

## South Somerset District Council

**Minutes of a meeting of the Area East Committee held at the Committee Room (Area East) - Churchfield on Wednesday 13 February 2019.**

(9.00 am - 12.40 pm)

**Present:**

**Members:** Councillor Nick Weeks (Chairman)

Mike Beech	Henry Hobhouse
Hayward Burt	Mike Lewis
Tony Capozzoli	David Norris
Nick Colbert	William Wallace
Sarah Dyke (from 9.10)	Colin Winder
Anna Groskop	



**Officers:**

Kelly Wheeler	Case Services Officer (Support Services)
Tim Cook	Locality Team Manager
Marc Dorfman	Senior Planning Adviser
Dominic Heath-Coleman	Planning Officer

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

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### 127. Minutes of Previous Meeting (Agenda Item 1)

At the start of the meeting, the Chairman advised that the meeting would be recorded. Councillor Mike Beech requested permission from the Chairman to also record the meeting. The Chairman advised that the Legal Specialist / Monitoring Officer would be preparing a statement to clarify this.

The minutes of the previous meeting held on Wednesday 9<sup>th</sup> January 2019, copies of which were circulated, were agreed as a correct record and signed by the Chairman.

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### 128. Apologies for absence (Agenda Item 2)

There were no apologies of absence received.

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### 129. Declarations of Interest (Agenda Item 3)

Councillor Anna Groskop advised that she had an interest in item 8 as she was a director of the South Somerset Community Accessible Transport.

Councillor Anna Groskop, William Wallace and Mike Lewis, members of SCC (Somerset County Council), would only declare an interest in any business on the agenda where

there was a financial benefit, gain or advantage to SCC, which would be at the cost, or to the financial disadvantage of SSDC.

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

Members noted that the date of the next meeting of the Committee would be at the Council Offices, Churchfield, Wincanton on Wednesday 13<sup>th</sup> March 2019 at 9am.

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

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

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**132. Chairman Announcements (Agenda Item 6)**

The Chairman advised that there had been a Regulation Committee meeting, which he was unfortunately unable to attend. The Vice-Chairman advised that he attended the meeting as a substitute for the Chairman. He explained that at the Regulation Committee meeting, a planning application for a housing development located within a village in Area West had been approved.

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**133. Reports from Members (Agenda Item 7)**

Councillor Tony Capozzoli explained that Yeovilton Parish Council had raised concern over the flooding around Bridghampton. He explained that a letter would soon be sent to the Commodore of RNAS Yeovilton to advise him of the issues of flooding around Bridghampton to seek assistance with trying to alleviate some of these issues.

Councillor Tony Capozzoli also raised his concern that residents were not receiving responses to enquiries in relation to properties within conservation areas. The Chairman advised Councillor Tony Capozzoli that he could raise this concern at his monthly meetings with the planning team and requested that in future, queries such as this were passed to him.

Councillor Anna Groskop requested that Parish Councils be provided with information to explain how enforcement cases are dealt with in South Somerset.

Councillor Mike Lewis that the Planning Policy team had been provided much help on the proposal to dual the A303. He wanted to express his thanks to these officers and explained that the next stage involved a public open day at Haynes Motor Museum. He did explain that he still had some concerns over the construction element of the proposal.

Councillor Hayward Burt explained that the weekly recycling collections were late during the period of snow. He felt that the new collection dates could have been better publicised as recycling was left out on the kerbside for a whole week in some areas. It was suggested that the Parish Councils could have been advised, as they would be better able to pass on the message to residents.

Councillor Henry Hobhouse expressed his thanks to the Streetscene team that gritted the pavements around Castle Cary and Wincanton.

Councillor Mike Beech explained that some members of the committee were subject to review by the Standards Committee following comments made by them about some council services. He expressed his disappointment over this and hoped that these actions would cease and that an apology would be given. He added that the standards committee and regime was out of date and not fit for purpose.

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#### **134. South Somerset Community Accessible Transport Update (Agenda Item 8)**

The Locality Manager presented the report. He explained that this was an annual report, which would normally be considered by members alongside a public transport report. He advised members that in future the report would be referred to members later in the year, at around September or October.

He introduced Mike Rowlands, Operations Manager of South Somerset Community Accessible Transport.

