

South Somerset District Council

Minutes of a meeting of the **Area North Committee** held at the **Edgar Hall, Somerton** on **Wednesday 26 April 2017**.

(2.00 pm - 5.40 pm)

Present:

Members: Councillor Clare Aparicio Paul (Chairman)

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| Neil Bloomfield | Jo Roundell Greene |
| Adam Dance (from 2.15pm) | Dean Ruddle |
| Graham Middleton | Sylvia Seal |
| Tiffany Osborne | Gerard Tucker |
| Stephen Page | Derek Yeomans |
| Crispin Raikes | |

Officers:

| | |
|----------------|------------------------------------|
| Helen Rutter | Assistant Director (Communities) |
| Katy Menday | Countryside Manager |
| Lynda Pincombe | Community Health & Leisure Manager |
| Sara Kelly | Area Development Lead (North) |
| Paula Goddard | Senior Legal Executive |
| Adrian Noon | Area Lead (North/East) |
| Alex Skidmore | Planning Officer |
| Mike Hicks | 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.

178. Minutes (Agenda Item 1)

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

179. Apologies for absence (Agenda Item 2)

An apology for absence was received from Councillor Sue Steele.

180. Declarations of Interest (Agenda Item 3)

Councillors Tiffany Osborne and Derek Yeomans declared personal interests for item 15 – planning application 17/00520/FUL, as they are both also members of Curry Rivel Parish Council.

Councillors Adam Dance and Crispin Raikes declared personal interests for item 17 – planning application 17/00265/OUT, as they are both also members of South Petherton Parish Council.

Councillor Adam Dance declared a personal interest for item 14 – planning application 16/04608/OUT as he was involved with the management of Tintinhull Court.

Councillor Sylvia Seal declared a personal and prejudicial interest for item 14 – planning application 16/04608/OUT, as the applicant (owner of the business) is a close family friend.

181. Date of next meeting (Agenda Item 4)

Members noted the next meeting of Area North Committee is scheduled for 24 May 2017, at the Village Hall in Norton Sub Hamdon.

182. Public question time (Agenda Item 5)

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

183. Chairman's announcements (Agenda Item 6)

The Chairman noted that NatWest Bank were closing the branch in Langport, and that various meetings had taken place locally, but the closure was going ahead. Alternative ways of providing banking provision in the town were now being investigated.

184. Reports from members (Agenda Item 7)

Councillor Gerard Tucker noted he had attended an act at the new Westlands Entertainment Venue. Whilst the changes to the centre were impressive he was disappointed with the act he saw and felt much of the show content had been inappropriate, and suggested that vetting of some shows may be required.

185. Update Report from the Countryside Service (Agenda Item 8)

The Countryside Manager presented the report as shown in the agenda, and provided an overview of the work of the team and the outcomes achieved during the last year. Key elements of her report were highlighted including facts and figures and site specific projects. She noted much work was undertaken by volunteers. Volunteering had diversified to include project work, the Ninesprings Café and working with people with learning difficulties and mental health issues.

Councillor Sylvia Seal, as Portfolio Holder for Leisure and Culture, thanked the Countryside Manager and her team of staff and volunteers for their excellent work within the Country Parks and their various successes at grant funding applications. She particularly commended the work of the volunteers who freely gave their time and without whom the parks would not be maintained to their high standard. She further requested

that the list of events to be held by the Countryside Service be circulated to all parish councils for information.

During a short discussion, the Countryside Manager responded to points of detail including information about:

- Capacity for visits and events
- Funding
- Blues and Browns project at Eastfield.

The Assistant Director (Communities) also reminded members that team were able to offer advice to local groups and parishes about management of small sites of community interest.

The Chairman and members commended the team and volunteers for all their work and thanked the Countryside Manager for informative report.

RESOLVED: That the report be noted.

186. Community Health and Leisure Service Update (Agenda Item 9)

The Community Health and Leisure Manager presented the report as detailed in the agenda, and provided an overview of the work of the team and the achievement over the year. She highlighted key statistics and projects within the report, and provided slides to indicate some of the projects and schemes that had been delivered. She also noted that a new draft playing pitch strategy had been completed and this would be circulated to parishes shortly for consultation.

During discussion, the Community Health and Leisure Manager responded to points of detail including:

- Explanation of the process for seeking planning obligations, and why the monies earmarked for parish schemes had to go through SSDC.
- The Community Infrastructure Levy may mean less money for leisure facilities.
- There was no updated statistical data available regarding the money spent in the UK on ill health related to physical inactivity (page 14 of the agenda report)

Members acknowledged that Area North had benefitted hugely from the work of the team. The Chairman and members thanked the Community Health and Leisure Manager for the excellent work of the team, and for her informative report.

