

## South Somerset District Council

**Minutes** of a meeting of the **Area North Committee** held at the **Edgar Hall, Cary Court, Somerton Business Park, Somerton TA11 6SB** on **Wednesday 22 July 2015**.

(2.00pm - 6.45pm)

**Present:**

**Members:** Councillor Shane Pledger (Chairman)

|                     |                           |
|---------------------|---------------------------|
| Clare Aparicio Paul | Crispin Raikes            |
| Neil Bloomfield     | Jo Roundell Greene        |
| Adam Dance          | Dean Ruddle               |
| Graham Middleton    | Sylvia Seal (from 2.05pm) |
| Tiffany Osborne     | Sue Steele (to 5.15pm)    |
| Stephen Page        | Derek Yeomans             |

**Officers:**

|                 |                                    |
|-----------------|------------------------------------|
| Charlotte Jones | Area Development Manager (North)   |
| Lynda Pincombe  | Community Health & Leisure Manager |
| Neil Waddleton  | Section 106 Monitoring Officer     |
| David Norris    | Development Manager                |
| Adrian Noon     | Area Lead (North/East)             |
| Nick Head       | Planning Officer                   |
| John Millar     | Planning Officer                   |
| Alex Skidmore   | Planning Officer                   |
| Sarah Hickey    | Locum Planning Solicitor           |
| Becky Sanders   | Democratic Services 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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**24. Minutes (Agenda Item 1)**

The minutes of the meeting held on 24 June 2015 were approved as a correct record and signed by the Chairman.

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**25. Apologies for absence (Agenda Item 2)**

There were no apologies for absence.

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

Councillor Shane Pledger declared a personal and prejudicial interest for planning application 15/00858/FUL as the applicants were a close relation of his wife.

Councillor Dean Ruddle declared a personal interest in planning application 15/01310/FUL as he is also a member of Somerton Town Council.

Councillor Sue Steele declared a personal and prejudicial interest for planning application 14/04300/FUL as one of the applicants was a family friend.

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**27. Date of next meeting (Agenda Item 4)**

Members noted that the next meeting of Area North Committee was scheduled for 2.00pm on Wednesday 26 August 2015 at the Village Hall, Norton Sub Hamdon.

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**28. Public question time (Agenda Item 5)**

There were no questions from members of the public.

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**29. Chairman's announcements (Agenda Item 6)**

The Chairman made no formal announcements.

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**30. Reports from members (Agenda Item 7)**

There were no reports from members.

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**31. Community Health and Leisure Service Update (Agenda Item 8)**

The Community Health and Leisure Manager provided members with an informative presentation about the different aspects of the service and the delivery of projects within Area North and across the district including:

- Healthy lifestyles, communities and workplaces.
- Sports development including badminton, hockey and tennis.
- Play and youth facilities.
- Play area management and inspection.
- Play days.
- Gold Star Awards.
- Leisure facilities and planning gain.
- Statistics about usage of facilities, attendance at events and securing of external funding including £194,000 from Sport England for a new innovative healthy lifestyle project.

In particular she highlighted the money banked from Section 106 planning obligations for facilities in Area North as a result of the team, and highlighted a substantial amount had been secured for the Huish Academy Artificial Grass Pitch (AGP). The service is planning to use some Section 106 money to fund feasibility studies at Huish Academy in the future.

During the ensuing discussion members raised several comments including:

- Belief that the AGP at Huish Academy is fully booked.
- Thanks to the team for all the work done at Ilton

In response to comments made Portfolio Holder, Councillor Sylvia Seal, confirmed that the service were working at less cost than the previous year, and that team were very good at sourcing funding. She also reminded members that the district council were now required to be more involved with public health than they had been previously, and encouraged new members to contact the team for support for leisure projects within their wards.

The Chairman and members, thanked the manager for the good work of the team.

**RESOLVED:** (1) That the report be noted.

(2) That members contact the Community Health and Leisure Manager/team if they wish to discuss the current service delivery programme or recommend future priorities.

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### 32. Section 106 Obligations (Agenda Item 9)

The Section 106 Monitoring Officer presented the report as shown in the agenda which detailed signed Section 106 agreements relating to development within Area North. He highlighted key changes in legislation since the last report with regard to contributions from schemes of 10 dwellings or less, and Community Infrastructure Levy (CIL) Regulations.

