policies SD1, TA5, TA6, EQ2, EQ3, EQ4 and EQ7 and the provisions of the NPPF. Accordingly, the application is recommended for approval.

**RECOMMENDATION**

Approve with conditions

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.