

South Somerset District Council

Minutes of a meeting of the **Area East Committee** held at the **Committee Room (Area East) - Churchfield, Wincanton** on **Wednesday 12 June 2019**.

(9.00 am - 12.00 pm)

Present:

Members: Councillor Henry Hobhouse (Chairman)

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

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



Officers:

Martin Woods	Director (Service Delivery)
Paula Goddard	Specialist (Legal)
Kelly Wheeler	Case Services Officer (Support Services)
Angela Cox	Democratic Services Specialist
Steve Barnes	Play and Youth Facilities Officer
Simon Fox	Lead Specialist - Development Management
Stephen Baimbridge	Specialist (Development Management)
Alex Skidmore	Planning Officer
David Kenyon	Specialist (Development Management)

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

1. Minutes of Previous Meeting (Agenda Item 1)

The minutes of the previous meeting held on Wednesday 10th April 2019, copies of which had been circulated, were agreed as a correct record and signed by the Chairman.

One member pointed out that in a previous set of minutes, that it had been agreed that the Development Control team would attend a meeting to provide an update on enforcement issues. He explained that this had not yet happened.

2. Apologies for absence (Agenda Item 2)

There were no apologies of absence.

3. Declarations of Interest (Agenda Item 3)

Councillor Sarah Dyke declared a personal interest in Agenda Item 10 as she was the Programme Manager for the Heart of Wessex Local Action Group.

Councillors 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 or gain or advantage to SCC which would be at the cost or to the financial disadvantage to SSDC.

There were no other declarations of interest.

4. Date of Next Meeting (Agenda Item 4)

Members noted that the date of the next scheduled meeting of the Committee would be at the Council Offices, Churchfields, Wincanton on Wednesday 10th July at 9am.

5. Public Question Time (Agenda Item 5)

There were no questions from members of the public present.

6. Chairman Announcements (Agenda Item 6)

The Chairman advised that there would be a 'Area Priorities & Area Chapters' workshop immediately following the July Area East Committee meeting.

He also advised that a special joint Area South and Area East Committee had been scheduled to consider a major planning application for a site at Mudford. He explained the proposed procedure for the meeting, advising that Area East Committee members would be given the opportunity to ask questions and to vote prior to Area South Committee members. He informed members that the date for this meeting was 3rd July at The Council Offices at Brympton Way, Yeovil.

Councillors Lucy Trimnell and Mike Lewis gave their apologies as they would be unable to attend the proposed special meeting.

The Chairman referred to a specific planning enforcement which was being considered in Wincanton. He requested that the ward members for Wincanton contact him and the Planning Department to discuss the extent of enforcement action which should be taken.

He also advised that an enforcement appeal for a site in West Mudford had been dismissed by The Planning Inspectorate.

The Chairman requested that any concerns or questions over enforcement planning issues be passed to him in writing to raise at his monthly meetings with the Development Control team.

He also reminded members that there would be Wincanton Regeneration workshop immediately following this committee meeting.

7. Reports from Members (Agenda Item 7)

There were no reports from members.

Councillor Hayward Burt expressed his disappointment that the committee had been given no opportunity to elect their own Chairman. He also sought confirmation that any alterations to dates, times and location of Area East Committee meetings would be referred to the Committee for consultation. The Chairman confirmed that the Churchfields office would be sold in the future and that the Committee would be consulted on any possible future locations for holding their meetings.

Councillor Colin Winder explained that Planning Agents were experiencing difficulties in contacting the Development Control Team. In response to this, the Director (Service Delivery) explained that the team were working in a different way and that he was aware that the team were currently under pressure from a high level of planning applications and numbers of staff.

It was noted that planning agent forums are regularly scheduled and further to this it was agreed that a planning workshop would be arranged to provide details on the new ways of working to the Parish Councils. The Director (Service Delivery) confirmed that he would discuss this with the relevant officer and would provide a suitable date for the workshop following this discussion.

It was also highlighted that the weekly list of planning applications which had been registered and determined was no longer being sent to subscribers. The Director (Service Delivery) agreed to look into this.

8. Community Capital Grant Request (Agenda Item 8)

The Locality Officer presented his report to Members. He explained that grant application had been received from Wincanton Town Council for replacement skate park equipment. He explained that the current skate park had been constructed from steel and had rusted come to the end of its life.

He explained to members that it was proposed that the replacement would be constructed from concrete, which would be longer lasting, require less maintenance and would provide a better experience for the user.

He informed members that a public consultation had taken place and that this had been well-attended.