The Operations Manager explained the details within his report as detailed as appendix A in the agenda. Some of these details included;

- there had been some severe financial setbacks, due to a failed lottery funding bid, which resulted in some amendments to the business plan.
- Prices were increased in January 2018 by 40%. He explained that this was large increase, however he added that the customers realised the need for this increase.
- He offered this thanks to local Parish and Town Councils. Adding that out of 25 Town and Parish councils, he received contributions from 15 councils.
- Funding had been secured from the Friends of Verrington Community Hospital.
- He explained that there were different fund raising initiatives planned.
- The Co-op in Wincanton offers contributions to the SSCAT bus. He added that these contributions were being used towards the development of an online booking system.
- Others savings have been made.
- The budget aim for this year was to break even.
- He added that the figures for the number of group and individual journeys, as well as the social car journeys were detailed within the report.
- A contract for King Arthurs School had been terminated which was a disappointing loss in income.

He provided an update on the Department for Transport consultation around the future operation of section 19 and 22 permits. He explained that this was still under review.

In response to questions from members, he advised that drivers of the social cars were volunteer drivers. He also added that he would not be keen to increase any prices further and that necessary rises would be gradual increases.

One member felt that it would be useful to know how much each parish council donated within their ward. The Operations Manager agreed that this information could be provided.

Another member asked whether the number of residents within each parish that use the facility could be provided to the Parish and Town Councils.

Another member pointed out that, wherever possible, members try to secure contributions from major planning applications towards community transport. The Chairman explained that travel plans were being considered, across South Somerset, with Somerset County Council to ensure that travel plans were relevant.

The Locality Manager advised that officers were working alongside SCC to develop travel plans which were possibly more relevant and would seek to ensure contributions for local community transport. He added that this was an area of priority within the Council Plan and that because of this; resource would be allocated to this project.

S106 and CIL contributions were discussed by members.

The Chairman felt that the Parish and Town Councils were doing all they could to support the SSCAT bus. He hoped that S106 and CIL money could be used towards community transport in the future.

The Chairman thanked the Operations Manager for his report and for attending the meeting.

**RESOLVED:** that members noted the report.

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### **135. Area East Neighbourhood Policing Update (Agenda Item 9)**

The Chairman welcomed Sergeant Katie Maun. She explained that the area she covered included outer Yeovil and Wincanton.

During her presentation, she made some of the following points;

- The team are focusing on engaging further with the community. Officers will be out and about more, for example on a bike and on foot. She explained that use of mobile phones and laptops would enable officers to work within the community.
- The number of ASB calls in the area were relatively low.
- An additional 100 police officers were being employed to target knife crime, county line crime, drug crime and burglaries.
- She confirmed that Yeovil Police Station would be closed for re-furbishment; however, the staff would remain in Yeovil during the temporary closure of the station.

In response to questions from members, she confirmed that the custody cells would remain in Bridgwater and would not return to Yeovil once the station has been re-furbished. She also advised that she was not aware of any plans to open a station in Wells.

Members agreed that there was a need to retain a presence in Wincanton and hoped that the station in Wincanton would remain.

The Chairman thanked her for attending.

**RESOLVED:** that members noted her comments.

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**136. Area East Committee Forward Plan (Agenda Item 10)**

Members noted the Area East Committee Forward Plan.

Members commented that there was no items for the April agenda. It was suggested that the Citizens Advice South Somerset report could be moved to the April agenda.

Another member hoped to have a broadband update report on the forward plan.

**RESOLVED:** that members noted the contents of the Area East Forward Plan and the suggested amendments.

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**137. Planning Appeals (For Information Only) (Agenda Item 11)**

Members noted that a planning appeal had been received.

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

Members noted the Schedule of Planning Applications to be determined by Committee.

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**139. 18/02986/REM\*\* - Wayside Farm, Station Road, Ansford (Agenda Item 13)**

***Application Proposal: Reserved Matters application for the erection of 125 dwellings, open space, highways, car parking, landscaping and ancillary development.***

The Specialist Development Control Officer presented his report to Members. He advised that the application was for the reserved matters, following an outline application which was approved following an appeal.

He advised that since the report had been published, he had received further comment from Ansford Parish Council. They had concerns over the proposed materials, design of proposed layout and pointed out that there were no links to existing footways and had concerns over future development on the area of green space within the site.

Using a PowerPoint presentation, the Specialist Development Management Officer provided images to show the submitted plans and photographs of the site. He also provided an image to show the existing footpaths close to the site and the proposed footpaths within the proposed development.

