

South Somerset District Council

Minutes of a meeting of the **Area North Committee** held at the **Edgar Hall, Somerton**, on **Wednesday 22 March 2017**.

(2.00 pm - 5.50 pm)

Present:

Members: Councillor Clare Aparicio Paul (Chairman)

Neil Bloomfield	Crispin Raikes
Adam Dance (to 4.40pm)	Jo Roundell Greene
Graham Middleton	Sue Steele
Tiffany Osborne	Gerard Tucker
Stephen Page	Derek Yeomans

Officers:

Helen Rutter	Assistant Director (Communities)
Sara Kelly	Area Development Lead (North)
Katy Menday	Countryside Manager
Pauline Burr	Neighbourhood Development Officer (North)
Nigel Collins	Transport Strategy Officer
Angela Watson	Legal Services Manager
Adrian Noon	Area Lead (North/East)
Nick Head	Planning Officer
Alex Skidmore	Planning Officer
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.

158. Minutes (Agenda Item 1)

The minutes of the meeting held on 22 February 2017 were approved as a correct record and signed by the Chairman.

159. Apologies for absence (Agenda Item 2)

Apologies for absence were received from Councillors Dean Ruddle and Sylvia Seal.

160. Declarations of Interest (Agenda Item 3)

Councillors Neil Bloomfield and Graham Middleton declared personal interests for item 8 – Our Place Martock Programme Annual Update, and for item 17 – Planning Application 16/04699/OUT, as they are both also members of Martock Parish Council.

161. Date of next meeting (Agenda Item 4)

Members noted the next meeting of Area North Committee is scheduled for 2.00pm on Wednesday 26 April 2017, at the Edgar Hall in Somerton.

162. Public question time (Agenda Item 5)

The Chairman noted a member of the public wished to address members about item 12 – Community and Public Transport, and he would be invited to speak at that time when the officer would be present.

163. Chairman's announcements (Agenda Item 6)

The Chairman made no announcements.

164. Reports from members (Agenda Item 7)

There were no reports from members.

165. Martock Parish Council Our Place Martock Programme Annual Update (Agenda Item 8)

The Area Development Lead (North) introduced the report and briefly reminded members of the Martock Our Place Programme and the grant funding that had been awarded by Area North Committee in March 2016 to cover a three year period via a Service Level Agreement. She introduced Tracey Smith, Community Services Co-ordinator for Martock Parish Council, who provided a very informative presentation to update on the work achieved over the past year. The presentation included detail about:

- Project area and statistics
- Vision and mission
- Service transformation
- Resourcing and staffing investment
- Large team of volunteers, and it wouldn't be possible to achieve the mission without volunteer support
- Community led projects and events
- Media communication
- Achievements regarding information and support for individuals and groups
- Working with partners
- Future plans

During a short discussion, the Area Development Lead and Community Services Co-ordinator responded to point of detail. Members commended staff and volunteers for the work achieved and noted they were pleased to be supporting the programme.

The Chairman thanked the officers for the comprehensive report and presentation.

RESOLVED: That the report and presentation be noted.

166. Feedback from Area North Annual Parish Meeting (Agenda Item 9)

The Chairman and Area Development Lead (North) introduced the report as detailed in the agenda. During a very brief discussion members acknowledged that it was a good networking event and made some suggestions regarding events in future years including:

- Would be useful for all attendees to know the parishes which attended.
- Would be better to use a venue more central to the area.

The Chairman and officer noted the comments made.

RESOLVED: That the report be noted.

167. Langport Cycleway Report (Executive Decision) (Agenda Item 10)

The Countryside Manager and Neighbourhood Development Officer (North) presented the report as detailed in the agenda, and explained that it was considered an appropriate time to review the future of the route. They noted the route was fully accessible but not in great condition, and locally it was valued as a recreational route. They noted there was need to talk with local people, user groups and parish councils to ascertain opinions and explore future options. It also needed to be borne in mind that the route links to other recreational and tourism routes and activities locally.

During a short discussion members expressed support for the one-off funding package, as this would create the time needed for a longer term plan to be developed, such as parish councils being approached regarding possible funding. It was noted that cycle routes were being explored elsewhere locally with aspirations to link to the Langport Cycleway.

It was proposed to approve the officer recommendations, and on being put to the vote, was carried unanimously.