He clarified the funding options for the project, explaining that the grant requested was for £12,500 and that the Town Council would be committing £37,000 towards the project. He also pointed out, that as an update to the report; Sport England had confirmed a £20,000 grant towards this project.

In response to a question from a member, the Locality Officer explained that although it is hard to monitor how much use the skate park has, from his observations it was a very well used facility. He further pointed out that the closest similar skate park was located in Gillingham. He also pointed out that there had been a good response to the consultation and that the replacement equipment would vastly improve the site.

In response to another question, the Locality Officer explained that it was anticipated that the concrete equipment would be longer lasting and would be easier to repair. He suggested that the equipment could last in an excess of 30 years.

He also added that support would be given to other communities hoping for similar projects, however funds were limited and would largely depend on the communities ability to fundraise towards such projects.

The Locality Officer explained that in this case, additional fundraising by Wincanton Town Council may still be required. However, a representative from Wincanton Town Council confirmed that the Town Council would be applying for a public works loan for the remaining funds required.

Following the discussion, it was proposed and seconded that the grant application should be approved.

RESOLVED: that members agreed a contribution of up to £12,500 as a 9% contribution from the Community Grants Capital Budget to Wincanton Town Council towards the provision of a new Skate Park at Cale Park, subject to the standard conditions set out in Appendix A.

(voting: unanimous)

9. Retail Support Initiative Grant Application (Agenda Item 9)

The Locality Officer presented her report to members.

She summarised the Retail Support Initiative Grant application scheme and advised that the application from Wincanton Post Office had been received in February.

She explained that the Post Office held a very prominent position within the Town Centre and was a long-standing business which attracts a lot of custom. She added that the Post Office was a very valued service for the town.

She explained that the grant application was for £1,500 towards shop front improvements. She pointed out to members that the work had already started and pointed out that the conditions of the scheme stated that work should not have started before grants were awarded. However, she pointed out that the application was received in February and as there was not a meeting of Area East Committee in May, this application had been delayed. She explained that this was the earliest opportunity that the application could be considered and explained that the application had scored highly on the application criteria.

The Chairman felt that no precedent would be set in granting a retrospective application as the application had been delayed because of the recent district council elections.

In response to a members question, the Locality Officer advised that the scheme applied to retail shops/outlets, public houses and farm shops and would provide

Following the discussion, it was proposed and seconded to award £1,500 from the Community Development revenue budget element ring-fenced or the RSI, subject to the conditions as detailed in Appendix A.

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

RESOLVED: that members agreed to award £1,500 from the Community Development revenue budget or the RSI, to Wincanton Post Office, subject to the conditions as detailed in Appendix A of the agenda report.

(voting: unanimous)

10. Appointment to Outside Organisations (Agenda Item 10)

RESOLVED: that members;

1. be appointed to serve on the groups and panels as follows:
2. be appointed to the outside organisations

Reason: for the municipal year 2019/20 as set out in the report.

Area East Working Groups and outside organisations

Dimmer Liaison Group:	Councillor Mike Lewis
Henstridge Consultative Committee:	Councillor's William Wallace and Hayward Burt
Heart of Wessex:	Councillor Mike Lewis

The Chairman confirmed that he would Chair the first Henstridge Consultative Committee meeting, at which meeting a replacement Chairman will be appointed.

(voting: unanimous)

11. Development Control Scheme of Delegation - Nomination of Substitutes for Area East Chairman and Vice Chairman - 2019/20 (Agenda Item 11)

RESOLVED: that members agreed to appoint, in line with the revised Development Control Scheme of Delegation, Councillor Hayward Burt (first substitute) and Councillor Sarah Dyke (second substitute) to act as substitutes for the Chairman and Vice Chairman in line with the revised Development Control Scheme of Delegation.

(voting: 11 in support with 1 abstention)

12. Area East Committee Forward Plan (Agenda Item 12)

The Chairman advised that there would be additional reports on the agenda for the July meeting of Area East Committee. These reports were the;

Heart of Wessex Local Action Group update
Review of Retail Support Initiative update
Economic Development Strategy update

RESOLVED: that members noted the Area East Committee Forward Plan.

13. Planning Appeals (For Information Only) (Agenda Item 13)

RESOLVED: that members noted the Planning Appeals that had been received and determined by The Planning Inspectorate.

14. Schedule of Planning Applications to be Determined by Committee (Agenda Item 14)

RESOLVED: that members noted the Schedule of Planning Applications to be determined by Committee.