The Specialist Development Management Officer explained that the principle of development had already been agreed at outline planning application stage. He advised members that the majority of the roads within the site would be finished to an adoptable standard and that these had been considered in detail by SCC Highways Department.

He explained that the landscaping scheme was considered to be acceptable and that there were no ecology objections. He noted that there was concern over the lack of footpath links to existing footpaths, however felt that this did not provide a sufficient reason to refuse the application. He explained that this was not included within the masterplan which formed part of the outline application.

A representative of the Parish Council spoke in objection. He advised that there would be three new housing developments built along on this road, which already amounted to 186 homes. Anyone wishing to walk to Ansford and Castle Cary town centre, residents would need to rely on a single sided footpath along Station Road. He had concerns over highway safety, highlighting that many homes would be built in this area. He felt that links should be made to the existing footpaths and felt that it was disappointing that they had been omitted from the application.

The Acting Planning Chairman of Castle Cary addressed members. She explained that the footpath links were fundamental to the neighbourhood plan and hoped that the footpaths would link up with the site which had been designated for a new primary school. She explained that it was unlikely that many tenants would have a car. She advised that the members of the town council would be happy to broach the idea to link the footpaths with the adjoining landowner. She explained that the Parish Council had serious concern over future development on the site. She explained that the layout differed significantly from the outline approval which had been approved.

The applicant addressed the Committee. She advised members that they had delivered many schemes across South Somerset. She explained that the homes would be affordable homes and that once the homes are built; Stonewater would retain ownership of the site and green spaces within it. She confirmed that they were not proposing to build any more than 125 homes, which would be a mix of houses and bungalows. She added that there would be financial contributions, which would benefit the local community, as well many areas of green space within the site. She felt that the scheme would offer a lot to Castle Cary and Ansford.

The agent addressed members. She explained that there would be a minimum of 35% affordable homes within the scheme and that the homes would meet local housing needs. She explained that the design of the buildings had been carefully considered. She added that the scheme provided ample parking within the site. Financial contributions had been agreed to benefit the community.

Boundaries adjoining existing properties had been strengthened, additional gates to provide rear access have been added and the road layout had been amended in response to Somerset County Council Highway comments.

She added that the links to existing footpaths were not envisaged at outline stage. She explained that the boundary along the existing footpath was an important wildlife corridor and the addition of a footpath through the hedgerow would need to be subject to an assessment from the council's ecologist.

Councillor Henry Hobhouse, Ward Member, pointed out an existing bridleway that linked to the site and explained that Castle Cary Town Council and Ansford Parish Council had offered to help the developer link footpaths within the development to existing footpaths, which ran close to the site. He noted that the developer did not own the adjoining land; however he felt that with the help of the town and parish council, that the footpaths could link.

He also expressed his disappointment that none of the houses contained Cary stone in their design. He added that he was happy with the layout of the homes.

The agent confirmed that Cary stone had not been included within the design.

Councillor Nick Weeks, also Ward Member, hoped that all the roads within the development would be of an adoptable standard. He was very disappointed that the footpaths within the proposed development could not link to existing footpaths. He added that not everyone had cars and that the residents would enjoy being able to walk into the countryside from the site. He also added that he would like to see a condition to ensure that swift and swallow boxes were added to the homes.

The Specialist Development Management Officer provided an image to show the roads which would be built to an adoptable standard. He clarified that the vast majority of the site would be built to this standard.

The Senior Planning Advisor explained that some residents had raised concerns over damage to roofs which had been created by adding swift and swallow boxes. He explained that he was currently looking at this in further detail, with the help of a large housing developer. However, he noted that these birds needed helping. He explained that an informative could be added to advise that swift and swallow boxes should be added.

During the discussion, members commented on the footpaths and the link to existing footpaths.

It was proposed and seconded that the planning application should be approved as per the officer report, subject to conditions to ensure that a footpath link is made between the existing footpath and the proposed footpaths within the site and to ensure that local Cary stone is used within the development.

One member commented that a condition to ensure the footpath link, on land, which was outside of the ownership of the applicant, would be unsuitable and should not be added.

Another member raised concern over the highways and she hoped that they would all be adopted.

One member suggested that an informative should be added to advise the applicant that measures should be taken within the Travel Plan towards enhancing sustainable transport initiatives in Ansford/Castle Cary, for example the CAT bus service.