RESOLVED: That members:

1. Approved £2,706 of funding from Area North Reserves to pay the access licence fees for 2017/2018 to allow for a period of investigation by officers.
2. Noted the future options available for the route.
3. Agreed to a further report being brought at the end of 2017 to discuss and progress the future management arrangements for the route.

Reason: To provide an update on the current position of the Langport Cycleway and to consider financial support towards the access licence fees for 2017/2018.

(Voting: Unanimous)

168. Area North - Business Flood Recovery & Future Resilience Update (Agenda Item 11)

The Neighbourhood Development Officer (North) presented the report as detailed in the agenda and provided an overview of the business support grant scheme, how it had come about and the work achieved to date. She explained briefly how some of the money had been spent so far and highlighted key elements of projects and research undertaken to date, and provided examples of media used in PR campaigns.

A social networking event and digital workshops had been organised and well attended. Visitor websites had also been reviewed and many required good quality media products to promote the area, so money had been used to commission video clips for businesses to use free of charge on their websites.

Looking to the future, she explained that plans included:

- Review of the River Parrett Trail – the physical state, artwork and businesses associated with it. There were limited resources available and Cllr Raikes had offered to help read through some documents.
- Organising another networking meeting
- Themed articles for visitor type publications
- Signposting opportunities and sharing information
- Arranging sector specific workshops

During a short discussion members commended the work done and suggested some ideas for future work including more collaboration between services and businesses. Some members made reference to the media coverage of the floods and noted that should such an event occur again that more needed to be done to manage the media coverage to ensure accurate messages were conveyed. At the conclusion of discussion members were content to note the report and agree the priorities, as suggested, for the next stage of the support scheme.

RESOLVED: That members noted the report and progress of the local business support scheme, and agreed the priorities for its next stage.

Post meeting note: The video clips referred to can be viewed at:
<http://www.discoversouthsomerset.com/videos.aspx>

169. Corporate Support For Community And Public Transport (Agenda Item 12)

Mr P Edge of Langport Transport Group addressed members regarding the possibility of re-instating a railway station for Langport. He referred to a meeting in October 2016 led by the County Council, attended by the MP and users groups, where a proposal was made regarding undertaking a feasibility study for a station. He noted pledges had been made for funding towards the feasibility study and he questioned what progress had been made since the meeting.

In response, the Transport Strategy Officer (SSDC) suggested that a separate meeting be arranged with key ward members and officers to address a response to Mr Edge and to consider the proposed feasibility study for a new station.

The Transport Strategy Officer then presented his report as detailed in the agenda. He noted he was aware there were some fare issues relating to the Links service. A meeting

had been arranged for 5 April to explore options of how Links costs and operations could be improved.

During a short discussion, the officer responded to points of detail including:

- Concerns about highway safety and the bus stop near the Halfway House at Pitney were a matter for Highways, but he would forward the issue.
- Should issues arise regarding any staff aboard public transport it was important that precise details of the route, date and time were noted in order that the relevant member of staff could be identified at a later date.
- Explanation of the logistics regarding bus sizes and costs.
- Explanation of how concessionary fares work. The significant cost of the scheme being be extended to young people would effectively require a directive or similar from central government.

Members were content to note the report, and the Chairman thanked the officer for his informative report.

RESOLVED: That the report be noted.

170. Area North Committee Forward Plan (Agenda Item 13)

The Assistant Director (Communities) informed members there would be a report regarding adopting the Area Development Plan for 2017/18, but the new Council Plan was awaited first and so the report was likely to made in May or June.

RESOLVED: That the Area North Committee Forward Plan be noted, including the following update:

- Adoption of the Area Development Plan for 2017/18 – to be added for May / June.
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171. Planning Appeals (Agenda Item 14)

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

172. Schedule of Planning Applications to be Determined By Committee (Agenda Item 15)

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

173. Planning Application 15/04331/S73 - Northfield Farm, Northfield, Somerton. (Agenda Item 16)

Proposal: Section 73 application to vary condition no. 25 of planning approval 10/03704/FUL dated 17/05/2013 to amend the list of approved drawings to amend house types.

The Planning Officer presented the proposal as detailed in the agenda, noting that most members would be familiar with the application. She explained that the application was back at committee to consider a slightly revised position for the new Langport Road junction. The applicants were seeking to move it approximately two metres west of the previously agreed position in order to overcome a land ownership issue that had arisen.