RESOLVED:

- (1) That the Community Health and Leisure Service Update be noted.
- (2) That members contact the Community Health and Leisure Manager, if they wish to discuss the current service delivery programme or recommend future priorities.

187. Area Development (North) - Review of 2016-17 (Agenda Item 10)

The Area Development Lead (North) presented the report as detailed in the agenda, and provided slides highlighting examples of work and projects supported by the team, and to show the progress of some community projects. She referred to key projects, facts and

statistics, and explained that delays on projects were due to factors outside of SSDC's control.

During a brief discussion, members commended the officer on the work of the team. Members were content to note the report and presentation. The Chairman thanked the Area Development Lead for her informative report.

RESOLVED: That the report and presentation be noted.

188. Area North Committee Forward Plan (Agenda Item 11)

The Assistant Director (Communities) provided members with two updates to the Forward Plan:

- The Highways report would now be in June.
- The Adoption of the Area Development Plan (North) for 2017/18 report would be in May and not April as stated in the agenda.

RESOLVED: That the Area North Development Plan be noted, including the following updates:

- Highways report – moved to June.
 - Adoption of the Area Development Plan (North) for 2017/18 - May
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189. Planning Appeals (Agenda Item 12)

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

190. Schedule of Planning Applications to be Determined By Committee (Agenda Item 13)

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

191. Planning Application 16/04608/OUT - Land North of Head Street, Tintinhull. (Agenda Item 14)

(Councillor Sylvia Seal, having declared a prejudicial interest, left the meeting for the presentation and consideration of this planning application.)

Proposal: Outline planning application for the erection of 28 No. dwellings (incorporating details of access and layout) and associated works including open space, drainage infrastructure and highway works.

The Planning Officer presented the application as detailed in the agenda. She provided several updates including:

- two further neighbour comments had been received, one made reference that the proposal would change the historical definition of the village, but other comments did not raise anything new to those indicated in the report.
- Further consultee comments had been received since the agenda had been published, including:

- Highways had commented about the visibility splays and they raised no objection.
- The Tree Officer noted the location of an Oak tree subject to a Tree Preservation Order and requested an additional condition should the proposal be approved.
- Leisure had revised, and reduced, their requirements due to the Community Infrastructure Levy. The figures now requested were detailed, and the officer noted her recommendation for approval needed to be re-worded accordingly to reflect the revised amounts.

The Planning Officer acknowledged that in considering the proposal some harm had been identified and highlighted the key considerations. She explained in more detail why on balance the officer recommendation was for approval.

Mr P Cushion and Mr P Horsington, of Tintinhull Parish Council spoke in objection to the application. Their comments included:

- Tintinhull is a small rural settlement and the proposal is out of character.
- There is no identified local need for 28 houses.
- The village has no shop, virtually no local employment, no health facility and the school is unable to cope with an increased intake.
- The parish Community Plan states that Tintinhull should remain a village community with small developments of no more than five dwellings.
- The Local Plan no significant development for a small parish like Tintinhull.
- The site is a prominent view as you enter the village from the A303, and the proposal will change the character and setting of the village,
- Opposed on size and impact to the linear village, and the proposal will have no linkage with existing village.

Mr F Robinson on behalf of the CPRE, Mr K Rice, Ms J Pineau, Mr T Brunt, Ms D Robbins, Mrs A Le Flufy, Mr R Le Flufy, and Mr G Stone each addressed members in objection to the proposal. Some of their comments included:

- Tintinhull has not received enough consideration about listed buildings and setting of the village.
- Applications for development on the site have already been refused three times.
- Existing sewerage system is unable to cope with further housing.
- Surface water run-off will flood the public footpath.
- Existing local healthcare provision already struggling to cope and more housing and residents will exacerbate the issue.
- Concern about highways. Head Street is a major route into Yeovil, traffic density is increasing and many vehicles exceed the 30mph speed limit.
- The proposal is on a summit on a blind bend.
- Fear the proposed estate development will set a precedent for further development towards the A303.
- The SSDC Monitoring Report 2016 refers to the impact of increased development on rural settlements, and numbers not being in line with the Local Plan.
- Archaeological finds have found nearby and if approved there needs to be an archaeological watching brief.
- The lack of a five year land supply should be addressed by incentivising development in appropriate areas.
- In the past only small scale development has been permitted and the village has kept its character.