The Senior Planning Advisor advised that it was not usual practice to add conditions which controlled land outside of the ownership. However, he advised that the applicant had previously signalled that they would be acceptable to a Grampian condition to ensure the footpaths are linked. However, he advised that the applicant could appeal the decision to add this decision. He added that an informative to advise that local transport initiatives should be supported as part of the travel plan could be added.

He felt that it would difficult to include a condition that required the properties to be built in local stone, however suggested that it would be reasonable to add an informative to request that Cary stone is used on dwellings which were in situated in key areas within the development.

Members agreed that a Grampian condition should be added to cover the possibility of linking together the new and existing footpaths.

The Specialist Development Management Officer advised that a condition could be added to ensure that some of the units, in prominent positions around the development, could be finished with local stone.

Councillor Nick Weeks pointed out the positions of the existing footpaths.

The applicant confirmed that it would be possible to provide footpaths to the boundary of the site, however she pointed that there might be ecology issues as there was a wildlife corridor around some areas of the site.

The Specialist Development Management Officer suggested that a condition could be added to ensure that before the 75<sup>th</sup> unit is occupied, that the details and positions of footpaths are agreed by the planning office in consultation with the ward member.

It was also suggested that an additional condition could be added to ensure that local natural stone could be used at 9 units situated at key junctions within the development.

Prior to the vote, the Specialist Development Management Officer clarified that members had agreed that two additional conditions were required to ensure that;

1. Local natural stone would be required on at least 9 units which were situated at key junctions within the site.
2. The prior to the 75<sup>th</sup> unit being occupied, that a detailed layout of footpaths within the site would be agreed by the Local Planning Authority, in agreement with the Ward Members.

And two additional informatives to advise that;

1. Swift and Swallow boxes should be installed on the properties.
2. That the travel plan should include measures to provide contributions towards local community transport, such as the SSCAT bus.

On being put to the vote, this was carried 11 votes in support, with 1 vote against.

**RESOLVED:** that planning application 18/02986/REM be **approved** as per the officer report, subject to additional conditions;

- 1) Notwithstanding the details shown on the approved plans listed above, prior to the occupation of the 75<sup>th</sup> dwelling, provision shall be made for pedestrian links on the southwest boundary of the site, details of which shall have been agreed in writing with the local planning authority. Once constructed, the pedestrian links shall be retained and maintained in perpetuity.

Reason: In the interests of providing enhanced pedestrian connectivity and in accordance with policy TA5 of the South Somerset Local Plan.

- 2) Notwithstanding the details shown on the approved plans listed above, local natural stone shall be used as the primary external wall facing material on at least 9 dwellings in prominent locations within the



development, the location of which shall have been agreed in writing with the local planning authority. No new stonework shall be constructed on site unless full details of the new natural stonework walls, including the materials, coursing, bonding, mortar profile, colour, and texture along with a written detail of the mortar mix, have been provided in writing; this shall be supported with a sample panel to be made available on site and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the agreed details, and the sample panel shall remain available for inspection throughout the duration of the work.

Reason: In the interests of visual amenity and in accordance with policy EQ2 of the South Somerset Local Plan.

And Informatives;

- 1) The developer is advised that any travel plan (in consultation with Somerset County Council) should include measures towards enhancing sustainable transport initiatives in Ansford/Castle Cary, for example the CAT bus service.
- 2) The developer should be aware of the Council's desire, as expressed by ward members, for the inclusion of swift and swallow boxes within the biodiversity enhancement measures on site.

**For the following reason;**

01. The proposal, by reason of its size, scale and materials, respects the character of the area, and causes no demonstrable harm to residential amenity or highway safety in accordance with the aims and objectives of policies EQ2, TA5 and TA6 of the South Somerset Local Plan and the aims and provisions of the NPPF.