She informed members that the applicants were also seeking to agree the discharge of a number of detailed conditions (that formed part of the Committee's earlier resolution), following the submission of detailed information. On the basis of information submitted and with agreement of professional consultees it was accepted that the information provided in relation to pre-commencement conditions 2, 3, 4 and 5, conditions 7, 9, 10, 11, 12 and 15 was acceptable and as such the conditions had been reworded to reflect this. Condition 22 regarding the new junction was also reworded to refer to the latest amended plans. She further advised that condition 23 for approved plans would need to be updated to refer to the latest schedule of approved plans which was received on 21 March 2017.

It was noted regarding condition 6 (materials) and 18 (phasing plan) despite the wording for these conditions in the report these remained outstanding, and the officer asked that the wording of these conditions revert back to that previously agreed by Committee.

She provided members with some updates including:

- The Highway Authority and Somerton Town Council had confirmed their support for the revised position of the Langport Road junction.
- One further letter has been received from a local resident who felt that a pedestrian crossing somewhere near the new Langport Road junction was needed as this would be the only one in the area and this would also help to slow traffic along Langport Road.

Mr D Harrison, spokesperson for Somerton Town Council, noted they had carefully considered the S73 application and were supported the proposal to move the junction as it was a fairly minor change. He noted comments made by residents which were included in the officer report, but acknowledged that many of the comments did not refer specifically to this S73 application.

Mrs M Chambers and Mr T Bown addressed members in objection to the application and their comments included:

- Why were comments of Somerton Town Council and Highways being reported verbally?
- There is a lack of an adequate construction traffic plan – HGV traffic is currently not adhering to the plan.
- There is inadequate signage for construction traffic.
- Based on experiences so far what confidence could local people have with the developer.
- In April last year, Somerton Town Council requested a full Highways review – don't believe this has taken place.
- The closure of Bancombe Road means a longer journey for users of the business park and resident.
- Urge SCC not to proceed with closure of road at Northfield until a later date.

Ward member, Councillor Stephen Page, noted the comments of the Town Council and residents. Overall he supported the application but noted he would like to try and get safer access as a number of pavements were not joined up. He felt the exterior

appearance of the houses could be better fitted in with local design and it would have been good to see some renewable energy included.

The Chairman clarified to members and the public that the application was to consider a change to the road junction on a site that already has planning permission.

Some members expressed the opinion that they felt the dwelling density was too high and also that they would like to see comments from the Police Liaison Officer as a statutory consultee. At the end of the brief discussion it was proposed to approve the officer recommendation subject to the changes in conditions as detailed during the officer presentation. On being put to the vote the proposal was carried 8 in favour, 1 against with 1 abstention.

RESOLVED: That planning application 15/04331/S73 be APPROVED, as per the officer recommendation, subject to the following:

a) The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to:

- Ensure the delivery of the development with 46 affordable homes, as specified on the approved plans, with 32 for rent accommodation and 14 shared ownership to the satisfaction of the Strategic Housing Manager.
- Provide for a contribution of £147,084 for the provision of 12 new infant school places, to the satisfaction of the County Education Authority.
- Provide a contribution of £440,012 (or £3,308 per dwelling) towards sports, arts and leisure contributions, to the satisfaction of the Development Manager in consultation with the Assistant Director of Health & Wellbeing broken down as:
 - £281,630 for local facilities;
 - £40,273 for strategic facilities;
 - £113,752 as a commuted sum towards local services;
 - £4,357 as the Community Health and Leisure Service administration fee.
- Secure the provision, and appropriate future management of the on-site open space and LEAP either by adoption (with an appropriate commuted sum as defined by the Open Spaces Officer) or by a Management Company.
- Ensure appropriate Travel Planning measures as agreed by the Development Manager in conjunction with the County Travel Plan Coordinator.
- Provide for the agreement of the phasing of development including the delivery of improvements to the Langport Road junction as identified on the approved plans.
- Ensure that the financial obligations are index linked at the appropriate rate.

b) The imposition of the planning conditions set out below on the grant of

planning permission.

