

South Somerset District Council

Draft Minutes of a meeting of the **Area East Committee** held at the **Council Offices Churchfield Wincanton on Wednesday 13 September 2017.**

(9.00am – 2.00pm)

Present:

Members: Councillor Nick Weeks (Chairman)

Hayward Burt	Henry Hobhouse
Tony Capozzoli	Mike Lewis
Nick Colbert	David Norris
Sarah Dyke	William Wallace
Anna Groskop	Colin Winder

Officers:

Helen Rutter	Communities Lead
David Norris	Development Manager
Paula Goddard	Senior Legal Executive
Nigel Collins	Transport Strategy Officer
Chris Cooper	Streetscene Manager

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

49. Minutes of Previous Meeting (Agenda Item 1)

The minutes of the previous meetings held on Wednesday 12th July and Wednesday 9th August, copies of which had been circulated, were agreed and signed by the Chairman.

50. Apologies for absence (Agenda Item 2)

An apology of absence was received from Councillor Mike Beech.

51. Declarations of Interest (Agenda Item 3)

Councillors Mike Lewis, William Wallace and Anna Groskop, members of SCC (Somerset County Council), would only declare an interest in any business on the agenda where there was a financial benefit or gain or advantage to SCC which would be at the cost or to the financial disadvantage to SSDC.

Councillor Anna Groskop declared an interest in agenda items 9 and 10 as she was a director of SSCAT bus.

52. Date of Next Meeting (Agenda Item 4)

Members noted that the next scheduled meeting of the Area East Committee would be held on Wednesday 11th October 2017 at The Council Offices, Churchfield, Wincanton at 9am.

53. Public Question Time (Agenda Item 5)

There were no comments from members of the public present.

54. Chairman Announcements (Agenda Item 6)

The Chairman advised that a business event was taking place at the Haynes Motor Museum on Thursday 2nd November at 4-7pm, which would be attended by many organisations such as Highways England, LEP and Connecting Somerset as well as representatives from local businesses to promote this part of Somerset.

55. Reports from Members (Agenda Item 7)

Councillor Tony Capozzoli questioned whether a reply had been received from RNAS Yeovilton in relation to flooding at Stockwich Crossroads, Yeovilton. The Communities Lead confirmed that a reply had been received and agreed that a copy of this letter would be forwarded to him. She summarised the letter and confirmed that access to the site could be obtained, by appointment.

She further advised that she would circulate a response letter from Somerset Highways in relation to the traffic speed through the village of Chilton Cantelo.

Councillor Mike Lewis advised that local communities were now able to re-paint finger posts. He informed members that there was a useful website which provided information on this. The Communities Lead agreed that she would circulate details of this website to parish councils.

56. Report for Area East Committee on the Performance of the Streetscene Service (Agenda Item 8)

The Streetscene Manager presented his report to members and pointed out some key highlights from the report to include;

- He had been working to reduce sickness within the team and that his target was to make further reductions.
- After reviewing the 52 complaints received, only 27 were genuine service related complaints, which did not highlight any trends.
- More equipment has been purchased and training will be provided to ensure that more staff were able to use this equipment.
- The previous apprentice has been employed in full time employment within the service.
- The team works alongside Key 4 Life organisation to help find employment for young men.
- Parish Ranger scheme is a continuing success.

- Fly tip numbers have increased, which was in line with vehicle and trader permit charges.
- MOT station is being developed.

He responded to questions from members. During the discussion, it was pointed out that the parish councils are finding that SCC does not have the resource to quickly clear gullies. It was suggested that the Streetscene Team might be able to offer further help for parishes. The Streetscene Manager agreed to look into this further.

Members thanked the Streetscene Manager and the team for their hard work during the year.

RESOLVED: that members noted the report.

57. Corporate Support for Community and Public Transport and SSCAT bus (Agenda Item 9)

(Councillor Anna Groskop declared an interest as the Director of the SSCAT bus and abstained from the vote)

The Transport Strategy Officer presented his report to members.