**Subject to the following;**

01. The development hereby permitted shall be carried out in accordance with the following approved plans:

P17-2562\_01 Rev L  
P17-2562\_02 SLP  
P17-2562\_05 Rev D  
P17-2562\_08 Rev C  
P17-2562\_09 Rev C  
P17-2562\_10 Rev C  
P17-2562\_11 Rev C  
P17-2562\_12 Rev C  
P17-2562\_13 Rev C  
P17-2562\_17 Rev A  
P17-2562\_19 Rev A  
P17-2562\_03 Rev D  
P17-2562\_14 Rev D  
P17-2562\_16 Rev E (1 of 3)  
P17-2562\_16 Rev E (2 of 3)  
P17-2562\_16 Rev E (3 of 3)

1754\_200 Rev D  
1754\_700 Rev A (1 of 2)  
1754\_701 Rev A (2 of 2)  
1754\_1000 Rev E (1 of 3)  
1754\_1001 Rev E (2 of 3)  
1754\_1002 Rev E (3 of 3)  
14622.003 Rev A Biodiversity Enhancement Plan  
1754-504 Attenuation Basin Details

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

02. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping, as specified on drawings P17-2562\_03 Rev C, P17-2562\_14 Rev C and P17-2562\_16 Rev D (1,2, and 3), shall be carried out in the first planting and seeding season following the first occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To safeguard the character and appearance of the area in accordance with policy EQ2 of the South Somerset Local Plan.

03. The gradients of the proposed drives to the dwellings hereby permitted shall not be steeper than 1 in 10 and shall be permanently retained at that gradient thereafter at all times.

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

04. None of the dwellings hereby permitted shall be occupied until a scheme of street lighting has been installed within the development in accordance with a design and specification to be approved in writing by the Local Planning Authority.

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

05. Prior to first occupation of the dwellings hereby permitted, electric charging points (of a minimum 16amps) for electric vehicles shall be provided for each dwelling adjacent to their designated parking spaces or garages shown on the approved plan. Sufficient electric charging points for at least one per dwelling shall be provided in this way. Once installed such parking points shall be retained and maintained in working order, unless otherwise agreed in writing with the Local Planning Authority.

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

06. The demolition of the bungalow (farmhouse) shall not commence until there has been submitted to and approved in writing by the Local Planning Authority, full details of a Bat Method Statement detailing timing restrictions and protective

measures to avoid harm to bats. The works shall be implemented in accordance with the approved details and timing of the method statement, as modified to meet the requirements of any 'European Protected Species Mitigation Licence' issued by Natural England.

Reason: For the conservation and protection of species of biodiversity importance in accordance with NPPF and Policy EQ4 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981 and The Habitats Regulations 2017.

07. Prior to the installation of any external lighting, a lighting scheme sensitive to bats, shall be submitted to and approved in writing by the local planning authority. The scheme shall:

a) identify those areas/features on site that are particularly sensitive for bats;

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or navigating through the site.

c) include an impact assessment and supporting information for the lighting proposals from a licenced bat consultant.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme, and these shall be maintained thereafter in accordance with the scheme, unless otherwise agreed in writing with the local planning authority.

Reason: For the conservation and protection of legally protected and priority species (lesser horseshoe bats) in accordance with Policy EQ4 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981 and The Habitats Regulations 2017.

08. Prior to (but not earlier than 6 months before) commencement, an update survey for badger setts will be undertaken by a qualified ecological consultant, and if any setts are deemed to be at risk of harm from development activities, details of mitigation measures, shall be submitted for approval to the local planning authority. Any approved mitigation measures shall be implemented in full.

Reason: For the conservation and protection of legally protected species and to ensure compliance with the Wildlife and Countryside Act 1981, and The Protection of Badgers Act 1992.

09. The measures for the enhancement of biodiversity, as detailed in figure 1 of Ecological Appraisal (Engain, 17th September 2018) shall be implemented in full. Prior to sale of the final dwelling, an inspection and confirmation of implementation by a qualified ecological consultant shall be submitted for approval in writing to the local planning authority.

Reason: To ensure compensation for the loss of a bat roost, and measures for the enhancement of biodiversity, are provided in accordance with NPPF and Local Plan policy EQ4.

10. Notwithstanding the details shown on the approved plans listed above, prior to the occupation of the 75<sup>th</sup> dwelling, provision shall be made for pedestrian links on the southwest boundary of the site, details of which shall have been agreed in writing with the local planning authority. Once constructed, the pedestrian links shall be retained and maintained in perpetuity.

Reason: In the interests of providing enhanced pedestrian connectivity and in accordance with policy TA5 of the South Somerset Local Plan.

11. Notwithstanding the details shown on the approved plans listed above, local natural stone shall be used as the primary external wall facing material on at least 9 dwellings in prominent locations within the development, the location of which shall have been agreed in writing with the local planning authority. No new stonework shall be constructed on site unless full details of the new natural stonework walls, including the materials, coursing, bonding, mortar profile, colour, and texture along with a written detail of the mortar mix, have been provided in writing; this shall be supported with a sample panel to be made available on site and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the agreed details, and the sample panel shall remain available for inspection throughout the duration of the work.