Justification:

The proposed development is located within the area identified as being within the direction of growth for Somerton and would make a significant contribution to the council's housing supply without resulting in any demonstrable harm to landscape, residential or visual amenity, ecology, archaeology, highway safety, drainage or flooding, and without compromising the provision of services and facilities in the settlement. As such the scheme is considered to be a sustainable form of development that accords with policies SD1 , SS1, SS4, SS5, SS6, LMT3, HG5, TA1, TA4, TA5, TA6, HW1, EQ1, EQ2, EQ3, EQ4 and EQ7 and the provisions of the National Planning Policy Framework.

Subject to the following conditions:

01. The development hereby permitted shall be begun before the expiration of three years from the date of the original planning permission (10/03407/FUL), i.e. before 17 May 2016.

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

02. The development shall be carried out in all respects in accordance with the scheme of drainage set out within the details provided by PFA Consulting and set out on drawings numbered B285/106 Rev A, B285/107, B285/108, B285/109, B285/110, B285/404 Rev A, B285/304 Rev A, B285/204 Rev A, B285/132, B285/131, B285/130 Rev A, B285/118 Rev C, B285/105, B285/104, B285/103, B285/102, B285/101 Rev C, B285/121 Rev A, B285/120 Rev B, B285/125 Rev B, B285/117 Rev D, B285/116 Rev C and B285/100 Rev D, unless otherwise agreed in writing by the local planning authority.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal in accordance with the requirements of the National Planning Policy Framework.

03. The development hereby approved shall be carried out in accordance with the details set out within the water efficiency scheme by breglobal received 12/12/2016, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of sustainable development and prudent use of natural materials, in accordance with the requirements of the National Planning Policy Framework.

04. The development hereby permitted shall be carried out in accordance with the Construction Management Plan (document ref: 0133/CMP/01 Project 0133 Rev B) received 12/12/2016, unless otherwise agreed in writing by the Local Planning

Authority.

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

05. The development shall be carried out in accordance with the recommendations set out within the Site Investigation document (ref 310717 R1 (00) dated May 2008, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, in accordance with policy EQ7 of the South Somerset Local Plan.

06. Within one month of the date of this permission details of the materials to be used for external walls and roofs of the development shall be submitted to and agreed in writing by the local planning authority. The approved details shall thereafter be carried out in full, unless otherwise agreed in writing by the local planning authority.

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

07. The landscaping scheme, including details of the species, siting and numbers of plants to be planted shall accord with the details set out on drawings numbered 15/253-06 Rev D, 15/253/07 Rev D, 15/253/08 Rev D, 15/253/09 Rev D and 15/253/10 Rev D. The approved details shall be carried out in phases to correspond with the approved phasing plan agreed under condition 8 of this permission. Within the first planting season from the date of commencement of the relevant phase the associated planting included within that phase area shall be carried out in its entirety, unless otherwise agreed in writing by the Local Planning Authority. For a period of five years after the completion of the landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with policy EQ2 of the South Somerset Local Plan.

08. The boundary treatments shown on the approved plans shall be completed before the part of the development to which it relates is occupied and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a

satisfactory contribution to the local character and distinctiveness of the area and in the interests of the amenities of the neighbouring residents in accordance with policy EQ2 of the South Somerset Local Plan.

09. The development hereby approved shall be carried out in accordance with the levels and finished floor level details set out on drawings numbered 0133 EL-101 Rev D, 0133 EL-102 Rev D, 0133 EL-103 Rev C, 0133 EL-104 Rev C and 0133 EL-105 Rev D, unless otherwise agreed in writing by the local planning authority.

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

10. The development hereby permitted shall be carried out in accordance with the submitted window, door, cill and lintel details, unless otherwise agreed in writing by the local planning authority.

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

11. The eaves/fascia board and rainwater goods shall accord with the submitted details, unless otherwise agreed with the local planning authority.

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

12. The hard surfaces that form part of the development hereby approved shall be carried out and maintained at all times thereafter in complete accordance with the details set out on drawings numbered 0133 101 Rev A, B627 204, B285 304 Rev A, B647 404, B647 503 and 0133 SD-1001 Rev A, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and to mitigate any flood risk in accordance with policy EQ2 of the South Somerset Local Plan and the provisions of the NPPF.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions (including dormer windows) or outbuildings shall be added without the prior express grant of planning permission.

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

14. The areas allocated for parking, including garages and car ports, shall be kept clear of obstruction and shall not be converted or used other than for the parking of vehicles in connection with the

development hereby permitted.

Reason: To ensure that adequate parking is provided and maintained to meet the needs of the development in accordance with policy TA6 of the South Somerset Local Plan.