15. 18/01602/FUL - Former BMI Site, Cumnock Road, Ansford (Agenda Item 15)

Application Proposal: Demolition of existing buildings, conversion of and alterations to listed buildings to form 11 No. dwellings, the erection of 70 No. dwellings (total 81 No. dwellings) and associated works, including access and off-site highway works, parking, landscaping, open space, footpath links and drainage infrastructure

The Specialist Planning Officer introduced the application with the assistance of a PowerPoint presentation of images to show the location of the site, the proposed plans and photographs of the site and the access. He advised that the application was two starred and so would be referred to the District Council's Regulation Committee if the Area Committee were unwilling to accept the recommendation to approve the application.

Since writing his report, a late representation had been received from the Somerset Waste Partnership regarding the bin storage area and following discussion with the applicants, a further bin storage area was now proposed through the imposition of an additional condition. Also, 4 further letters had been received: 3 in objection and one in support of the scheme.

He noted that the Castle Cary and Ansford Neighbourhood Plan had been passed by the Independent Examiner subject to modifications and could then progress to a referendum and become part of the development plan for the area if confirmed by the referendum.

In response to questions from Members, the Specialist Planning Officer confirmed that:-

- 1.6 parking spaces per dwelling and 6 visitor spaces were proposed at the site
- The Council's tree officer had specified the trees species which would be planted to replace those removed during development.
- Section 106 funding obtained from the development was allocated to a new facility in the immediate area.

The Chairman noted that new planning guidelines were required to ensure that properties were fully insulated and were south facing so that they could benefit from solar energy. The Council's Climate and Ecology Strategy which was currently being developed could be used to update the Local Plan.

The Chairman, as Ward Member, regretted that Somerset County Highways had said the internal estate roads were not suitable for adoption and would therefore remain private because of the lack of pavements within the site. He also noted that the arrangements for the traffic lights at the entrance to sequence with other traffic lights in Cumnock Road had already been agreed. A large water tank in the middle of the site was not mentioned in the report and the developer should be aware of it.

The other Ward Member, Councillor Kevin Messenger, said the site was hugely strategic and important to the town and the Town Council's view should be taken into account.

The Committee were then addressed by a member of Castle Cary Town Council and two local residents. Their comments included:-

- Planning permission had already been granted for 650 houses in the town and there was a lack of a Master Plan for the town.
- The roads within the development should be up to an adoptable standard and there was a lack of car parking at the site.
- The old pump house was a listed building and should not be demolished.
- There is no provision for an appropriate boundary to the conservation area.
- An aerial photograph from the 1930's shows the original boundary walls as 14ft high and would like to see this restored behind the proposed electricity sub-station and bin storage area.
- The proposed car parking spaces of 1.6 per dwelling was inadequate and unrealistic.
- The traffic lights will have to be controlled in tandem to prevent traffic from tailing back into the town.

The Committee were then addressed by the Agent for the applicant. His comments included

- The site was wholly within the town and listed on the brownfield site register.
- It was compliant with the Neighbourhood Plan which specifically asked for re-development of this site before others.
- 81 dwellings was appropriate in a town centre location and the scheme would support leisure contributions
- There were no SCC Highway objections and the SSDC Highway officer agreed the internal loop road.
- To retain the protected trees would drastically reduce the viability of the site

During discussion, Members expressed concern that the roads within the site would not be adopted by the Highway Authority and there was insufficient parking allowed.

Concern was also expressed about the density of the housing development, the boundary treatment and the protected trees.

It was proposed and seconded to defer the application for officers to negotiate an amended scheme to address these issues. The Lead Specialist for Planning said that officers would negotiate these issues with the applicant although he cautioned it may affect the viability of the scheme and reduce the S106 contributions and affordable housing element. The Lead Specialist for Planning explained that due to the level of amendment sought by members, it would be unlikely to return to the Committee immediately. He requested, that should the application be deferred, the decision rest with the Lead Specialist for Planning regarding when the application be brought back to Committee. This was agreed by the Area Chair.

At the conclusion of the debate, the proposal to defer was carried by 9 votes in favour, 1 against and 3 abstentions.

RESOLVED: that planning application 18/01602/FUL be **deferred** for officers to negotiate an amended scheme to address issues concerning:

1. Highway adoption
2. To increase levels of car parking (incl. visitor)
3. To reduce the density of the development
4. To establish the specific boundary treatments with Beechfield House
5. To seek to retain more protected trees currently proposed to be felled
6. Clarity regarding the new highway infrastructure on Cumnock Road

(Voting: 9 in favour, 1 against, 3 abstentions)

16. 18/01603/LBC - Former BMI Site, Cumnock Road, Ansford (Agenda Item 16)

Application Proposal: Demolition of existing buildings, conversion of and alterations to listed buildings to form 11 No. dwellings, the erection of 70 No. dwellings (total 81 No. dwellings) and associated works, including access and off-site highway works, parking, landscaping, open space, footpath links and drainage infrastructure

This application was presented and considered with the concurrent full application which was the previous report on the agenda for 18/01602/FUL - Former BMI Site, Cumnock Road, Ansford.