Reason: In the interests of visual amenity and in accordance with policy EQ2 of the South Somerset Local Plan.

**Informatives:**

01. Before demolition of the bungalow can commence, a European Protected Species Mitigation Licence (under The Conservation (Natural Habitats, &c.) Regulations 2010) will be required from Natural England. You will need to liaise with your ecological consultant for advice and assistance on the application for this licence. Natural England will normally only accept applications for such a licence after full planning permission has been granted and all relevant (protected species) conditions have been discharged. However, the information required for the Natural England licence application will often also be suitable for submission to the Council when applying for discharge of the relevant condition.
02. The developer is advised that any travel plan (in consultation with Somerset County Council) should include measures towards enhancing sustainable transport initiatives in Ansford/Castle Cary, for example the CAT bus service.
03. The developer should be aware of the Council's desire, as expressed by ward members, for the inclusion of swift and swallow boxes within the biodiversity enhancement measures on site.

(Voting: 11 in support, 1 against)

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**140. 18/02992/FUL - The Old Cider House, Alford Well, Farm Lane, Alford (Agenda Item 14)**

***Application Proposal: Change of use of an existing timber stable block to a boarding cattery of up for 6 pens.***

The Specialist Development Management Officer presented his report to members. He explained that the application was for the change of use of an existing stable block for use as a boarding cattery.

Using a PowerPoint presentation, he provided image to show the location of the site and the proposed parking and cattery building. He also provided plans to show the floor plans and photographs of the site and the access lane to the site.

He explained that the NPPF provided strong support for businesses in rural areas, however there was significant local concern over highway safety.

He advised members that there had been no objection raised from Somerset County Council Highways or from the SSDC Highways Consultant. He also advised that there were no major residential amenity concerns as the development would create little noise and the stable was already in situ.

A representative of the Parish Council addressed the Committee. He offered his thanks to the Planning Officer for including the full Parish Council comments within the report, however pointed out that the Parish Council did not agree with his recommendation.

He explained that on three separate occasions, The Planning Inspectorate had agreed with local residents and agreed that the access was dangerous and dismissed planning appeals. He felt that the highways advice was inconsistent.

He explained that the access was narrow, had grass in the centre of the road and contained a dangerous hump back bridge. He summarised that the Parish Council would normally look to support rural business, but felt that this was in the wrong location.

Members of the public spoke in objection to the application. Their comments included;

- The access lane was a dead-end lane which was in a poor state of repair, which serves as access for 22 houses.
- The lane runs for 780m directly from its junction to the B3153.
- There is an informal traffic protocol adopted by residents which requires that drivers who have not passed the bridge are the ones that should reverse when meeting an oncoming car.
- The lane is already heavily used by tractors, cars, septic tank lorries, delivery lorries and recycling/refuse lorries.
- There are only three passing places; two of these are field entrances.
- There is a blind summit on the lane over a hump-back bridge.
- There have been several accidents on this lane.
- The road is used by pedestrians.
- The private access to the site is only 3.2 meters away from windows of neighbouring properties.
- This is not a small-scale development in the context of its location.
- There could be up to 24 car movements each day made by people dropping off and collecting cats. This does not include vets, deliveries and other visitors.
- Concern that there would be additional cars parked in the paddock, to enable space for visitors to park. This would provide further effect visual amenity for adjoining residents.
- Planning applications over the years have always been strictly restricted for the use of residents and no commercial aspect has been permitted in any case.
- The footprint of the stable was 70m<sup>2</sup> and there are 8 pens shown on the plans.

- Questioned whether the highways officer carried out a site visit.
- Safety, convenience and quality of life for local residents will be reduced.
- The property currently has equestrian use, which was only for residential use.
- There is no provision for storage or collection of waste.
- There garages referred to in the highway comments, however there is no reference to any garages in the application.
- No-one in the settlement needs a cattery.

The applicant addressed the Committee. She confirmed that the application was for 6 pens. She also advised that cats would normally stay for a minimum time period of a week or more. She added that she currently drives to work and should this application be approved, she would be able to work from home and would reduce the amount of car journeys on the lane. She added that she very rarely needs to reverse down the lane.