15. All electrical and telephone services to the development shall be run underground, all service intakes to the dwellings shall be run internally and not visible on the exterior and all meter cupboards and gas boxes shall be positioned on the dwellings in accordance with the details submitted 13/12/2016, unless otherwise agreed in writing by the Local Planning Authority.

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

16. No part of the development shall be occupied unless that part of the estate road network that provides access to it has been constructed in accordance with the approved plans.

Reason: To ensure that adequate access arrangements exist for each building prior to occupation, in accordance with Policy TA5 of the South Somerset Local Plan.

17. The protection of wildlife identified in the ecological report shall be carried out in accordance with the recommendations of the report by Ecology Solutions Ltd, dated May 2010. In the event that it is not possible to adhere to these recommendations all development shall cease and not recommence until such time as an alternative strategy has been submitted to and approved in writing by the local planning authority.

Reason: To safeguard the ecologic interests the site in accordance with policy EQ4 of the South Somerset Local Plan.

18. Within one month of the date of this permission a programme showing the phasing of the development shall be submitted to and agreed in writing by the local planning authority. Such details shall include the timing for the formation of the new access arrangements, the delivery of the new estate roads and ancillary works, including road closures, stopping up and appropriate traffic regulation orders. The development shall thereafter be carried out in complete accordance with the approved phasing plan, unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of highway safety and to ensure the comprehensive development of the site in line with the planning obligations that have been agreed in accordance with policies SS6, HG3, TA5 and HW1 of the South Somerset Local Plan.

19. Prior to the commencement of the new road junction (Section 278) works details of the surfacing of the roads, footways, footpaths and cycleways and the design of any bus stops, street

lighting and street furniture shall be submitted to and approved in writing by the Local Planning Authority. Once approved such details shall be fully completed in accordance with the agreed phasing.

Reason: In the interest of highway safety, in accordance with Policy TA5 of the South Somerset Local Plan.

20. The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

Reason: In the interest of highway safety, in accordance with Policy TA5 of the South Somerset Local Plan.

21. Prior to the commencement of the new road junction (Section 278) works, temporary pedestrian and cycle links shall be provided in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be maintained during the entire construction phase.

Reason: In the interest of highway safety, in accordance with Policy TA5 of the South Somerset Local Plan.

22. At the proposed access onto Langport Road there shall be no obstruction to visibility greater than 300 millimetres above adjoining road level within the visibility splays shown on the submitted plans ref. B647/404 and 14004.101 Rev J. Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interest of highway safety, in accordance with Policy TA5 of the South Somerset Local Plan.

23. The development hereby permitted shall be carried out in accordance with the plans listed on the Application Drawing Listed dated 21/03/2017.

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

(Voting: 8 in favour, 1 against, 1 abstention)

174. Planning Application 16/04699/OUT - Land Adjoining Long Orchard Way, Martock. (Agenda Item 17)

Proposal: Outline planning application for the erection of 12 No. dwellings (incorporating details of access) and associated works including drainage infrastructure and highway works.

The Planning Officer presented the application as detailed in the agenda, noting that the proposal for 12 dwellings was a reduction from the original submission. It was noted the wording of the title was a little confusing, but was exactly as submitted on the application, but for clarity he noted it could have read 'outline planning application for the erection of 12 dwellings with all matters reserve except for access'. He explained that an indicative layout had been submitted to show that 12 dwellings could comfortably fit into the site.

He updated members that an additional letter had been received from a local resident. One comment referred to housing numbers stated in the Local Plan, flooding and criticism of the site layout and design. Another suggested delaying a decision until the Mertoeh Leat development was completed and the impact of it could be ascertained.

Mr A Clegg, a member of the steering committee doing the Martock Neighbourhood Plan, spoke in objection to the application. He referred to drainage routes across the site, most of which were underground, and feared these could become blocked. It was noted data about future flooding was unknown and he felt the application should be delayed until later in the term of the Local Plan.

Mr S Travers, agent, noted, the number of proposed dwellings had been reduced by half since that originally submitted, and the density was now akin to the neighbouring conservation area at Matfurlong Close. He made reference to policies and noted that 19 statutory consultees had been contacted and all had reported no objection including the Conservation Officer. No consultees had raised issues about flooding, and the site could not effectively be farmed due its size. He considered there would be no significant detrimental effects from the proposal.