At the conclusion of the debate, the proposal to defer the application was carried by 9 votes in favour, 1 against and 3 abstentions.

RESOLVED: that planning application 18/01603/LBC be **deferred** for officers to negotiate an amended scheme to address issues concerning:

1. Highway adoption
2. To increase levels of car parking (incl. visitor)
3. To reduce the density of the development
4. To establish the specific boundary treatments with Beechfield House
5. To seek to retain more protected trees currently proposed to be felled
6. Clarity regarding the new highway infrastructure on Cumnock Road

(Voting: 9 in favour, 1 against, 3 abstentions)

17. 18/02433/REM - Land At Baker Street, Babcary (Agenda Item 17)

Application Proposal: Reserved Matters for the erection of 2 No. dwellings

The Specialist Planning Officer introduced the application with the assistance of a PowerPoint presentation of images to show the location of the site, the proposed plans and photographs of the site and the access. She advised that outline planning permission had already been granted by an appeal Inspector for two 3 bedroom properties and the application now proposed two 4 bedroom properties set further back on the site. She said the principle of development was established at the site and so recommended approval.

The Ward Member, Councillor Henry Hobhouse, said he had been advised that as the Planning Inspector had granted permission, the Committee were now unable to refuse this subsequent application despite the narrow access and problems it may cause with the delivery of building materials during construction.

The other Ward Member, Councillor Kevin Messenger, also regretted the sub-standard access road.

During discussion, it was suggested that a condition be added for the submission of a Construction Management Plan and also a sprinkler system within the properties as any Fire appliance may have difficulty accessing the site in an emergency. The Specialist Planning Officer said a Construction Management Plan could be added as a condition but the sprinkler system would be addressed as an informative to the permission.

It was proposed and seconded to grant permission with the additional condition for a Construction Management Plan and informative to include consideration of installing sprinkler systems in the properties. On being put to the vote, this was carried unanimously.

RESOLVED: That planning application 18/02433/REM be **APPROVED** for the following reason:

This detailed scheme, by reason of its scale, layout, design and materials, respects the character and setting of the conservation area without resulting in any demonstrable harm to visual amenity, residential amenity, highway safety, flooding or other environmental concern and therefore accords with the aims and objectives of policies SD1, TA5, TA6, EQ1 and EQ2 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

01. The development hereby approved shall be as shown on approved plans drawings numbered 1295/001 (Location Plan), 1295/003 (Combined Plans) and 1295/002 Rev B (Site Plan).

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

02. No works shall be carried out above damp course level for the dwellings hereby permitted unless particulars of the following have been submitted to and approved in writing by the Local Planning Authority;
- a) materials (including the provision of samples where appropriate) to be used for all external walls and roofs;
 - b) full details of the new natural stonework walls, including the materials, coursing, bonding, mortar profile, colour and texture, to be provided in the form of a sample panel to be made available on site;
 - c) details of the design, materials and external finish for all external doors, windows, boarding and openings, including detailed sectional drawings, lintels and entrance gates;
 - d) details of all roof eaves, verges and abutments, including detailed section drawings, and all new guttering, down pipes and other rainwater goods, and external plumbing;
 - e) details of the surface material for the parking and turning area.

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

03. Prior to the first occupation of the dwellings hereby permitted details of all new and retained boundary treatment shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out in complete accordance with the agreed boundary treatment details and shall be maintained in that fashion thereafter at all times, unless otherwise agreed by the local planning authority.

Reason: To safeguard neighbour amenity and in the interest of visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

04. The internal ground floor levels of the dwellings hereby permitted shall accord with the details set out on drawing number 1295/002 Rev B, unless otherwise agreed in writing by the local planning authority.

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

05. The development hereby permitted shall not be commenced unless there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of any of the dwellings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of five years from the completion of the landscaping scheme, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

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

06. The development hereby permitted shall not be commenced unless surface water drainage details to serve the development and to prevent the discharge of surface water onto the highway, have been 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 and shall thereafter be permanently retained and maintained.

Reason: In the interest of highway safety and to ensure the site is adequately drained in order to prevent the increased risk of flooding elsewhere accordance with policies TA5 and EQ1 of the South Somerset Local Plan and the requirements of the National Planning Policy Framework.