He highlighted some key points from his report to include;

- £305,000 has been awarded towards the Total Transport Pilot Fund which will be used to develop the web portal. However it was noted that not all vulnerable members of the public would be able to access this web portal although it was envisaged that other agencies will be able to access on their behalf.
- He advised that the trains which run through Templecombe Station were now operated by South Western Railway.
- Although we had been trying to encourage improvements to the train service, to Taunton, the expansion of car parking at Castle Cary station was critical to achieving this.
- Dorset County Council had recently undertaken a review of bus services and the 158 which runs between Gillingham and Wincanton had been withdrawn.
- Working with SCC and developers to secure public transport improvements could be very challenging in rural areas with relatively small developments.

In response to a member's question, he clarified that the improvements being sought for the train service which runs through Templecombe would be in the way of additional faster trains, rather than a decrease in the number of stations which trains would stop at.

On the subject of S106 money which had been allocated towards travel scheme vouchers, the Transport Strategy Officer advised members that he had been unsuccessful in locating the unspent funds, but would further try to discuss this with Somerset County Council.

It was further suggested that a meeting could be arranged with the SCC Portfolio Holder for Transport, to discuss the district-wide issues with rural transport in South Somerset.

The Communities Lead agreed that she would discuss this with the Chairman of the other area committees and facilitate a meeting with the area chair's and the relevant

officers and portfolio holder at Somerset County Council to raise the committees concerns about the serious decline in bus services in rural areas.

RESOLVED: that members noted the report and agreed that;

- a) A letter is sent to all Town and Parish Councils in Area East outlining the current situation with regard to South Somerset Community Accessible Transport and asking them to precept to support the scheme over a period of 3 years
- b) And instruct officers to meet with some of the larger Town and Parish Councils to reinforce this request.
- c) A district wide response to the Department for Transport's consultation on the Issue and Use of Section 19 and Section 22 Permits for Community Transport be moved forward.
- d) To arrange a meeting to with the Area Committee Chairman together with SCC relevant officers and SCC Transport Portfolio Holder to discuss the district-wide issues with rural transport in South Somerset.

(Voting: Unanimous)

58. South Somerset Community Accessible Transport - Annual Report 2016/17 (Agenda Item 10)

Mr Andy Chilton, Manager of South Somerset Community Accessible Transport, presented his report to members.

He advised that it had been a positive year and that more journeys had been made. He did however advise that the lottery bid which had been made had been unsuccessful, without which he could not be sure that the service would continue past August next year. He advised that he had recently been interviewed by BBC Somerset and that he was looking at ways to seek additional funding. He informed members that it was likely that the fares would increase.

Mr Tim Carroll addressed the Committee. He advised that the SSCAT bus was under immediate threat following the unsuccessful lottery bid. He informed members that without funding, the service would cease to operate in August next year. He further stated that the section 19 and section 22 ruling would cause licence problems for existing drivers, however he had been in contact with the MP about this problem.

During the discussion, the section 19 and section 22 ruling was explained in detail, and the Transport Strategy Officer agreed that this would have a huge impact on the scheme.

Members thanked Andy Chilton for attending the meeting and wished him well for his retirement.

RESOLVED: that members noted the report.

59. Area East Committee Forward Plan (Agenda Item 11)

Members noted the Area East Forward Plan.

The Communities Lead confirmed that she had met with the Programme Manager of the communications and engagement aspect of the NHS Sustainable Transformation Plan to discuss the changes being developed to local health services. This will appear on the forward plan in italics until a date which this will return to committee can be confirmed. Councillor Anna Groskop requested that the issue with rural transport to access health services be included within this report.

She also advised that she was expecting an update on the Sparkford section of the A303 consultation before the end of October, following the recent Stonehenge plans which had been announced.

It was suggested that the report on Superfast Broadband should include access for small business, such as the businesses on the Wincanton Industrial Estate.

RESOLVED: that members noted the Area East Forward Plan.

60. Planning Appeals (For Information Only) (Agenda Item 12)

Members noted the planning appeal which had been dismissed.