Ward member, Councillor Neil Bloomfield, commented that SSSC did not currently have a five year land supply but also noted there was not a housing crisis in Martock although 1 and 2 bed houses were wanted. He feared if the principle of housing on the site was approved that the developer may return in the future seeking more dwellings. He did not support the application and felt there would be an impact on the residents of Hurst, and noted there was local opposition to the proposal.

Ward member, Councillor Graham Middleton, noted the Long Orchard Way development being built made this application site appear even more land-locked but that did not mean it had to be built on. Traffic from the site would have to go out on to Water Street which often had numerous parked cars causing manoeuvring to be difficult at times. He also made reference to the housing numbers stated in the Local Plan.

During the ensuing discussion, many members voiced concern about the proposal. Comments raised included:

- Traffic in Martock is eroding the village.
- Reference to housing numbers in the Local Plan.
- If there is a desperate need for housing in Martock why aren't sites with approval being built?
- Feel there are issues around flooding risk and traffic.

- Acknowledge more homes are needed nationally. Builds need to be done appropriates sites and don't think this is an appropriate location. More houses will put Martock at risk of losing its character.
- An unusual site having housing on three sides.
- Will be detrimental to residents of Hurst and Water Street, and will impact on the conservation area

In response to comments raised the Area Lead explained that:

- Many of approved housing permissions in Martock had not come forward to build yet including the houses south of Coat Road.
- Guidance is clear in the absence of a five year land supply.
- An increase in the number of dwellings at this application site would require a new application.
- If housing at Coat Road doesn't come forward to build then it would make housing need in Martock more acute.
- Acknowledge housing over a certain level in the Local Plan is unacceptable, and appeal decisions have indicated this may be around the 35% mark.
- Need to consider the five year land supply including a 20% buffer.
- Site is now surrounded by development and there may be issues with using the site for recreational use.
- Highway reasons – following the guidance set down in the NPPF, there was a need to carefully consider if 12 additional dwellings resulted in severe cumulative transport impacts.
- No statutory consultee had raised concern about flooding issues and the site is adjacent to a neighbouring site with permission.
- Deferring the application for further advice from independent advisors may be alternative way forward.

The Legal Services Manager cautioned members about referring to flooding in a reason for refusal as no adverse comments had been received from statutory consultees and the neighbouring site had been approved. In addition, members would have the ability to scrutinise the proposed drainage scheme at the reserved matters stage.

At the conclusion of debate it was proposed to refuse the application, contrary to the officer recommendation due to the adverse impact on amenity for existing properties to the north and west of the site, and the impact on the neighbouring conservation area. On being put to the vote, the proposal was carried 8 in favour of refusal, 1 against with 1 abstention.

RESOLVED: That planning application 16/04699/OUT be REFUSED, contrary to the officer recommendation, for the following reasons:

Reason:

1. The proposed development, by reason of the level of development and loss of open space, would result in an unacceptable loss of amenity and outlook to existing residents to the north and west. As such the proposal is contrary to policy EQ2 of the South Somerset Local Plan 2006-2028 and the policies contained within the National Planning Policy Framework.
2. The proposed development, by reason of the level of development and loss of characteristic open space, would result in an unacceptably

adverse impact on the setting of the adjacent conservation area. As such the proposal is contrary to policy EQ3 of the South Somerset Local Plan 2006-2028 and the policies contained within the National Planning Policy Framework.

(Voting: 8 in favour of refusal, 1 against, 1 abstention)

175. Planning Application 16/04191/OUT - Land at Willows Business Park, Westover Trading Estate, Langport. (Agenda Item 18)

Proposal: Outline application (only access to be determined) for up to 22 dwellings, employment units up to 790m sq for B1 use and raising of site levels to form flood defences.

The Planning Officer presented the application as detailed in the agenda report and highlighted the proposed flood prevention works. He reminded members of the extant permission on part of the site for workspace of B1, B2 and B8 use where the same flood defences had been proposed and approved. It was explained that the current application being considered proposed reducing the amount of employment land to B1 use only together with residential properties. Part of the site was in flood zone 3b which is where guidance indicated residential use should not be sited.