Members were encouraged to contact him if they required any specific information or a detailed progress update regarding any scheme.

In response to questions from members, the Section 106 Monitoring Officer:

- Explained the implications and limitations of no more than 5 planning obligations being sought for a specific infrastructure project.
- Clarified that if building of a development subject to Section 106 contributions had commenced, and was later sold for whatever reason before completion, then the new owner would take on the agreed obligations at that time.
- Confirmed that once the CIL is adopted, Section 106 obligations for strategic elements would diminish. As the CIL would be payable on a single unit, the level needed to be carefully considered. At the moment officers were working on a timetable assuming that the CIL would be adopted by Spring 2016, but there was much work to do before the adoption stage.

At the conclusion of the debate, the chairman thanked the Section 106 Monitoring Officer for providing a comprehensive report.

**RESOLVED:** That the report and verbal update be noted and the actions taken in respect of the monitoring and managing of Section 106 Planning Obligations be endorsed.

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### 33. Area North Committee Forward Plan (Agenda Item 10)

The Area Development Manager (North) highlighted that a presentation about Careline had been added to the Forward Plan for November. She also noted that the Licensing

Manager had been invited to provide a presentation and service update, and this would be scheduled for some time before Christmas.

The following update to the Area North Forward Plan was agreed:

- Licensing – service update – to be added for autumn 2015

**RESOLVED:** That the Area North Committee Forward Plan be noted.

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#### **34. Planning Appeals (Agenda Item 11)**

Members noted the report that detailed recent planning appeals that have been lodged, dismissed or allowed.

**RESOLVED:** That the report be noted.

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#### **35. Schedule of Planning Applications to be Determined By Committee (Agenda Item 12)**

Members noted the schedule of planning application to be determined at the meeting.

**RESOLVED:** That the report be noted.

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#### **36. Planning application 15/01310/FUL - Wessex House, Pestors Lane, Somerton. (Agenda Item 13)**

***Proposal: Demolition of existing care home and development of extra care units with communal facilities.***

The Area Lead presented the application as detailed in the agenda, and drew members attention to the status of a permissive path leading from the site into West Street. He provided members with several updates including:

- Reference to aspects of an appeal on a neighbouring site.
- Three further letters of objection had been received and these predominantly raised issues already mentioned in the report.
- His officer conclusions regarding C2 and C3 usage were challenged, and he explained that early in the application process he had accepted that usage was C2.
- A letter referring to applications for older people housing was becoming too dominant in the town.

He explained to members the difference in parking standards required for C2 and C3 usage. The business model put forward by the applicants showed that residents in the apartments would be required to purchase a care package and on that basis it was felt more akin to C2 usage. The majority of residents were envisaged to be non-car users but some might, hence the parking provision. He acknowledged that the differences between C2 and C3 planning use classes were 'blurred'. It was noted that officers had worked with the applicant to overcome objections from the last application. The visual impact

would not be considerably different from the current building, and so the proposal was felt to be acceptable.

Mr D Harrison, spokesperson for Somerton Town Council, noted that the town council recognised use of the same site for a care home or other development was in principle, acceptable. They did not support the application due to insufficient amenity space, concern about the narrowness of Pestors Lane and parking, the size of development was still thought to be too bulky, the footprint of the proposal is larger than the existing development, concern that proposed on-site parking is too limited for C3 usage, and there being an unacceptable confusion as to whether C2 or C3 usage is envisaged.

Members were then addressed by Mr M Smith, Mr B Yates, Ms J Hurley, Ms G Mattingley and Mrs P Short in objection to the application, their comments included:

- As apartments have kitchens and own front doors, the proposal is residential.
- The footpath from the site to West Street is not a public right of way and so people will have to go via Pestors Lane
- It's too big, will be a blot on the landscape, it's residential and not enough parking
- Feel site can in reality only provide 19 parking spaces.
- What is so different with this revised application from the original?
- Concern about use class, how would a care need and type be defined, and how would entitlement to a car space be determined?
- The Alder Tree must be protected, and an adjacent Cherry tree could be retained. Landscaping should be considered in conjunction with the town council
- Another care home in this dense area just outside a conservation area is out of balance in Somerton
- A community only works with a balance of population
- Feel it's over development, insufficient parking and the lack of garden will be soul-destroying for residents
- Does not meet local needs and will harm Somerton

Mr J Sneddon, agent, commented that the proposal was a care home. There would be a care team on site at all times, with a communal restaurant and communal activities. Residents would be required to undergo a care assessment and pay a service charge for care. The proposal was aimed at people who needed care but wished to retain some independence.