Councillor Henry Hobhouse, the Ward Member, spoke in objection to the application. He explained that the conditions to restrict the use to residential use only, which were added to previous applications had been added for good reason. He felt that the SCC Highways Dept had not visited the site and explained that there was no need to put a cattery at the end of this lane. He pointed out that there was a hump-bridge on this lane and felt that the application should be refused.

Specialist Development Management Officer confirmed that anyone that lives in these properties were able to work from home and explained that the conditions which had been applied previously were not there to restrict future development. He also explained that policy supported businesses in rural locations.

In response to a question from a member, the Specialist Development Management Officer advised that this application would not normally be allowed within permitted development rights; the application would always need planning permission. He also confirmed that pre-application advice had not been sought.

During the discussion, members commented that the residential amenity of other neighbours would be impacted.

Councillor Nick Weeks, also Ward Member, explained that he was disappointed that he was not able to support his application. He explained that he had used this lane and felt that the location was wrong for this application.

Another Councillor added that people could have deliveries everyday and felt that home working should be encouraged. He pointed out that the highways advice advised that there were no concerns and that his advice should be considered. He added that businesses should be supported.

Councillor Henry Hobhouse added that the road was overloaded.

Another member questioned whether additional passing places could be added along the lane. Councillor Nick Weeks advised that this wasn't possible along this stretch of road.

In response to a question from a member, the Specialist Development Management Officer advised that although a thorough assessment had not been carried out, he felt that there would be an increase in traffic movements along this road.

It was proposed and seconded that the planning application should be approved as per the officer recommendation.

On being put to the vote, this was not carried.

It was subsequently proposed and seconded that the application should be refused as there would be an increase in traffic and that the residential amenity for adjoining residents would be adversely affected.

On being put to the vote, this was carried 6 votes in support, 4 against with 1 abstention.

**RESOLVED:** that planning 18/02992/FUL be refused contrary to the planning officer recommendation for the following reasons;

01. The proposal, by reason of the increased use of the substandard Alford Well Farm Lane, would have an unacceptable adverse impact on highway safety, contrary to policy TA5 of the South Somerset Local Plan.
02. The proposal, by reason of increased vehicle movements and disturbance, will have an unacceptable adverse impact on the residential amenity of adjoining occupiers contrary to policy EQ2 of the South Somerset Local Plan.

(Voting: 6 votes in support, 4 against and 1 abstention)

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**141. 18/02145/OUT - Land Adj Highbrook, Devenish Lane, Bayford (Agenda Item 15)**

***Application Proposal: Outline application for the erection of a two storey detached dwelling with new vehicular access on Devenish Lane***

Prior to the Development Manager presenting his report to the Committee, Councillor Mike Beech, Ward Member, advised that he had hoped that a representative from Stoke Trister Parish Council would be in attendance to express their views. Given that there was no representative from the Parish Council present at the meeting, he proposed that the application be approved.

There was some discussion over the proposal and it was then seconded by another member that this application should be approved as per the officer recommendation.

On being put to the vote, this was carried 8 votes in support with 3 abstentions.

**RESOLVED:** that planning application 18/02145/OUT be **approved** as per the officer report, subject to conditions, for the following reason;

01. The proposed development would represent a sustainable form of development that, subject to the approval of reserved matters, would respect the character of the area and cause no demonstrable harm to highway safety in accordance with the aims and objectives of the National Planning Policy Framework and policies SD1, SS1, SS2, EQ2, EQ4, TA5 and TA6 of the South Somerset Local Plan.

**Subject to the following:**

01. The development hereby permitted shall be carried out in accordance with the following approved plans: 1402/001 received 9th July 2018

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

02. Details of the access, scale, appearance and landscaping (herein after called the "reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

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

03. 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 and the development shall begin no later than 3 years from the date of this permission or not later than 2 years from the approval of the last "reserved matters" to be approved.

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

04. Before the development hereby permitted is commenced, foul and surface water drainage details to serve the development, shall be submitted to and approved in writing by the Local Planning Authority and 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 local amenities in accordance with policy EQ2 of the South Somerset Local Plan (2006 - 2028).

#### **Informatives:**

01. Please be advised that subsequent full or reserved matters approval by South Somerset District Council will attract a liability payment under the Community Infrastructure Levy. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice

(Voting: 8 in support and 3 abstentions)

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#### **142. 18/01931/COU - The Club House, Henstridge Sports And Leisure Centre, Marsh Lane, Henstridge (Agenda Item 16)**

##### ***Application Proposal: The use of part of the building as residential accommodation for facilities manger (Retrospective)***

The Development Management Specialist presented his report to members. He advised members that the application was seeking permanent residential use for part of the clubhouse for use as manager accommodation.