61. Schedule of Planning Applications to be Determined by Committee (Agenda Item 13)

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

62. 17/00792/FUL - Land At Higher Farm, Corton Denham Road, Corton Denham (Agenda Item 14)

Application Proposal; Proposed erection of a stable block

The Planning Officer presented his report to members, with the aid of a PowerPoint presentation. He provided images of the site and the proposed plans. He further pointed out the boundary of the conservation area which ran along the opposite side of the lane.

He informed members that the map which was included within the officer report in the agenda was incorrect and that the proposed position of the stables was now much closer to the road and in line with the built form of existing dwellings.

He explained to members that the site was on a slope and that the proposed stables would be stepped down from the road and explained that the gate and the access was not part of the application. The Planning Officer understood that the access was created for use in constructing the new dwelling and if the applicant wished to retain this access it would be subject to a separate planning application. The Planning Officer suggested that it would be possible to include an informative to the planning permission, if granted, to state a time frame for the access to be closed.

Ms A Ferris, Mr S Sparrow and Mr R Goldsmith spoke in objection to the application. Ms A Ferris also read out comments made by Mr P Cooper who was unable to attend the meeting. Their comments included;

- Concern over the lack of manure storage, which could leak into the field and street, possibly leading to a public health issue.
- The scale of the stables shown on the agenda report is smaller than the actual size of the stable.
- Concern that stipulations and conditions imposed may be ignored
- The access was for construction of the bungalow and has remained without planning permission.
- The plans are inaccurate. The agent has been made aware of this.
- Visual amenity concerns, which does not comply with policy EQ8 of the SSDC Local Plan.
- This will be a blot on the landscape. Stable is large and will require a huge amount of excavation.
- Close to Conservation Area
- There is little screening; the building will be visible from all around.

Councillor Hayward Burt, Ward Member, described the stable as a sizable intervention, as also described by the landscape officer in his comments detailed in the agenda report. He explained to members that the application did not meet the requirements of policy EQ8 of the SSDC Local Plan. He further stated that the site was situated close to the Conservation Area and suggested that the high number of conditions which were proposed were an indication of the concerns for the proposal and the site.

Councillor William Wallace, Ward Member, agreed with the comments made by Councillor Hayward Burt. Although he was pleased that the proposed position of the building had been moved, he felt that building was too large and too close to the Conservation Area.

The Development Control Manager confirmed that the road was an unclassified road and that access to this site would not normally need permission for domestic use. He felt that a traffic assessment would have been unnecessary. He further clarified that he was unaware that the plans were inaccurate. However, if members had concerns over the accuracy of the plans, he suggested that the application could be deferred to allow the accuracy of the plans to be confirmed.

During the discussion, one member suggested that should the application be permitted that he would like to see an additional condition added to ensure that the temporary access would be closed and the hedge replaced.

One member sought clarification over whether there were additional buildings on the site or whether buildings had been removed from the site which were not shown on the plans. The Planning Officer confirmed that he had visited the site and that there were no other buildings on the site.

One member questioned whether the site, which was on a slope, was suitable for horses.

Following the discussion it was proposed and seconded that the application be refused, contrary to the officer recommendation as the application was contrary to SSDC Local Plan policies EQ2, EQ8 and EQ3.

On being put to the vote, this was carried 5 votes in support, 3 against and 2 abstentions.

RESOLVED: that planning application 17/00792/FUL be **refused** for the following reason;

01. The proposed development involving a sizeable engineering intervention in combination with the built form and associated works by reason of its sensitive location in an elevated rural position juxtaposed to the conservation area and within a valued landscape locality would result in a detrimental impact that neither respects or enhances local context, local distinctiveness, and the sense of place and would have a prejudicial impact for the setting of the Conservation Area. As such the proposal is contrary to Policy EQ2, EQ3 and EQ8 of the South Somerset Local Plan 2006- 2028 and the National Planning Policy Framework including para.109.