Ward member, Councillor Dean Ruddle, commented that whilst he was of the opinion there was a need for such a proposal he felt this application would damage the local environment. He was concerned by the path not being an actual Right of Way, as using Pestors Lane would be dangerous for buggies. The design indicated the finish to be render with some stone, but this would not be in keeping with buildings in the nearby conservation area.

Ward member, Councillor Stephen Page, noted the site was a suitable location but with a modified plan. He was concerned about pedestrian safety, the size of the proposal, confusion regarding the classification of C2/C3 use, parking and the design not being in keeping with the locality. Listening to comments he felt the proposal was about 25% too big.

During the ensuing discussing, comments raised by members included:

- Scale is very large
- Don't think parking is adequate and lack of amenity space is a concern
- Residents need amenity space – this proposal will isolate the elderly

- Acknowledge there is a need for this type of facility, and there is an ageing population
- Proposed building will be dominant, and not in keeping with the locality
- People want care but don't necessarily want to be in care homes
- Need this type of accommodation but in a different, more in keeping, proposal

At the conclusion of debate it was proposed to refuse the application on the grounds of over development, size, scale and the visual impact on Somerton.

In response to comments made, the Area Lead noted that the formal wording for the refusal could be based on the previous refusal. For clarification he detailed the wording, to which members agreed.

The proposal to refuse the application, for the reason as detailed by the Area Lead, was put to the vote and carried unanimously.

**RESOLVED:** That planning application 15/01310/FUL be REFUSED, contrary to the officer recommendation, for the following reason:

The proposed development, by reason of its size, height, bulk and detailing, would constitute the over development of the site that would relate poorly to the small scale, intricate traditional form of the surrounding townscape to the detriment of the appearance and setting of the conservation area, the setting of nearby listed buildings and the visual amenities of the locality, as well as longer views of the historic town centre from the publicly accessible countryside to the south. As such the proposal is contrary to policies EQ2 and EQ3 of the South Somerset Local Plan and the policies contained within the National Planning Policy Framework, specifically Chapters 7 and 12.

(Voting: Unanimous)

**37. Planning application 15/01761/FUL - Land adjacent to Brick House, East Street, Drayton. (Agenda Item 14)**

***Proposal: Erection of a 1.5 storey dwellinghouse and associated detached garage/annex on land adjacent to Brick House, works to a low level wall, and demolition of small dilapidated structure.***

The Planning Officer presented the application as detailed in the agenda report, and highlighted to members the updated comments received from the parish council which indicated their full support for the proposal.

Mr M Hawkins and Mr M Robinson spoke in support of the application and their comments included:

- The applicants were model neighbours – five generations of the same family had lived in the house, and the family had supported the village in many ways over the years
- Brick House is a difficult building to live in, in old age.
- Need a large family in Brick House to support the village
- Materials and design are sympathetic to neighbouring houses

- Annex at Podgers Orchard which is adjacent to a listed building had recently been approved and feel the community would feel it unjust if this application were not to be approved.

Mrs M Lock, applicant, provided a brief history of the family living and working in Drayton for around 150 years. She noted that the family were fond of Brick House, but now in retirement years they were finding the house less suitable. The proposal would allow them to continue to live independently in the village, and Brick House with its six rooms needed to be enjoyed by a large family.

Mr F Della Valle, agent, commented the application had the full support of the local community and was designed to meet the applicants needs. He highlighted that the village had several facilities and reference was made to the proximity of the site to nearby listed buildings and conservation area. He noted until the 1990s part of the site was covered in glass houses, and the low wall to be altered was not very visible from the road. The position of the proposed dwelling was clearly in line with built development and should be considered infill.

Ward member, Councillor Tiffany Osborne, supported the application and noted the site of dwelling was outside the conservation area but the existing access was within. She referred to the Podgers Orchard application which had been recently approved despite some local objection, and disagreed with the comments made by the Conservation Officer, in the report for this application, that this proposal would impact on nearby listed buildings. She noted the proposal would provide a sensible and sensitive solution for the applicants to continue living in the village, and Brick House would offer an opportunity for a large family to move into the village.