07. The access, parking and turning areas detailed on the approved plans shall be kept clear of obstruction at all times and shall not be used other than for the purpose of access, parking and turning of domestic vehicles in connection with the development hereby permitted.

Reason: In the interest of highway safety to accord with Policies TA5 and TA6 of the South Somerset Local Plan.

08. Any entrance gates shall be hung to open inwards and shall be set back a minimum of 5 metres from the carriageway edge.

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

09. A charging point for electric vehicles of at least 16 amps shall be provided within the curtilage of each of the dwellings hereby permitted prior to first occupation.

Reason: To facilitate and encourage low carbon means of transport in the interests of addressing climate change, in accordance with policies TA1 and EQ1 of the South Somerset Local Plan.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no new openings formed above ground floor level within the north and south elevations of the dwellings hereby permitted without the prior express grant of planning permission.

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

11. No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:

- Construction operation hours;
- Expected number of construction vehicles per day;
- Car parking for contractors;
- Construction delivery hours;
- Construction vehicle movements, in particular in relation to vehicle movements associated with the delivery of construction materials and equipment to and

from the site including the maximum size of vehicle to access Baker Street and / or the site and any alternative arrangements where the delivery vehicle exceeds this size;

- Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice;
- Measures to ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway

Reason: In the interests of highways safety and residential amenity, in accordance with policies EQ2 and TA5 of the South Somerset Local Plan (2008-2028) and the provisions of the NPPF.

Informative 1 – The applicant is requested to contact the Local Authority Building Control Team and the local fire service to ascertain an appropriate scheme of fire protection given the limited access to the site for a fire appliance.

(Voting: unanimous in favour)

18. 18/04074/FUL - Land at Pilgrims Rest, Lovington, Castle Cary (Agenda Item 18)

Application Proposal: Erection of six dwellings including amended existing access, associated parking provisions and landscaping

This application was withdrawn from the agenda to allow the Ward Members/ Chairman to delegate the decision to officers.

There was no discussion over the item, however a spokesperson for the Parish Council, a local resident and the applicant had registered to speak in support of this application.

19. 19/00958/FUL - Land OS 2111 West Of Little Sark, Tank Lane, Castle Cary (Agenda Item 19)

Application Proposal: The erection of 4 No. dwellings with associated works

The Planning Consultant introduced the application with the assistance of a PowerPoint presentation of images to show the location of the site, the proposed plans and photographs of the site and the access. He advised that the proposal was for 4 detached bungalows and although there was permission for 125 dwellings to the south of the site, the housing density was comparable. Both local Town and Parish Councils had expressed concern at the suitability of the road junction nearby but there were no Highway Authority objections to the scheme. A late response from the SSDC Ecologist suggested 3 further conditions of approval to protect and encourage local wildlife.

One of the Ward Members, Councillor Henry Hobhouse, expressed concern that permission had been granted for up to 650 houses in the area yet the Highway Authority said there was no impact on the local road network. He also felt Tank Lane was substandard and 4 additional properties would create double the traffic.

The other Ward Member, Councillor Kevin Messenger, expressed concern that the applicant would subsequently apply for houses at the site. The Specialist Development

Management Officer said that the application must be considered on its own merit and any future applications could not be considered.

The Committee were then addressed by the applicant and his architect. Their comments included:-

- The population is living longer and older people typically purchase bungalows
- The proposed bungalows are spacious with plenty of garden space
- The proposal is well designed to suit the needs of the area.
- A pre-application submission was met with a positive response from planners
- There was little or no overlooking into neighbouring properties.

Councillor Michael Lewis, as the County Council Ward Member for the area, said he was meeting with Highway Officers that week to discuss possible improvements to the road junction at the A371/B3152.

In response to a question, the Planning Consultant said the properties were not restricted to be purchased by people over the age of 55 but would be open market properties.

During discussion, Members were generally in favour of the development and it was proposed and seconded to approve the application, with the 3 additional ecological conditions proposed. On being put to the vote this was carried by 11 votes in favour and 1 abstention.