(Voting: 5 votes in support, 3 against and 2 abstentions)

63. 17/02438/REM - The Old Mill House, Lower Kingsbury, Milborne Port (Agenda Item 15)

Application Proposal: Application for reserved matters following approval of 14/01514/OUT to include details of access, appearance, landscaping, layout and scale.

The Planning Officer presented his report to members, with the aid of a PowerPoint presentation showing photographs and plans of the site.

He informed members that this was an application for all reserved matters following an approval of an outline approval. He advised members that there had not been any objections from statutory consultees and that it was his recommendation that the application be approved.

Mr S Jones and Mrs A Jones spoke in objection to the application. Their comments included;

- The retaining 'prison-like' wall is too high and will be ugly and inappropriate for the surrounding area. Concerns were raised over stability of the wall
- The site is close to historic buildings, some of which were listed.
- Concerns over flooding and drainage. Flooding has been an issue in the area and this could exasperate the problem.
- The access has been amended from the outline approval which was approved.
- Questioned why the outline application was approved without being determined by the Committee.

Mr A Preston, the planning agent, addressed the Committee. He advised members that following the outline approval, the principle of development had already been established. He advised that the details of access were considered at the outline planning stage, however conditions included on the 2014 permission stated that drawings were now required at reserved matters stage to confirm the ground levels, access and landscaping. He advised that amended plans had been submitted to reflect the view of the neighbours in relation to wall heights and overlooking. He pointed out that the landscape officer and the tree officer were now satisfied with the plans and that relevant conditions had been suggested. He further stated that although he understood

the views of the neighbours, that outline permission had been approved prior to them purchasing the property.

Councillor Sarah Dyke, Ward Member, supported the concerns of the neighbours. She expressed her concern over the access as the lane was very narrow and busy, and also had no footpath. The position of the access and the retaining wall should be carefully considered. She felt that the height of the wall would have a significant negative impact on the neighbours and that they will that they are overlooked. She further expressed her concerns over the landscaping plans and pointed out that the proposed dwelling could have been better positioned.

During the discussion, members questioned whether the wall was necessary to support the road and whether the wall height had been amended following the outline approval. The planning officer confirmed that the wall was required to support the road and that the increase in height fitted in with the existing embankment and the leat.

The Planning Officer answered members' questions. He confirmed that the application site was outside of the Conservation Area and advised that the adjacent property, although historic, was not a listed building.

He further stated that the access plans which were provided at outline stage were slightly different; however the access drawings which were now provided were more in line with what the Planning Officer had hoped to see. He also stated that the outline planning approval in 2014 was a delegated planning officer approval in line with the Councils Scheme of Delegation.

On the subject of flooding, members agreed that a condition that required surface water management to be approved should be included.

Following the discussion, it was proposed and seconded that the application be approved as per the officer recommendation, subject to an additional condition to require a surface water management plan to be agreed before commencement.

On being put to the vote, this was carried 8 votes in support with 2 against.

RESOLVED: that planning application 17/02438/REM be **approved** for the following reason;

01. 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 EQ2, EQ3, TA5 and TA6 of the South Somerset Local Plan 2006- 2028.

SUBJECT TO THE FOLLOWING CONDITIONS;

01. The development hereby permitted shall be carried out in accordance with the following approved plans: 2430-PL-01A, -02A, -03A, -04B, and 05A (omitting retaining wall detail to be agreed under condition 03).

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

02. Notwithstanding the Tree Protection Plan ref: TPPOM (Arboricultural Methodology Statement) detail, in accordance with the applicant's e-mail of 29 August 2017 and prior to commencement of the approved development, full particulars concerning the design and installation of the retaining structures and below-ground services required within the designated Root Protection Areas shall be submitted to the Council for their approval in-writing. Such details shall be undertaken on site and thereafter retained.

Reason: To preserve existing landscape features (trees) 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.

03. The submitted scheme of tree protection measures (the Arboricultural Method Statement and Tree Protection Plan; Ref: TPPOM "Final Revised" - as prepared by Hellis Arboriculture, Landscape and Design, received 30 August 2017) - specifically the requirement for pre-commencement arboricultural supervision and the installation of the specially engineered access driveway) shall be implemented in their entirety for the duration of the construction of the approved development.