He noted the proposal had failed the sequential test and he referred to appeal decisions across the country where Inspector comments had referred to building in floodplains should be avoided and that new buildings should not rely on the building of flood defences. The current site was in the functional floodplain. He pointed out that there was also a need to separate residential and certain types of industrial use as a matter of sound planning practice, and in the interests of residential amenity.

Mr R Upton, agent, noted the two reasons for refusal were flood risk, and noise and nuisance, however there had been no objection from Environment Health about noise. If the flood defence work was done then the site would no longer be a flood zone, and the flood works proposed were not new. He noted if an initial application was submitted to do the flood defences and then a future application for development that it would likely be looked upon favourably, however the cost of doing the flood defences could only now be cost effective with the inclusion of residential on the site. He asked that the application be approved subject to a condition requiring the flood defences to be completed first.

Ward member, Councillor Clare Aparicio Paul commented there had been lengthy discussions locally about the proposal and it had also been looked at from a regeneration aspect for Westover. She also acknowledged that the site had a long and chequered planning history.

During a short discussion mixed opinions and comments were raised by members including:

- During floods of 2013/14 waded through parts of Westover as river had burst its banks
- Crazy to put housing here
- To mix industrial units and so much housing is not a good idea
- Raising the ground levels here has been approved before but it will be very expensive
- Don't want houses built if risk of flooding

- Support if raising levels protects rest of estate and buildings
- Should not build on land we know already floods
- Need to be careful about what effect any flood defence works may have on river levels upstream
- Regarding noise - Concerned housing so near workshops
- Flood risk and industrial location make the site unsuitable for housing

In response to comments made the agent was invited to clarify some details, he noted that no bund as such was proposed. Areas indicated would be raised so that they didn't flood. The Environment Agency had agreed that raising levels would not cause increased flooding elsewhere.

The Planning Officer also clarified that after the levels had been raised flood water would go around the development rather than through it.

At the end of discussion it was proposed to refuse the application as per the officer recommendation, and on being put to the vote, was carried 7 in favour, 2 against with no abstentions.

RESOLVED: That planning application 16/04191/OUT be REFUSED, as per the officer recommendation, for the following reasons:

Reason:

01. The proposal comprises housing development that is incompatible with its setting within the functional floodplain (Flood Zone 3b) and which fails the Sequential Test required for consideration of development within such a setting. It therefore fails to meet an important objective of national policy which seeks to steer new development to areas with the lowest probability of flooding. In these respects, the proposal represents unsustainable development, contrary to aims of the NPPF, Government Online Planning Practice Guidance and Policies SD1 and EQ1 of the South Somerset Local Plan.
02. The proposal, by reason of its siting in close proximity to, and accessed through an industrial estate accommodating all forms of industry including those within the B2 Use Class, fails to secure a high standard of design that would ensure a good standard of amenity for future occupants of the development, contrary to the stated aims of the NPPF and Policy EQ2 of the South Somerset Local Plan.

(Voting: 7 in favour of refusal, 2 against, 0 abstentions)

176. Planning Application 16/04723/FUL - Land At Junction of Behind Town, Touch Lane, Compton Dundon. (Agenda Item 19)

Proposal: Erection of a single residential dwelling with onsite parking and turning.

The Planning Officer introduced the report and updated members that two further letters had been received from local residents. One noted that seven of the letters of support

were from people who did not live in the village. The other questioned if the applicant owned the entire site – this had been checked with the agent who had confirmed all the land was in the applicant's ownership.

She then presented the application as detailed in the agenda, highlighting that a temporary Tree Preservation Orders (TPO) had been placed on trees at the site.

Mr G Walker, spokesperson for Compton Dundon Parish Council, noted they had taken the view that this type of development was needed in the village and had discussed the temporary TPO. The Parish Council had also carefully considered infill development permitted elsewhere in the village and also the impact on the nearby by-way.

Mr T Pole, addressed members in objection to the proposal. He raised concerns about the drainage ditch to the east of the site which when flooded went across the application site. He also noted due to the restricted size of the site any development would likely cause damage to tree roots. There would be very little space in front of the building which was likely to give an overbearing appearance. He questioned if there was a need for this property to be built in such a rural location.

Mr M Jones and Mr A Harvey, spoke in support of the application and their comments included:

- At least one tree was already damaged or diseased and could come down at any time and damage a mobile home in the adjacent field.
- The government supports self-builds and the build will bring local employment.
- Applicants were well known in the village and have family ties.