- The proposal is not in keeping. It will be an estate creating a carbuncle to a historical village.
- The curtilage of one listed building will abut the development.
- The comments of the Landscape Officer are confusing.
- The listed buildings in the village are like the jewels in the crown of Tintinhull.

Mr M Frost, agent, noted that in the absence of a five year land supply the housing policies in the Local Plan are out of date. The applicants had engaged with the local community but it had been clear from the start that the proposal would gain little support. He noted that development that was considered sustainable, such as this, should not be refused entirely on local objections. There had been no objections from statutory consultees including the Highway Authority. A varied mix of housing was proposed including bungalows, and the development would represent a 6.5% increase in housing for the village.

Ward member, Councillor Jo Roundell Greene, commented it was clear that the village did not want the development. She noted the site had been refused development three times previously due to access. Head Street was a busy road with no pavement in places, and when there were accidents on the A303 or A3088 traffic was often diverted through the village. The proposal would form an isolated development, an estate that would not fit in with the village. The character of Tintinhull was special, with a National Trust property and several listed buildings including a Grade 1 listed property.

She noted there were few facilities in the village and a 7% increase in population would effectively be a huge increase for Tintinhull. People would need to drive to get to facilities and shops, and she did not believe the proposal met Policy SS2 in the Local Plan. She noted that on reading the report it seemed that the Landscape Officer had changed his mind about the impact of the proposal. She strongly supported local residents and asked members to refuse the application.

During the ensuing discussion members raised a number of comments and concerns including:

- The Local Plan states the distinctiveness of local settlements should be retained.
- The proposal is inappropriate development for Tintinhull, and local comments should be taken into account.
- Unable to see what an estate will bring to Tintinhull
- People will have to travel to work and for shops.
- Local people say there is no need for the housing in the village.
- Comments by Inspectors at recent appeals have referred to development in rural areas being detrimental to aspirations of the Local Plan.
- Concern about the archaeology.
- The proposal will not be detached from the village but will be attached, albeit undesirable.
- Acknowledge a 28 dwelling development may not be considered huge, but strong concern that it will have a big impact for a village the size of Tintinhull.
- Elevated location which will change the character of the village.
- Acknowledge that Highways have not raised an objection, but concerned about highway safety due to speeds along Head Street.
- Local people have raised many concerns.

In response to comments made the Area Lead and Planning Officer responded to points of detail including:

- Information on the type and mix of housing proposed.
- Hard to argue that the site is not sustainable as it meets more than two of the required criteria.
- Officers felt there was less than substantial harm to listed buildings that would be outweighed by the benefits of the scheme in terms of the delivery of housing to meet the five year housing land supply, but members were entitled to a different opinion.
- Caution about using the number of houses or level of development as a reason for refusal.

At the conclusion of debate, it was proposed to refuse the application due to the elevated location, harm to the landscape and village character, and the impact on the setting of listed buildings. Based on comments raised during discussion, the Area Lead suggested the wording for the reasons for refusal, and these were agreed by members. On being put to the vote the proposal was carried 8 in favour of refusing the application, 1 against, with 1 abstention.

RESOLVED: That planning application 16/04608/OUT be REFUSED, contrary to the officer recommendation, for the following reasons:

1. The proposal, by reason of the introduction of substantial modern residential development to this elevated edge of village site, would result in an alien form of development to the detriment of the linear character and setting of the village of Tintinhull. As such the proposal would fail to conserve and enhance the local landscape character and would be detrimental to local distinctiveness. As such the proposal is contrary to policy EQ2 of the South Somerset Local Plan and the policies contained within the National Planning Policy Framework.
2. The proposal, by reason of the level of development and its proximity to grade I listed buildings (Tintinhull Court and St Mary's Church), the grade II listed Old Dairy and the conservation area would result in less than substantial harm to the setting of these designated heritage assets that would not be outweighed by the benefits of the proposal. As such the proposal is contrary to policy EQ3 of the South Somerset Local Plan and the policies contained within the National Planning Policy Framework.

(Voting: 8 in favour of refusing the application, 1 against, 1 abstention)

192. Planning Application 17/00520/FUL - Weaver Cottage, Wiltown, Curry Rivel. (Agenda Item 15)

(Councillor Sylvia Seal returned to the meeting)

Proposal: remove and replace part single storey and part two storey rear extensions. Replace existing garage with new garage.

The Area Lead presented the application as detailed in the agenda report. He noted the planning concerns were regarding the length of the extension when viewed from the

south, and the overall size. He also advised that the impact on neighbours was not felt so great as to be a second reason for refusal.