Reason: To preserve existing landscape features (trees) 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.

04. No development hereby approved shall be carried out until particulars of following have been submitted to and approved in writing by the Local Planning Authority:-

- a. details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
- b. a sample panel, to be prepared for inspection on site, to show the mortar mix, coursing and pointing of the external walls;
- c. details of the rainwater goods and eaves and fascia details and treatment.
- d. full particulars of window, and door details
- e. details of the boundary enclosing the garden curtilage (red outline) on north side of house

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

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

05. Prior to commencement of the vehicular access full particulars detailing a scheme of surface water drainage that also secures that no surface water accesses the highway, shall be submitted to and approved in writing by the Local Planning Authority. Such approved drainage details 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 highway safety and neighbour amenity, further to Policy EQ2 and TA5 of the South Somerset Local Plan 2006-2028.

(Voting: 8 votes in support and 2 against)

64. 17/01636/OUT - Land adj The Old Mill House, Lower Kingsbury, Milborne Port (Agenda Item 16)

Application Proposal: Outline application for the erection of a four bedroom dwelling & garage (resubmission of 14/01514/OUT)

The Planning Officer presented his report to members, with the aid of a PowerPoint presentation. He clarified that this application was for the same site as the application which had previously been discussed and subsequently approved.

He informed members that this application had previously been referred to Area East Committee; however the decision had been deferred to allow members to undertake a site visit.

The Senior Legal Executive advised members that this application was a renewal of the previously approved outline permission and that this application was simply to extend the life of the outline approval as a fall back, in case the previously approved reserved matters is not implemented.

Following the short discussion it was proposed and seconded that the application be approved as per the officers recommendation as detailed in the agenda.

On being put to the vote, this was carried 7 votes in support, 1 against with 1 abstention.

RESOLVED: that planning application 17/01636/OUT be **approved** for the following reason;

01. 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 policies EQ2 and TA5 of the South Somerset Local Plan 2006- 2028.

SUBJECT TO THE FOLLOWING CONDITIONS;

01. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To accord with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2010.

02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

03. Approval of the details of the access, appearance of the building(s), the landscaping of the site, Layout and Scale (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To accord with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2010.

04. The access arrangement submitted with the Reserved Matters shall be based on drawing number 618/01a received 7 April 2017.

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

05. No development shall commence, before details of the proposed finished ground floor levels of the buildings hereby permitted, in relation to the natural and finished ground floor levels of the site, have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with any details as may be agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain adequate control over proposed slab levels, in the interests of visual amenity and the appearance and character of the Conservation Area, further to policies EQ2 and EQ3 of the South Somerset Local Plan 2006- 2028.

06. The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include construction vehicle movements, construction delivery hours, expected number of construction vehicles per day, drained parking area for contractors, construction operation hours, construction vehicular routes to and from site, point of access, the making good any temporary access resulting from works to facilitate access, and specific anti-pollution measures to be adopted to mitigate construction impacts. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason: In the interests of highways safety and to safeguard the amenities of the locality in accordance with policies TA5 and EQ2 of the South Somerset Local Plan.

07. Prior to commencement of the approved development, the appointed construction/ groundworks contractor shall arrange for the Council's Tree Officer (01935 462670) to attend a pre-commencement site meeting at a mutually convenient time. The submitted scheme of tree protection measures (as prepared by Mr Nick Hellis, dated May 2016 - specifically the installation of the specially engineered trackway) shall be implemented in its entirety for the duration of the construction of the approved development.

Reason: To preserve existing landscape features (trees) in accordance with the Council's statutory duties relating to The Town & Country Planning Act, 1990 (as amended)[1] and the following policies as stated within The South Somerset Local

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

08. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA, dated July 2009, by D.G. Alsop) and the following mitigation measures detailed within the FRA: 1. Finished floor levels are set no lower than 79.0m above Ordnance Datum (AOD). 2. Identification and provision of safe route(s) into and out of the site to higher ground.