Mr C Swain, applicant, noted the temporary TPO had been put in place following comments from a local tree surgeon about health of the trees. They were mindful of the by-way surface and would monitor and repair to any standards necessary. He noted there were a number of properties in the village that had very little, if any, land in front of the buildings. He also noted local people had commented on the proposal and no objectors had contacted him directly or raised objections at Parish Council meetings.

Ward member, Councillor Stephen Page, commented it was a difficult application. He noted it had support of the Parish Council who looked at these matters very carefully, but he also acknowledged and understood the comments of those who had raised concerns.

During debate members made comments in support of the application including:

- It's a modest house
- There are questions about the current health of some of the trees and surprised there was a temporary TPO.
- Weighing up arguments, feel no demonstrable harm could be done.
- A house near a drove is acceptable.

In response to comments made, the Area Lead clarified:

- The size of the site and dwelling, and details of the by-way.
- Officers were not suggesting there was issue about principle, but by virtue of the layout and cramped nature the proposal may be an intrusive consolidation of built form.
- The TPO was only temporary in order to provide time to consider the application. If members were minded to approve the application it was recommended the TPO slips away as the trees are unlikely to have a future.

- Removal of Permitted Development Rights for extensions and outbuildings would be reasonable due to the size of the site.

As members were minded to approve, the Area Lead suggested the wording for the justification would largely be the reverse of the reason indicated in the agenda report. He suggested there should be conditions for:

- Time limit
- Plans
- Landscaping
- Removal of Permitted Development Rights for extensions and outbuildings
- Details of hardstanding to be agreed

At the end of discussion it was proposed to approve the application, contrary to the officer recommendation, as the proposal was considered to be acceptable, subject to the conditions and wording of the justification as suggested by the Area Lead. On being put to the vote, the proposal was carried unanimously in favour.

RESOLVED: That planning application 16/04723/FUL be APPROVED, contrary to the officer recommendation, subject to the following:

Justification:

The proposed development, by reason of its siting, layout and design, is considered to be an acceptable and appropriate form of development that would respect the existing pattern of development in the area. The development is therefore considered to comply with the aims and objectives of policies SD1, SS2, EQ2 and EQ5 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

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 drawings numbered 1007:DP:OG:01, 1007:DP:OG:03, 1007:DP:OG:04, 1007:DP:OG:05, 1007:DP:OG:06 and 1007:DP:OG:07 received 31/10/2016.

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

03. 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, 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 first occupation of the dwelling 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 rural amenities of the area to accord with policy EQ2 of the South Somerset Local Plan.

04. 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 extensions to the dwelling hereby permitted and no outbuildings or garages erected within the approved associated curtilage without the prior express grant of planning permission.

Reason: To safeguard the rural amenities of the area in accordance with policy EQ2 of the South Somerset Local Plan.

05. The development hereby permitted shall not be commenced unless surface details for the areas of hardstanding have been submitted to and agreed in writing by the Local Planning Authority. The areas of hardstanding shall thereafter be implemented and permanently maintained in accordance with the agreed details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To limit any increase in surface water runoff from the site to accord with policy EQ2 of the South Somerset Local Plan.

(Voting: Unanimous in favour)

177. Planning Application 16/05355/LBC - Badgers Cottage, Peak Lane, Compton Dundon. (Agenda Item 20)

Proposal: The carrying out of various internal and external alterations to include installation of a porch (partly implemented).

The Planning Officer presented the application as detailed in the agenda, noting that it was only before members as the applicant was a member of staff.

There was no discussion and it was proposed to grant consent, as per the officer recommendation, and on being put to the vote was carried unanimously.

RESOLVED: That the application for listed building consent 16/05355/LBC be GRANTED, as per the officer recommendation, subject to the following:

Justification:

01. The works, by reason of their scale, design and materials, respect 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:

01. The works hereby permitted are reflected in the submitted Design and Access Statement, as amended by details submitted by email on 23 February 2017.

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

02. Within 6 months of the date of this grant of consent, details of the new means of enclosure of the internal staircase shall be submitted for approval to the Local Planning Authority. Once approved, the details shall be fully carried out in accordance with a timetable to be agreed by the Local Planning Authority.

Reason: To safeguard the character and appearance of the listed building in accordance with the aims of the NPPF and Policy EQ3 of the South Somerset Local Plan.

(Voting: Unanimous)

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Chairman