During a short discussion, several members felt the application should be approved as it had the support of the community and would not have an adverse impact on the conservation area, and it was suggested to approve the application for that reason.

Hearing the comments made, and as many members were minded to approve the application, the Area Lead suggested the wording for the justification could be that the proposal, by reason of its scale, design and siting, respects the character and appearance of the setting, including the setting of the conservation area and the listed buildings, and causes no demonstrable harm to residential amenity. The proposed dwelling accords with local policy in that it represents a unit of accommodation meeting an identified local housing need. The Planning Officer advised there should be conditions and these were explained to members.

It was proposed to approve the application, contrary to the officer recommendation, for the justification as suggested by the Area Lead and subject to the conditions as recommended by the Planning Officer. On being put to the vote the proposal was carried 10 in favour and 3 against.

**RESOLVED:** That planning application 15/01761/FUL be APPROVED , contrary to the officer recommendation, subject to the following:

### **Justification**

01. The proposal, by reason of its scale, design and siting, respects the character and appearance of the setting, including the setting of the conservation area and the listed buildings, and causes no demonstrable harm to residential amenity. The proposed dwelling

represents a unit of accommodation meeting an identified local housing need. In these respects, the proposal accords with the aims of the NPPF and Policies SD1, SS1, SS2, EQ2 and EQ3 of the South Somerset Local Plan.

**Subject to the following conditions:**

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 plans: the drawings ref. F1239 numbers 100A, 101A and 102A.

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

03. No development hereby permitted shall be commenced 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 external walls and roofs; these details shall be supported by a sample panel of natural stone indicating coursing and pointing which shall be made available on site prior to commencement;
- b) full design details and material and external finish to be used for all windows, all external doors, lintels, entrance gates, boarding and openings;
- c) details of all eaves and fascia board detailing, guttering, downpipes and other rainwater goods; and
- d) details of the surface material for the access, parking and turning area;  
and
- e) details of all boundary treatments.

Reason: To safeguard the character and appearance of the area and to accord with the NPPF and Policies EQ2 and EQ3 of the South Somerset Local Plan.

04. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels. 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 occupation of the building 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 and to accord with the NPPF and Policies EQ2 and EQ3 of the South Somerset Local Plan.

05. The upper storey windows on the east elevation of the building(s) hereby approved shall be permanently obscure glazed and fixed closed in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Such details, once implemented, shall be permanently retained and maintained.

Reason: In the interests of residential amenity in accordance with Policy EQ2 of the South Somerset Local Plan.

06. The area allocated for parking on the submitted plans ref. F1239/100A and F1239/102A shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

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

07. There shall be no obstruction to visibility greater than 300mm above adjoining road level forward of the visibility splays shown on the submitted plan ref. F1239/102A. Such visibility shall be fully provided before works commence on the development hereby permitted and shall thereafter be maintained at all times.

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

08. No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

Reason: To safeguard any archaeological remains on the site and to accord with the aims of the NPPF and Policy EQ3 of the South Somerset Local Plan.

09. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no garages or other outbuildings or structures shall be erected

other than those expressly authorised by this permission.

Reason: To safeguard the character and appearance of the area and to accord with the NPPF and Policies EQ2 and EQ3 of the South Somerset Local Plan.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed in the buildings, or other external alteration made without the prior express grant of planning permission.

Reason: In the interests of amenity and to safeguard the character and appearance of the area and to accord with the NPPF and Policies EQ2 and EQ3 of the South Somerset Local Plan.

*(Voting; 10 in favour, 3 against)*

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**38. Planning application 15/01762/LBC - Brick House, East Street, Drayton. (Agenda Item 15)**

*Proposal: Erection of a 1.5 storey dwellinghouse and associated detached garage/annex on land adjacent to Brick House, works to a low level wall, and demolition of small dilapidate structure.*

**This application was presented and discussed in conjunction with the previous application 15.01761/FUL and comments made on that application also refer to this application.**

The Area Lead explained that the officer recommendation in the agenda report was based on the recommendation for the full application which had been for refusal and so there was no justification to recommend otherwise. However as members had approved the full application, contrary to the officer recommendation, the justification for approving this listed building consent would be the reverse of the reason for refusal shown in the agenda report.