Using a PowerPoint presentation, he provided images to show the building as well as floor plans to show the area which would be used as managers accommodation. He also provided photographs to show the site.

He advised that it was not considered that the site was within a sustainable location. He advised that the applicant had not provided any evidence to support the need for an on-site worker such as financial accounts.

The applicant addressed the Committee. He also advised that he received positive advice from the planning team in 2014, when he detailed his intentions for the land and buildings, prior to his purchase. Following this advice, he felt comfortable with moving onto the land and starting a business. Furthermore, when approving the previous temporary permission, the planning officer agreed that there needed to be a worked living onsite. He advised that he had spent significant amounts of money on improvements to the site.

He referred to a photograph, which he had previously provided and at his request, was shown on the PowerPoint presentation. It contained a copy of a letter from the applicant's accountant to confirm that the business was profitable. He also explained that he would be unlikely to be able to insure the site and items within the site without him living on the site. He added that it would be irresponsible and unsafe for a site owner to be living off-site. He summarised that it was essential that he lived on site.

The agent addressed the Committee. He advised members that he had received no contact from the Planning Officer throughout the duration of this application. He explained that the owners of the site had invested a large sum of money into developing the site. He added that since the owners moved onto the site, planning approval for an additional 60 touring caravan pitches had been gained. He explained that the site was highly successful, very busy and extremely popular. He also referred to the letter from the applicant's accountant, which confirmed the viability of the business. He added that an on-site presence was essential for emergencies including fire, medical emergencies or drowning. He also added that the Parish Council supported the application.

Councillor Hayward Burt, the Ward Member, felt that the application should be supported. He advised that, in his view, the site met the aims of policy SS2 within the South Somerset Local Plan as the site provided employment and facilities for the local community. He also referred to HG9 of the South Somerset Local Plan. He felt that the application met all 7 points of policy HG9.

Councillor William Wallace, also Ward Member, agreed with the comments made by Councillor Hayward Burt. He further advised that the Parish Council supported the application and he felt that this was a valuable asset to the community. He agreed that the applicant needed to be resident on site.

During the discussion, some members commented that rural businesses should be supported.

One member commented that it would be useful if the report contained details to advise whether pre-application advice has been sought.

It was proposed and seconded that the application should be approved, contrary to the officer recommendation, subject to conditions to detail the approved plans and to ensure that the occupation was linked to the running of the adjoining business.

The proposer and the seconder withdrew their motion, and it was subsequently proposed and seconded by the Ward Members, that the application should be approved, as there was a functional need for a permanent onsite presence, subject to conditions to ensure approved plans were detailed and to ensure that the occupation was linked to the running of the adjoining business.

On being put to the vote, this was carried unanimously.

**RESOLVED:** that planning application 18/01931/COU be **approved**, contrary to the officer recommendation, subject to conditions to ensure amended plans are detailed and to ensure that the occupation would be linked to the running of the business, for the following reason;

The application demonstrate a functional need for a permanent onsite presence and that the business has been planned on a sound financial basis and, as such, the principle of a rural worker's dwelling is acceptable in this location. Furthermore, there will be no adverse on residential or visual amenity, or highway safety, in accordance with local plan policies SD1, HG9, EQ2, TA5 and TA6 of the South Somerset Local Plan and the aims and objectives of the NPPF.

**Subject to the following conditions:**

01. The development hereby permitted shall be carried out in accordance with the following approved plans: 17166-4, 17166-6A, and 17166-8

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

02. The occupation of the dwelling hereby approved shall be limited to a person solely or mainly working in the surrounding leisure club, known as Henstridge Golf and Leisure, and to any resident dependants.

Reason: Except for the essential need for a full-time worker on site the location would otherwise be considered as an unsustainable location for residential development.

(Voting: Unanimous)

At the end of the meeting, Members were passed a briefing note to cover points raised at a previous meeting. These points included;

- Clarification of the process for applications which are referred to Regulation Committee.
- Clarification around legal officer attendance at Committees
- self/custom build homes
- the meaning of green/brown field land
- Application letters to have generic planning officer contact details.

These were circulated to members and then subsequently sent electronically

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Chairman