RESOLVED: That planning application 19/00958/FUL be **APPROVED** for the following reason:

01. The proposal is considered to be acceptable in this location, and would cause no significant adverse impact on the character of the area. The proposed design, layout and external finishing materials of the dwellings on this site would respect the appearance and character of the locality. There would be no resultant demonstrable harm to residential amenity, highway safety, flood risk or biodiversity. As such the proposal complies with Policies SD1, SS1, TA5, TA6, EQ1, EQ2 and EQ4 of the South Somerset Local Plan, and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

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

Drawing no. 1821 01 Rev A - Location Plan;
Drawing no. 1821 02 Rev A - Block Plan;
Drawing no. 1821 03 - Existing Topographical Survey;
Drawing no. 1821 04 Rev A - Proposed Block Plan. Site Layout;
Drawing no. 1821 05 Rev B - Proposed Plans and Elevations. Plot 2;
Drawing no. 1821 06 Rev B - Proposed Plans and Elevations. Plot 3;

Drawing no. 1821 09 Rev A - Proposed Plans and Elevations. Plot 4;
Drawing no. 1821 10 Rev C - Proposed Site Plan; and
Drawing no. 1821 11 - Proposed Plans and Elevations. Plot 1; and
Drawing no. 1821 12 - Proposed Detached Garage Plan and Elevations.

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

03. Prior to commencement of the development, site vegetative clearance, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree and hedgerow protection measures shall be fully implemented in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

The approved tree and hedgerow protection requirements shall remain implemented in their entirety for the duration of the construction of the development and shall only be moved, removed or dismantled with the prior written consent of the Local Planning Authority.

Reason: To preserve existing landscape features (trees and hedgerows) in accordance with Policies EQ2 and EQ4 of the South Somerset Local Plan and relevant guidance within the NPPF.

04. Notwithstanding the details indicated on the submitted drawings, prior to construction/progression of any part of the development hereby permitted above slab level/ground floor level, a schedule of materials and (colour) finishes (including samples and trade descriptions/brochure details where appropriate) of materials to be used in the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. Such a schedule shall include:

- (a) the type, size, colour and profile of roofing materials to be fixed to the buildings, together with type, colour and profile of ridge tiles to be used;
- (b) the type, finish and colour of all brickwork, type of pointing and mortar mix to be used;
- (c) details of the design, appearance, materials, finish and colour, including their method of opening, of all new windows and doors (including garage doors); and
- (d) the locations, materials of construction and colour finishes of all rainwater goods.

The development shall be constructed in accordance with the approved details and completed before the development is first occupied (or completed to a stage previously agreed in writing by the Local Planning Authority) and thereafter shall be retained and maintained in that form, unless the Local Planning Authority gives prior written approval to any subsequent variation.

Reason: To enable the Local Planning Authority to consider the details of all external finishing materials prior to their installation/construction at an appropriate stage in the course of the development to ensure that the development displays good design practise and reflects local distinctiveness, having due regard to safeguarding visual and residential amenity in accordance with Policy EQ2 of the South Somerset Local Plan and relevant guidance within the NPPF.

05. Prior to construction/progression of any part of the development hereby permitted above slab level/ground floor level, a scheme of hard and soft landscaping, which

shall include details of all hardsurfacing materials and the location, number, species, density, form and size of proposed tree, hedge and shrub planting (this should include native species which occur locally and chosen to provide food for insects on which bats feed) shall be submitted to and approved in writing by the Local Planning Authority.

The approved soft landscaping scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the prior agreement in writing of the Local Planning Authority.

For a period of five years after the completion of the landscaping scheme, the trees, hedges and shrubs shall be protected and maintained in a healthy weed free condition. Any trees, hedges or shrubs that cease to grow or are felled, removed, uprooted, destroyed or die, or become in the opinion of the Local Planning Authority seriously damaged, diseased or defective, shall be replaced by trees, hedges or shrubs of similar size and species, or other appropriate trees, hedges or shrubs as may be approved in writing by the Local Planning Authority. This replacement planting shall be undertaken before the end of the first available planting season (October to March inclusive for bare root plants), following the removal, uprooting, destruction or death of the original trees or plants.

Reason: To safeguard and enhance the landscape character and visual amenity of the area; to help assimilate the development into its immediate surrounds; and to provide ecological, environmental and biodiversity benefits, having regard to Policies EQ2 and EQ4 of the South Somerset Local Plan and relevant guidance within the NPPF.

06. The proposed access shall be constructed in accordance with details shown on the approved drawing number 10 C and shall be available for use before first occupation of any of the dwellings hereby permitted. Once constructed the access shall be maintained in that condition thereafter at all times.

Reason: To ensure safe access and egress to and from the site in the interests of highway safety and convenience, having regard to Policies EQ2 and TA5 of the South Somerset Local Plan and relevant guidance within the NPPF.

07. Prior to first occupation of any of the dwellings hereby permitted, the proposed access over at least the first 5.0 metres of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall be maintained and retained in that condition thereafter at all times.

Reason: To prevent loose debris, stones, gravel and similar non-compacted material from being deposited onto the County highway in the interests of highway safety and convenience, having regard to Policies EQ2 and TA5 of the South Somerset Local Plan and relevant guidance within the NPPF.