The Planning Officer advised if members were minded to approve there should be conditions for approved plans, time limit and details of making good the low level wall.

There was no discussion and it was proposed to approve the application for the reason and conditions as suggested by the officers. On being put to the vote, the proposal to approve the application was carried 10 in favour, 2 against with 1 abstention.

**RESOLVED:** That planning application 15/01762/LBC be APPROVED, contrary to the officer recommendation, subject to the following:

**Justification**

01. The proposal, by reason of its scale, design and materials, respects the character and appearance of listed building, in

accordance with the aims and objectives of The NPPF and Policy EQ3 of the South Somerset Local Plan.

**Subject to the following conditions:**

01. The works hereby granted consent shall be begun before the expiration of three years from the date of this consent.

Reason: As required by Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

02. The works hereby permitted shall be carried out in accordance with the following approved plans: the drawings ref. F1239 numbers 100A, 101A and 102A.

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

03. No works hereby permitted shall be carried out unless full details of the finish and making good of the wall ends resulting from the partial demolition of the stone wall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the listed structure and to accord with the NPPF and Policy EQ3 of the South Somerset Local Plan.

*(Voting: 10 in favour, 2 against and 1 abstention)*

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**39. Planning application 15/01486/FUL - Windy Ridge, Butchers Hill, Fivehead. (Agenda Item 16)**

***Proposal: The erection of a four bedroom dwelling and change of use of agricultural land to residential curtilage.***

The Planning officer presented the application as detailed in the agenda and noted the proposal was for a low energy, contemporary designed dwelling. He explained the landscape character of the site location in more detail.

Mrs J Morling, applicant, commented that they wished to build a new dwelling for the family which included a disabled parent. The proposal would use well established principles for low energy living, the design had been widely commended, and the local response to the proposal had been very positive. She noted there was nothing to stop the paddock being used for more intensive agriculture, but they wished to turn it into a wildflower meadow.

Ward member, Councillor Sue Steele, noted that the report indicated the design was acceptable. The village had a shop, church, hall and pub. She felt the proposal would enhance the area and should be supported.

During discussion comments raised by members included:

- Don't feel the design is appropriate in this setting

- Will be almost self-sufficient and should be supported
- Don't think the proposal meets all the requirements of Policy SS2
- Need good quality eco-builds
- No local need

A query was raised about policy regarding eco-dwellings. The Development Manager explained in more detail that there was a slight overlap in policy, in that eco-dwellings were mentioned within the National Planning Policy Framework, but not within the SSDC Local Plan.

It was initially proposed to approve the application, as it was of acceptable design and on the edge of the settlement, contrary to the officer recommendation, however this was not carried (4 in favour, 7 against, 2 abstentions).

It was then proposed to refused the application, as per the officer recommendation, and on being put to the vote was carried 6 in favour, 5 against with 2 abstentions.

**RESOLVED:** That planning application 15/01486/FUL be REFUSED, as per the officer recommendation, for the following reasons:

01. The proposed development, comprising the erection of a new dwelling, is located at the edge of a "Rural Settlement", where development will be strictly controlled and limited to that which provides employment opportunities, enhances community facilities and services to serve the development, or meets an identified housing need, particularly for affordable housing. The proposal fails to satisfy any of the aforementioned criteria and as such constitutes unsustainable development that is contrary to policies SD1, SS1 and SS2 of the South Somerset Local Plan (2006-2028) and to the aims and objectives of the National Planning Policy Framework.
02. The proposed development, as a result of its siting and built footprint, which intrudes into open countryside beyond the village edge, is at variance with the local pattern of development and thereby fails to preserve or enhance local character. As such, it has an unacceptable impact on the character, appearance and the rural context of the locality. The proposal is therefore contrary to policy EQ2 of the South Somerset Local Plan (2006-28) and provisions of chapters 7, 11 and the core planning principles of the National Planning Policy Framework.

*(Voting: 6 in favour, 5 against, 2 abstentions)*

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**40. Planning application 15/01151/FUL - Land adjacent Hillside Farm, West Henley Road, High Ham. (Agenda Item 17)**

***Proposal: The erection of an agricultural workers dwelling adjacent to Hillside Farm.***

The Planning Officer presented the report as detailed in the agenda, and explained some of the background as to why the dwelling was needed. She also noted that financial information about the viability of the farming business had been carefully considered.