Agent, Mr D Pyle, addressed members noting the principle of the extension was accepted but the design was a concern. He clarified that the 9m length of the extension referred to in the report was from the original building and included a 100 year old extension which was being retained. The plans were explained and what the family were hoping to achieve. It was noted the proposal would improve the overall appearance and it was not felt there was any negative impact.

Ward member, Councillor Tiffany Osborne, noted the proposal was a matter of perspective, and would be a tidy up of the property. She supported the proposal and highlighted that the immediate neighbour and Parish Council had no objections.

During a short discussion, members expressed support for the proposal and comments included:

- Will tidy up the mix of extensions already there.
- In favour but would prefer to see natural stone rather than render. Feel enough local stone could be sourced.

In response to comments made, the Area Lead noted the neighbour's extension had a rendered gable end with a stone side. He commented that enough stone could probably be sourced for the south elevation, however, he did not feel there was a need to insist on stone given the mix on extensions of other nearby properties.

At the conclusion of debate it was proposed to approve the application as it was not considered to have any adverse impact. The Area Lead suggested wording for the justification, and that conditions would be required for:

- time limit
- compliance with plans
- external materials

On being put to the vote the proposal to approve the application, subject to the conditions and justification as detailed by the Area Lead, was carried unanimously.

RESOLVED: That planning application 17/00520/FUL be APPROVED, contrary to the officer recommendation, subject to the following:

Justification:

The proposal would have no adverse impact on the character and appearance of the existing cottage or the character of the locality. As such the proposal complies with policy EQ2 of the South Somerset Local Plan and the policies contained within 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. Excepted where required otherwise by other conditions the

development hereby permitted shall be carried out in accordance with the following approved plans: 522 (00)01 A; 522 (00) 03 C and 522 (00) 04 A

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

03. Prior to the construction the extension hereby approved details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. Once approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

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

(Voting: Unanimous)

**193. Planning Application 17/00021/FUL - The Cottage, Picts Hill, Langport.
(Agenda Item 16)**

Proposal: Erection of one 4 bedroom dwelling with associated carport and parking area.

The Area Lead presented the application as detailed in the agenda report. He noted the main concern was the proximity of the dwelling to the road as the positioning of the dwelling would be forwards of the original cottage. As the location of the proposed dwelling would be pushed forward on the plot it was considered to intrusive to dwellings on the other side of the road.

Ms G Martin, applicant, addressed members and commented there had been no objections from statutory consultees regarding the proposed family dwelling. She noted the proposal would mirror the property layout of the dwelling opposite and the proposal had the support of the Parish Council.

Ward member, Councillor Gerard Tucker, noted the application had not generated any objections and the applicants had worked with the community to address early concerns to come up with the application. He explained that there was a covenant on the land which was why the proposed dwelling was situated as is. It was also noted that closing the existing access would improve highway safety.

There was little debate and several members felt the proposal was acceptable development and would improve the Streetscene. As members were minded to approve the application, the Area Lead suggested wording for the justification based on comments made, and also noted conditions would be required for:

- Time limit
- Plans
- Materials
- Visibility splays

At the conclusion of discussion it was proposed to approve the application, contrary to the officer recommendation, and subject to the justification and conditions as detailed by the Area Lead. On being put to the vote, the proposal was carried unanimously.

RESOLVED: That planning application 17/0021/FUL be APPROVED, contrary to the officer recommendation, subject to the following:

Justification:

The proposal would result in an acceptable form of development that would respect the character of the setting and local distinctiveness, as the proposal complies with policy EQ2 of the South Somerset Local Plan and the policies contained within 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. Except where required otherwise by other conditions, the development hereby permitted shall be carried out in accordance with the following approved plans: PL/102 A; PL/104 A; PL/105 A; PL/106 A; PL/107 A and PL/108 A.

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

03. Prior to the construction of the dwelling hereby approved particulars of the materials (including the provision of samples where appropriate) to be used for the external walls and roofs shall be submitted to and approved in writing by the local planning authority. Such details shall be generally in accordance with the details shown in the application. Once approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

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

04. The dwelling hereby approved shall not be occupied until such time as the visibility splays shown on drawing PL/104 A have been fully provided. Once occupied such visibility splays shall be maintained free of any obstruction, including vegetation, above 900mm high at all times thereafter.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan (2006-2028).