Reason: In the interests of environmental amenity further to policy EQ2 and EQ1 of the South Somerset Local Plan 2006- 2028.

09. The development hereby permitted shall be carried out in accordance with the following approved plans: LK AL (-) 05 received 3.05.2017.

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

(Voting: 7 votes in support, 1 against with 1 abstention)

65. 17/02511/OUT - Land rear of 1 Sparkford Road, South Barrow (Agenda Item 17)

The Planning Officer presented his report to members, with the aid of a PowerPoint presentation. He provided images to show the application site and the proposed plans.

He informed members that the application was for outline planning permission for three two-storey dwellings, with appearance and landscaping to be considered as reserved matters at a later date.

He advised members that he considered South Barrow to be broadly sustainable as there were two basic services in the village, which were a church and a recreation ground and he considered the modest development to be acceptable.

He advised that the SCC Highways had not raised an objection. He advised members that the SSDC Landscape Officer did consider that there would be adverse impact on the visual amenity but that the landscape case against the development was not heavily weighed.

He clarified that a footpath ran through the application site, which would be subject to an application to SCC to divert the footpath.

Mr M Giles and Mrs S Elliot spoke in objection to the application. Their comments included;

- The recreation ground was only on loan from a local farmer.
- There is not a shop, pub, medical centre, or school in the village. The nearest pub was 2 miles away.
- South Barrow was not a sustainable location.
- Application does not comply with policy SS2 of the SSDC Local Plan.
- There has been no engagement with local residents.

- There have been houses approved in South Barrow and approval has been given for many homes in Sparkford. There is no identified housing need for South Barrow.
- Would result in a substantial loss of privacy to the neighbouring house.

Mr P Dance, the planning agent, addressed the Committee. He informed members that there will be an opportunity to provide a landscaping scheme at the reserved matters stage and that the site is well screened. He further advised that there is a clear housing need and that there is a lack of housing supply. He pointed out that Sparkford and the nearest pub were only 1 mile away.

Councillor Henry Hobhouse, Ward Member, explained that he understood the residents' concerns and suggested that there were sites in South Barrow which would be more suitable for development.

Councillor Nick Weeks, Chairman and also Ward Member, explained that policy SS2 could not be relied on in this case. He further commented that it was disappointing that there was not a representative from the Parish Council at the meeting.

During the discussion, overlooking and the adjoining fence were discussed. The Planning Officer confirmed that there were no windows on the gable end elevation which on the property which would adjoin the boundary of the existing property. The Planning Officer suggested that a planning condition could also be added to restrict positions of windows.

Following the discussion it was proposed and seconded that the application be refused, contrary to the recommendation of the case officer as the site was in an unsustainable location and would have an adverse impact upon the landscape, being contrary to policies SS1, SD1, SS2 and EQ2 of the SSDC Local Plan.

On being put to the vote, this was carried 6 in support, 3 against with 1 abstention.

RESOLVED: that planning application 17/02511/OUT be **refused**, contrary to the planning officer recommendation for the following reason;

01. The proposal would represent new residential development in an unsustainable location, for which an overriding essential need has not been justified. The application site is remote from local services and as such will increase the need for journeys to be made by private vehicles. This identified harm is not outweighed by the contribution of the proposal towards the supply of housing in the district or by any other benefit arising from the scheme. The proposed development therefore constitutes unsustainable development that is contrary to policies SD1, SS1 and SS2 of the South Somerset Local Plan (2006-2028) and to the aims and objectives of the National Planning Policy Framework.
02. The proposal for residential development in this countryside location on the periphery of the village would consolidate the current dilute edge of settlement character and would therefore not accord with local settlement and landscape character, contrary to policy EQ2 of the South Somerset Local Plan.

(Voting: 6 in support, 3 against and 1 abstention)

66. 17/02835/S73A - Land OS 2269 Old Bowden Road, Milborne Port (Agenda Item 18)

The Planning Officer presented his report to members, with the aid of a PowerPoint presentation.