08. The gradient of the proposed access shall not be steeper than a slope of 1 in 10. Once constructed, the access shall be maintained in that condition thereafter at all times.

Reason: To ensure safe access and egress to and from the site in the interests of highway safety and convenience, having regard to Policies EQ2 and TA5 of the South Somerset Local Plan and relevant guidance within the NPPF.

09. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43.0 metres to the eastern side of the access and 30.0 metres to the western side of the access. Such visibility shall be fully provided before the development hereby permitted is first occupied and shall thereafter be maintained and retained at all times.

Reason: In order to provide adequate visibility for vehicles entering and leaving the site in the interests of and for the safety of persons and vehicles using the development and the adjoining road, having regard to Policies EQ2 and TA5 of the South Somerset Local Plan and relevant guidance within the NPPF.

10. No dwelling hereby permitted shall be occupied until electric vehicle charging points (EVCP's) rated at a minimum of 16 amps have been provided for each dwelling within its associated garage and/or parking space. Such provision shall be in accordance with details indicating siting, numbers, design, rating and appearance of the EVCP's which shall be previously submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure provision of EVCP's for low emission vehicles as part of the transition to a low carbon economy, having regard to Policy TA1 of the South Somerset Local Plan and relevant guidance within the NPPF.

11. All garaging, parking and turning spaces shall be provided and laid out in accordance with the approved plans prior to first occupation of the dwellings, and thereafter shall be maintained and retained for such purposes of parking and turning of vehicles (including motorcycles and bicycles) incidental to the occupation and enjoyment of the dwellings hereby permitted to which they serve, and kept permanently free from any other forms of obstruction. Nor shall the proposed garages be used for, or in connection with, any commercial trade or business purposes and they shall not be converted into habitable accommodation, including domestic workshop, study, games room and similar uses, without the prior written approval of the Local Planning Authority.

Reason: To protect the visual and residential amenities of the site and surrounds and to ensure that adequate on-site parking and turning spaces are provided and thereafter retained to enable vehicles to turn on-site without having to reverse onto the County highway, in the interests of and for the safety of persons and vehicles using the development and the adjoining road, having regard to Policies EQ2 and TA5 of the South Somerset Local Plan and relevant guidance within the NPPF

12. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed, the system of interception shall be retained in a good state of repair thereafter at all times.

Reason: To prevent flooding of the County highway in the interests of highway safety and convenience, having regard to Policies EQ2 and TA5 of the South Somerset Local Plan and relevant guidance within the NPPF.

13. All foul water drainage works shall be completed in accordance with the details indicated on the approved drawings prior to first occupation of any dwelling hereby permitted, and thereafter shall be managed and maintained for the lifetime of the development.

Reason: To ensure that the development is served by a satisfactory system of foul drainage and that the approved system is retained, managed and maintained in accordance with the approved details throughout the lifetime of the development, in accordance with Policy EQ1 of the South Somerset Local Plan, relevant guidance within the NPPF and its associated Technical Guidance

14. The development shall be carried out in strict accordance with the various recommendations set out in the submitted "Extended Habitat Survey" dated December 2018 prepared by Country Contracts.

No dwelling shall be occupied until at least one bat roost box, tube or shelter has been installed on at least two of the new dwellings and at least 2 hole fronted bird nest boxes have been provided on the application site, all in accordance with details indicating type and siting of bat and bird nest boxes which have previously been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the approved bat and bird nest boxes shall remain in situ and the access holes shall not be blocked off or obscured in any way.

Reason: The implementation of biodiversity and ecological details is fundamental to ensure the success of mitigation measures are sustained for the duration of the development and that there is no net biodiversity loss in the long term and to ensure the development contributes to the Government's target of no net biodiversity loss as set out in the NPPF; South Somerset Local Plan Policy EQ4; and the Council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006.

15. No removal of potential bird nesting habitats, comprised of trees, scrub, shrubs and ruderal vegetation, shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of buildings and vegetation for active birds' nests immediately before works proceed and vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority and written agreement from the Local Planning Authority so obtained.

Under no circumstances should blocking bird access to certain areas and features in using plastic bird netting hung over the gaps and apertures be carried out, as this can lead to entrapment from birds caught in netting.

Reason: To provide adequate safeguards for nesting birds, which are afforded protection under the Wildlife and Countryside Act 1981 (as amended), having

regard to Policy EQ4 of the South Somerset Local Plan and relevant guidance within the NPPF.

16. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking, re-enacting or modifying that Order), no development of the types described in the following Classes of Schedule 2 shall be undertaken without the express grant of planning permission, other than that expressly authorised by this permission:

- (a) Part 1, Class A (enlargements, improvements or other alterations);
- (b) Part 1, Class B (additions etc to the roof of a dwellinghouse);
- (c) Part 1, Class C (other roof alterations);
- (d) Part 2, Class A (gates, fences, walls or other means of enclosure); and
- (e) Part 2, Class B (means of access to a highway).

Reason: To enable the Local Planning Authority to exercise control over development in order to:

- (i) safeguard the character and appearance of the development itself and the locality in general, by ensuring there are no inappropriate extensions or other alterations within the curtilage of the dwelling;
- (ii) prevent unacceptable harm being caused to the residential amenity of occupiers of adjoining property;
- (iii) safeguard on-site parking and circulation areas; and
- (iv) ensure there is no unacceptable surface water run-off,

having regard to Policies EQ1, EQ2, EQ4, TA5 and TA6 of the South Somerset Local Plan and relevant guidance within the NPPF.

17. Prior to occupation of any dwelling hereby permitted, a "lighting design for bats" shall be implemented in accordance with details previously submitted to and approved in writing by the Local Planning Authority. Such details shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places. All external lighting shall be installed in accordance with the approved specifications and locations, and these shall be maintained thereafter in accordance with the approved details. Under no circumstances should any other external lighting be installed without prior written consent from the Local Planning Authority.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with Policy EQ4 of the South Somerset Local Plan and relevant guidance within the NPPF.

18. Prior to the commencement of works, including vegetative clearance and groundworks, a method statement for reptiles and amphibians shall be submitted and approved in writing by the Local Planning Authority. The conditions and recommendations set out in the approved method statement shall be strictly adhered to during the course of the development.

Reason: A pre-commencement condition is considered appropriate in this instance in the interests of UK protected and priority species and in accordance with Policy EQ4 of the South Somerset Local Plan and relevant guidance within the NPPF.

19. A bee brick shall be built into the external wall approximately one metre above ground level on the southern elevation of each dwelling. Photographs of the features shall be submitted to the Local Planning Authority prior to the completion and occupation of each dwelling.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 170(d) of the National Planning Policy Framework.

Informatives:

01. CIL

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

You are required to complete and return Form 1 Assumption of Liability as soon as possible and to avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place. Please complete and return Form 6 Commencement Notice.

You are advised to visit our website for further details <https://www.southsomerset.gov.uk/cil> or email cil@southsomerset.gov.uk

02. Highways Act

Having regard to the powers of the Highway Authority under the Highways Act 1980, the applicants are advised that the creation of the new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager for the South Somerset Area at The Highways Depot, Mead Avenue, Houndstone Business Park, Yeovil, BA22 8RT

Email countyroads-southsom@somerset.gov.uk.

Application for such a permit should be made at least four weeks before access works are intended to commence.

03. Drainage

Somerset County Council (SCC) is now the Lead Local Flood Authority (LLFA) as defined by the Flood and Water Management Act 2010 and the Flood Risk Regulations 2009. SCC's Flood Risk Management Team was formed, to satisfy the duties of this legislation.

Under Section 23 of the Land Drainage Act there is a requirement to seek a consent when culverting or obstructing a watercourse, whether permanent or temporary. Previously, consent for work to ordinary watercourses outside Drainage Board areas was

obtained from the Environment Agency. This has now transferred to SCC. It is important to note that under no circumstances will retrospective consent be given for unconsented works. If unconsented drainage works have occurred, the developer will be responsible for restoring the watercourse to its original condition.

Failure to obtain Land Drainage Consent prior to carrying out the works may result in a fine.

For further information visit

www.somerset.gov.uk/environment-and-planning/flooding/work-on-an-ordinary-watercourse

Land Drainage Consent forms can be downloaded from

www.somerset.gov.uk/consent

For further information regarding the application form please contact Didier Lebrun of the Flood Risk Management Team on 01823 356692 or email JLebrun@somerset.gov.uk

04. Contaminated Land

If contaminated land is encountered during the development works, which has not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to and approved in writing by the local Planning Authority.

(Voting: 11 in favour, 0 against, 1 abstention)

20. 19/00718/DPO - Land South of Bayford Hill, Wincanton (Agenda Item 20)

Application Proposal: Application to vary S106 Agreement dated 30th October 2014 attached to approval 13/03318/OUT between Hopkins Development Limited, South Somerset District Council and Somerset County Council to remove the requirement for the provision of any affordable housing as part of the residential development to be carried out on the site.

This application was withdrawn from the agenda and will be considered at a future meeting.

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Chairman