(Voting: Unanimous in favour)

194. Planning Application 17/00265/OUT - Bradstones, North Street, South Petherton (Agenda Item 17)

Proposal: Erection of 1 No. dwelling within the garden of Bradstones (outline).

The Planning Officer presented the application as detailed in the agenda report and noted the key considerations. The site was not considered an appropriate site for back land development. It was acknowledged the applicants had responded to concerns raised by the proposal, and amended plans had been submitted following initial concerns about a 1.5 storey dwelling. The current application was now for a single storey dwelling.

Mr C Summers, addressed members on behalf of his parents who were the applicants. His parents had been at Bradstones since the mid 1980s and they didn't want to leave South Petherton, but they needed a property to suit their needs in advancing age. The proposal would be a sympathetic development with low impact.

Ward member, Councillor Crispin Raikes, noted he had requested the application go to committee as he disagreed it was back land development. He felt the proposal would enhance rather than detract, and commented that the presentation photographs did not indicate the size of the Bradstones plot which was huge. He supported the application.

Ward member, Councillor Adam Dance, acknowledged there were some neighbour objections but also that the parish Council were supportive of the proposal. He also noted there had been several other developments in recent years along the same street.

There was a short discussion and comments raised by members included:

- Yes it is back land development but see no harm.
- Single storey dwelling is more acceptable.
- Commendable that the applicant has worked to mitigate concerns.
- No demonstrable harm and there is good access.

Councillor Jo Roundell Greene requested that the minutes record her comment that the representations made by the Landscape Officer seemed to be inconsistent - with reference to the 28 homes in Tintinhull being acceptable but not this single dwelling in South Petherton.

In response to comments made, the Area lead noted that this application and planning application 16/04608/OUT were two very different sites and proposals.

It was proposed to approve the application as it was felt the development was acceptable and there was no demonstrable harm. As members were minded to approve the application the Area Lead suggested wording for the justification based on comments made during discussion and advised that conditions would be required for:

- Standard outline condition
- Plans
- Visibility splays
- Drainage
- No windows to north elevation
- Levels
- Landscaping

At the conclusion of discussion the proposal to approve the application, subject to the conditions as suggested by the Area Lead, was put to the vote, and carried unanimously.

RESOLVED: That planning application 17/00265/OUT be APPROVED, contrary to the officer recommendation, subject to the following:

Justification:

The proposed siting of a single dwelling in this location by reason of its scale and siting would accord with the established pattern and layout of development in the area would accord with the established character of the area and would cause no harm to landscape character or highway safety. As such the proposal would accord with policy EQ2 and TA5 of the South Somerset Local Plan (2006-2028).

Subject to the following conditions:

01. The development hereby approved shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the latest. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

02. The development hereby permitted shall be carried out in accordance with the only.

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

03. There shall be no obstruction greater than 900mm above adjoining road level forward of a line drawn 2.4m back and parallel from the centreline of the access in the north-westerly direction to the edge of the site frontage and forward of a line drawn 2.4m back along the centreline of the access and extending for a distance of 33m to the nearside carriageway edge in the south-easterly direction. Such visibility shall be provided prior to the occupation of the dwelling hereby approved and shall thereafter be maintained at all times.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset Local Plan (2006-2028).

04. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before the access is brought into use and thereafter maintained at all times.

Reason: In the interests of highway safety to accord with Policy TA5 of the South Somerset local Plan (2006-2028).

05. 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), other than any to be approved at Reserved Matters there shall be no windows or doors constructed within the North elevation of the proposed garage as illustrated on plan No. 896/002 Rev. C without the prior express grant of planning permission.

Reason: In the interests of visual and residential amenity in accordance with policy EQ2 of South Somerset Local Plan (2006-2028).

06. The site levels and ground floor level of the dwelling hereby permitted shall be implemented in accordance with the approved details illustrated on Plan No. 896/050 Rev. E.

Reason: In the interests of visual amenity to accord with Policy EQ2 of the South Somerset Local Plan (2006-2028).

07. The landscaping scheme required by condition shall include the retention of the existing hedge to the western site boundary, details of measures for the protection of the hedge and measures for the protection of any retained trees within the development site. The landscaping scheme shall include details of any changes proposed in existing ground levels, the construction, location and finish of hardstanding and all proposed planting, seeding and turfing. The landscaping scheme shall be carried out and completed in accordance with a timetable to be agreed in writing. 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: In the interests of visual amenity to accord with Policy EQ2 of the South amenity to accord with Policy EQ2 of the South Somerset Local Plan (2006-2028).

(Voting: Unanimous)

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Chairman