He informed members that this was a retrospective application as the solar panels were largely in place. He advised that the cabinets and panels had been grouped more tightly together and were positioned lower to the ground. He advised that it was his recommendation that this application be approved.

Mr T Carty spoke in objection to the planning application. He advised that in the winter months, the solar farm could be easily viewed from his property. He expressed his concern that the development had not been built in accordance with the approved plans. He agreed that the panels were lower and that the panels were grouped closer together, however he explained that the panels had been rotated, which meant that it was nearly impossible to see the ground through the gaps around the panels and advised that the quality of that land was now deteriorating. He further stated that the new building looks like a dwelling.

Councillor Sarah Dyke, Ward Member, advised members that this application was approved at appeal by the Planning inspectorate. She pointed out that this application was to regularise the planning application in their built form and supported the application to group the panels closer together.

The Planning Officer confirmed that the application was to amend the layout of the panels, and that the tariffs and subsidies were not part of the application. He further confirmed that the building on the site was not a dwelling. It was also clarified that the new permission would include new relevant conditions which would largely replicate the conditions to the previous approval by the Planning Inspector.

Following the discussion it was proposed and seconded that the application be approved as per the officer recommendation as detailed in the agenda report.

On being put to the vote, this was carried 6 votes in support with 4 against.

RESOLVED: that planning application 17/02835/S73A be **approved** for the following reason;

01. The proposed variations to the approved scheme are considered acceptable and would not have any adverse impacts regards character and appearance, nor highway safety or neighbour amenity in accordance with the aims and objectives of Policy SD1, EQ1, EQ2, EQ3, EQ4 and TA5 of the South Somerset Local Plan 2006- 2028.

SUBJECT TO THE FOLLOWING CONDITIONS;

01. The development hereby permitted was begun 31.08.2016.

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: Cable Route, Elevations-1, General Layout, Fencing and CCTV System, Facilities Layout and Elevations-2 received 5 July 2017 and 4.10 Rev D received 23 September 2015

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

03. The development hereby permitted shall be undertaken in accordance with the implementation of the Habitat Management Plan (30.04.2015) submitted with the application.

Reason: For the conservation and enhancement of biodiversity in accordance with NPPF and Local Plan Policy EQ4.

04. The development hereby permitted shall be removed and the land restored to its former condition within 25 years of the date of this permission or within 6 months of the cessation of the use of the solar farm for the generation of electricity, whichever is the sooner, in accordance with a restoration plan to be submitted to and approved in writing by the local planning authority. The restoration plan will need to include all the works necessary to revert the site to open agricultural land including the removal of all the structures, materials and any ancillary equipment which shall be removed from the site.

Reason: In the interests of character and appearance further to policy EQ2 of the South Somerset Local Plan 2006- 2028.

05. The approved on-site planting scheme (4.10 Rev D received 23 September 2015) shall be implemented in the first planting season following the completion of the development. Any trees or plants which 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 landscape character further to policy EQ2 of the South Somerset Local Plan 2006- 2028.

06. No means of external illumination/lighting shall be installed within the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of landscape character and visual appearance further to policy EQ2 of the South Somerset Local Plan 2006- 2028.

07. The site management plan for tree, hedge and grass maintenance of the site agreed by the Local Planning Authority under 17/00342/DOC (the Discharge of conditions application for planning permission 15/02187/FUL) shall be fully implemented for the duration of the use hereby permitted, unless any variation is agreed in writing with the Local Planning Authority.

Reason: In the interests of character and visual amenity further to Policy EQ2 of the South Somerset Local Plan 2006- 2028.

08. No CCTV equipment or other cameras shall be installed on the site other than that shown on the submitted General Layout, and Fencing and CCTV System.

Reason: In the interests of visual amenity and to safeguard the character and appearance of the countryside, further to Policy EQ2 of the South Somerset Local Plan 2006- 2028.

09. Moss Green shall be the colour applied and maintained on the building structures unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of any doubt in the interests of visual appearance further to policy EQ2 of the South Somerset Local Plan 2006- 2028.