Mr S Fry, agent and accountant for the applicant, noted that financial information submitted for application covered the previous four years, however it had not included the figures up to the end of March 2015. The accounts now showed the business to be economically viable. There had been exceptional costs in recent years due to investment in the farm, but the business was now turning a positive corner as less investment required and less depreciation.

Ward member, Councillor Shane Pledger, commented he knew of the farm and that there had been significant investment in recent years. He supported the application.

During discussion comments raised by members included:

- Need evidence that the farm is viable
- Should follow policy, if the dwelling is really needed they could live in temporary accommodation
- Should defer until the new financial information has been seen
- Feel accommodation for a worker on the site is justified

In response to comments made, the Development Manager commented that he did not believe officers had seen the latest financial information as mentioned by Mr Fry. He advised members could defer the application, if they were minded to do so, to allow the financial aspects to be reassessed.

It was proposed to defer the application to allow submission of further financial information. On being put to the vote the proposal was carried unanimously.

**RESOLVED:** That planning application 15/01151/FUL be DEFERRED to allow submission of further financial information.

*(Voting: Unanimous)*

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**41. Planning application 15/00858/FUL - Land opposite Turnpike House, Aller Road, Aller. (Agenda Item 18)**

*Councillor Shane Pledger, having declared a personal and prejudicial interest, left the meeting prior to the presentation of this application. Councillor Dean Ruddle took the role of Chairman for this item.*

***Proposal: Demolition of buildings and the erection of 1 No. dwelling.***

The Planning Officer presented the application as shown in the agenda report. He noted that as the proposal was to replace dilapidated buildings on the site, the applicant felt the proposal to be an enhancement. It was explained that the Planning Authority had no objections to the design of the proposal, but there were considered to be impacts in this open area of countryside.

Mr J Whitfield, supporter, commented he had lived on the opposite side of the road to the site for nearly 25 years. There were several isolated buildings along the northern side of

the main road. The proposal was of sympathetic design and would replace ugly farm buildings. It was a good design and supported by the community.

Mr F Della Valle, agent, noted there were five letters of support, unanimous support of the parish council and no highways objections. The distance between this proposal and the nearby listed building should not cause any detrimental impact. It was a brownfield site and the application had been submitted to get this design, rather than prior approval for conversion of existing building. He made reference to an approval given to a site in Park which he considered to be a parallel. He queried when by comparison this site was on the edge of settlement and nearer to shops why this proposal was not considered sustainable.

During discussion varying views were expressed by members including:

- Should be approved as it's a good design and supported by the parish council
- No justification for the proposal and does not satisfy policies
- Does not meet any criteria for Policy SS2 and is in the open countryside
- There are many buildings along that road that have been done up
- Not really a brownfield site. The dilapidated buildings could be knocked down and site returned back to greenfield.

It was initially proposed to approve the application, contrary to the officer recommendation, as the parish council supported the proposal and it was felt it did meet policies, however with 4 votes in favour and 8 against, this was not carried.

It was then proposed to refuse the application as per the officer recommendation, and this was carried 8 in favour, 4 against.

**RESOLVED:** That planning application 15/00858/FUL be REFUSED as per the officer recommendation, for the following reasons:

01. The proposal would represent new residential development in open countryside, for which an overriding essential need has not been justified. The application site is also remote from local services and therefore constitutes unsustainable development that is contrary to policies SD1, SS1 and SS2 of the South Somerset Local Plan (2006-2028) and to the aims and objectives of the National Planning Policy Framework.
02. The proposed development by reason of its form, scale and siting within open countryside, represents an incongruous form of development that fails to preserve the distinctive character and quality of the local landscape. As such, it has an unacceptable impact on the character, appearance and the rural context of the locality. The proposal is therefore contrary to policy EQ2 of the South Somerset Local Plan (2006-28) and provisions of chapters 7, 11 and the core planning principles of the National Planning Policy Framework.