(Voting: 6 votes in support with 4 against)

67. 17/01471/DPO - New Spittles Farm, Ilchester Mead Interchange, Ilchester (Agenda Item 19)

Application Proposal: Application to vary S106 agreement dated 19th March 2013 between SSSDC, Richard Don Knight and Heather Diana Knight to allow use of part of land for anaerobic digester plant.

(Councillor Anna Groskop declared a personal interest in this application as she was the portfolio holder for Planning Policy at Somerset County Council and would not participate in the vote. Councillor Henry Hobhouse declared a personal interest as the site was close to Bearley Barn and he was the Portfolio Holder for this building)

The Planning Officer presented his report to members, with the aid of a PowerPoint presentation.

He informed members that the additional planning application for an anaerobic digester which was currently being considered was not ready to be referred to Area East Committee and that it was the wish of the agent that this application be determined ahead of the additional application. He clarified that the application being considered was to remove some land from the S106, and that the anaerobic digester was not being considered at this point.

He further advised that recent planning advice argues that ties should no longer be tied to dwellings to allow further flexibility to farmers.

Mr P Horsington, clerk to Ilchester Parish Council addressed members. He explained that the Parish Council objected to the application as they had concerns over the access to the site.

Mr J Edmondson, the Vice-Chairman of Ilchester Parish Council, addressed the Committee. He explained to members that the agent have failed to provide any evidence for the need to amend the agreement and hoped that a business case would be provided. He further explained that the area which is to be removed from the agreement is far larger than the area which is required for the digester.

Mr A Booth, the Planning Agent, addressed the Committee. He advised members that the land was owned by the applicants' parents; however the applicant was the farmer. He explained to members that the agreement was stopping the applicant obtain financial security and therefore was stifling future expansion of the farm. He clarified that the

application was purely to allow the applicant some financial flexibility by obtaining some land for his ownership.

Councillor Tony Capozzoli, Ward Member, questioned whether a business plan should have submitted by the applicant.

The Planning Officer confirmed that this would have been unreasonable for this application as the application did not include an application to change the use of the land.

Following the discussion, Councillor Colin Winder advised that the S106 was a legal document which had been signed. As there was no clear reason provided why the amendment was required, he proposed that this application be refused, however this was not seconded.

The Planning Officer clarified that the land was not being subject to a change of use application and that the agricultural land would remain as agricultural land.

It was subsequently proposed and seconded that the application be approved as per the officer recommendation as detailed in the agenda report.

On being put to the vote, this was carried 4 votes in support, 2 against and 2 abstentions.

RESOLVED: that planning application 17/01471/DPO be approved. Members agreed to allow the modification of the Section 106 Agreement dated 19/03/2013 made between South Somerset District Council, Richard Don Knight and Heather Diana Knight to omit 48 acres from the controls of this agreement.

(Voting: 4 votes in support, 2 against and 2 abstentions)

68. Exclusion of the Press and Public (Agenda Item 20)

RESOLVED: that the following agenda items 2 and 3 be considered in Closed Session by virtue of the Local Government Act 1972, Schedule 12A under Paragraph 3: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)."

(Voting: unanimous)

69. Overview of Town Centre Development Options, Wincanton (Agenda Item 21)

The Neighbourhood Development Officer presented her report to members.

She summarised the different options as detailed in the report.

The Development Control Manager suggested that it would be easier to offer planning advice once feasibility statements had been gathered.

Members discussed the options as well as funding ideas for the scheme.

Members agreed that more work was required to decide which option should be taken and that any proposals should be referred to the Regeneration Board. Staff expertise from the new Income Generation team would also be needed.

RESOLVED: that members and officers would look at the suitable proposals to decide on a way forward with the involvement of Area East Officers, as a priority. The Area East Regeneration Board would be reconvened with the two ward members for Wincanton and the Chairman. Councillor Hobhouse, as Chair of the Income Generation Board should also be involved.

.....
Chairman