*(Voting: 8 in favour, 4 against)*

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**42. Planning application 14/04300/FUL - Land at Aller Court Farm, Church Path, Aller. (Agenda Item 19)**

*Councillor Sue Steele having declared a personal and prejudicial interest left the meeting prior to the presentation of this application.*

*Councillor Shane Pledger returned to the room and resumed the role of Chairman.*

***Proposal: Proposed solar park comprising the erection of solar arrays, inverters, transformers, equipment housing, security fencing, internal tracks, ancillary equipment and ecological mitigation measure.***

The Planning Officer presented the application as detailed in the agenda. She informed members that two further letters of objection had been received but they did not raise any new issues. It was explained this was a revised application with a reduced area from the original application. She noted government guidance regarding these types of proposals, and highlighted the Landscape Officer comments regarding the landscape impact. She acknowledged there would be some harm, but on balance, not so great as to outweigh the benefit of the proposal.

Mr R Bates, spokesman for Aller Parish Council, Mr B Tyler, spokesman for Burrowbridge Parish Council and Mr C Palmer, spokesman for High Ham Parish Council addressed members in objection to the application. Their comments included:

- Tourism is important as well as farming and agriculture, need to think of tourists using the Parrett Trail and visiting Burrowbridge
- Historical significance of Aller Church should not be forgotten
- Acknowledge site had been selected due to proximity to pylons
- Considered to be clearly against policy and will impact on the landscape
- Government policy makes it clear that local communities should be able to influence decision and there had been much objection to the proposal from Aller and neighbouring parishes
- Burrowbridge Parish Council had not been officially informed of the application although residents of Stathe would overlook the site
- Site will be very visible from elevated points
- Not against farm diversification or renewable energy, but 240 objections is a significant number of people saying proposal is not wanted
- Reference to the Local Plan about diversification proposals should be of a suitable size and site relative to the location
- Many local people have made their feelings known and want to protect the area

Members were then addressed by a number of objectors: Ms T Hitchings spoke about landscape and visual impact, Mr A Crutchfield about tourism; Ms A Kennedy about history and archaeology, Mr H Best on behalf of the Campaign to Protect Rural England, Ms C Sessions about site selection, Mr A Elfick about localism, Mr D Muldoon on behalf of Bridgwater Bay Wildfowlers, Ms G Bentham about ecology, Ms E Major about local impact, and Ms D Dean provided a summary. Their comments included:

- Inappropriate for this location, will be an industrial installation in an open landscape. The unique landscape must be preserved.
- It will be visible from many locations and will be seen as a sea of glass on rising ground and will dominate the landscape for miles around.
- The area is an open landscape with minimal hedging and bounded by rhynes.

- Local people care for Aller Moor deeply, and communities surrounding the site depended on tourism, with cyclists, walkers and birdwatchers visiting throughout the year.
- Long term tourism would be served a massive injustice if this proposal is approved.
- No community benefit from this application
- Aller's history is important, and proposals such as this would not be considered near other historical locations.
- 55 acres of glass and steel will destroy the integrity of this historical setting.
- There is no clear information about the land grading classification
- Policies say should avoid open countryside and minimal overlooking where panels will be seen in the open landscape.
- A report supplied by the agents included a number of failures including information about what would, in reality, be non-achievable ecology mitigation measures
- Only about five letters of support for the application.
- Not nimbyism, but the application is inappropriate. Local people recognise the local area is one of the few remaining wetland areas in the UK.
- The Solar Trade Association (STA) has 10 commitments of good practice and, don't feel BSR are following, and this site will not be using low grade land.
- Aller Moor is home to many migrant birds and a nesting site. Quotes from the STA refer to damage to birds when they crash into panels mistakingly thinking them to be a lake –the lake effect.
- Ecology in the area is continuous with nationally important species, and red-listed species are associated with the site.
- Habitat and fragmentation will be unavoidable.
- Mitigation measures show further landscaping of hedges but this is not a natural feature in this landscape.
- As no post-construction plan, no measures to protect wildlife.
- Likely to be run-off contamination to water courses during construction.
- There are anomalies with the construction and transport management plan.
- Residents will effectively be prisoners in their own homes due to traffic during construction.
- Don't need another solar farm in Somerset, there are already around 45. Solar won't work at a 6pm peak on a winter day.
- One of the country's oldest moors with dynamic views is not a suitable location for this installation.
- Do the comments about landscape and visual impact really follow the NPPF?
- This unique pocket of farmland on the Somerset Levels and Moors should be protected.
- 25 years is not temporary, it's a generation.

Ms R Merry, supporter, commented that the country was nowhere near targets for renewable energy. She noted that at some time everyone would need to make a sacrifice for the future. Reference was made to international energy and the need to accelerate solar. She noted she was not anti nature and ecology, but supported the application in order to maintain the wider landscape.

Mr A Maltby, applicant, noted that farming, especially dairy, was in crisis. Climate change will change weather patterns globally, and he referred to national guidance about ambitions for energy generation. He noted the land underneath the panels would



continue to be grazed. He clarified that the lower land on the site could only be farmed to grade 3A, and that the NFU in their consultation documents supported the application.

Agents, Mr N Roberts, Mr A MacDonald and Mr J Perez then addressed members and their comments included:

- Key changes made in this application compared to the original, and the amended scheme had reduced the visual impact.
- Situated on the farm where least visual impact, but acknowledge will be visible from footpath and properties at Aller Ridge.
- Planting would screen the site and English heritage had confirmed it would not adversely affect the setting of Burrow Mump or Aller Church.
- 17MW farm would generate power for 3,500 homes over a year which equated to local communities as far away as Long Sutton.
- In light of requests from third parties they had sourced additional highway data and the impact of glare from the panels.
- Consulted closely with SCC Highways regarding concerns about lorries along Church Path. A trial had been run using 16.5m lorries, and they could manoeuvre with only slightly touching the verge at the bridge corner, but this would be reinstated after construction. Acknowledged cutting back hedges will be necessary.
- At another site accessed along a single track road, over a greater distance and passing a school, compliments had been received from locals that the construction traffic had been managed professionally.

Ward member, Councillor Shane Pledger, expressed strong concerns about the impact of the proposal and commented that the visual impact on the moor made him shudder. He acknowledged solar power was needed but this was the wrong location.

During the ensuing discussion, comments raised by members included:

- When visiting the site, the main point of note was the tranquillity of the site.
- Need tourism, it's unspoilt landscape that should stay.
- Sheep can only graze at low density under the panels due to damage.
- Site is in the middle of open landscape.
- There aren't lots of hedges it's ditched. Ecology and wildlife is precious and cannot be replaced.
- Never had so many letters and emails about an application in the 12 years as a councillor.
- Impressed by conduct of the audience and speakers.
- 55 Acres of good arable land for growing food.
- Difficult to graze beneath panels and will end up spraying.
- Every sympathy for the farmer, but feel this proposal is too big and in the short term, the planting will make little difference.
- SSDC Engineer comments about some elements of the proposal may be submerged is very significant.
- The proposal is too large and in a very sensitive area.
- Support renewable energy but in the right place. This will be large built form in open countryside.
- Concerned that the NFU are supporting the farmer in this way.

It was proposed to refuse the application, contrary to the officer recommendation, based primarily upon the visual and landscape impact.

On hearing the comments made, the Area Lead noted that clearly visual and landscape issues were a concern. Comments raised by the public about highways and ecology were not supported by consultee responses. He suggested that a reason for refusal should be based on the landscape characteristics. He read out the suggested wording for the refusal and this was agreed by members.

The proposal to refuse the application with the wording for refusal as suggested by the Area Lead, was put to the vote and carried unanimously.

**RESOLVED:** That planning application 14/04300/FUL be REFUSED, contrary to the officer recommendation, for the following reason:

Notwithstanding the benefits that would stem from renewable, low carbon power generation, the proposed solar park would be sited on the Somerset Moors, a flat, open, wetland landscape characterised by pasture and wetland, divided by rhynes, pollarded willows and occasional withy beds, with virtually no buildings and a general absence of hedges. The introduction of a large scale installation of photovoltaic panels, associated infrastructure and hedgerow planting, covering some 22 hectares, would constitute an alien feature within this highly distinctive landscape that would erode the landscape character and local distinctiveness to the detriment of visual amenity . as such the proposal is contrary to Policies EQ1 and EQ2 of the South Somerset Local Plan 2006-2028 and the policies contained within the National Planning Policy Framework, specifically Chapter 11 and the Core Planning Principles set out at paragraph 17 (bullet points 5 and 7).

*(Voting: Unanimous)*

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Chairman