

South Somerset District Council

Minutes of a meeting of the **Area North Committee** held at the **Edgar Hall, Somerton**, on **Wednesday 27 September 2017**.

(2.00 pm - 5.40 pm)

Present:

Members: Councillor Derek Yeomans (Chairman)

Clare Aparicio Paul	Crispin Raikes
Neil Bloomfield	Jo Roundell Greene
Adam Dance	Dean Ruddle
Tiffany Osborne	Sylvia Seal
Stephen Page	Gerard Tucker

Officers:

Alasdair Bell	Environmental Health Manager
Angela Cox	Democratic Services Manager
Lisa Davis	Community Office Support Manager
Nick Head	Planning Officer
Sara Kelly	Area Development Lead (North)
David Norris	Development Manager
Helen Rutter	Communities Lead
Chereen Scott	Neighbourhood Development Officer
Neil Waddleton	Section 106 Monitoring Officer
Angela Watson	Legal Services Manager

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

45. Minutes (Agenda Item 1)

The minutes of the meeting held on 26 July 2017 were approved as a correct record and signed by the Chairman.

46. Apologies for absence (Agenda Item 2)

Apologies for absence were received from Councillor Sue Steele.

47. Declarations of Interest (Agenda Item 3)

The following declarations of interest were made:

Councillors Tiffany Osborne and Derek Yeomans – personal interest in Agenda item 16 (Planning Application 17/01089/COU) as members of Curry Rivel Parish Council.

Councillors Stephen Page and Dean Ruddle – personal interest in Agenda item 8 (Grant application for Compton Dundon Parish Council) as Ward Members.

Councillors Adam Dance and Crispin Raikes – personal interest in Agenda item 18 (planning application 17/02737/OUT) as members of South Petherton Parish Council.

Councillor Adam Dance also declared a personal interest in Agenda item 16 (planning application 17/01089/COU) as he had previously worked for the applicants.

Councillors Neil Bloomfield and Graham Middleton – personal interest in Agenda item 17 (planning application 17/02732/DPO) as members of Stoke sub Hamdon Parish Council.

Councillors Clare Aparicio Paul, Crispin Raikes and Gerard Tucker asked that it be noted they had been temporarily appointed to Langport Town Council.

At the time Agenda item 17 was discussed (planning application 17/02732/DPO), Councillor Gerard Tucker asked that it be recorded that he had assisted Stoke sub Hamdon in compiling their Parish Plan.

48. Date of next meeting (Agenda Item 4)

Members noted the next meeting of Area North Committee was scheduled for 2.00pm on Wednesday 25 October 2017, at a venue to be confirmed.

49. Public question time (Agenda Item 5)

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

50. Chairman's announcements (Agenda Item 6)

The Chairman advised that the Area North Regeneration Board had recently met and considered 2 proposed initiatives but had decided not to progress them. He asked Members if they had any further economic development initiatives to propose to let him know in order that they can be taken to the Board for future consideration.

51. Reports from members (Agenda Item 7)

Councillor Gerard Tucker asked that his appreciation be recorded to the Somerset Waste Partnership for their continued waste and recycling service in Aller during the road closure.

He further noted that:

- He was pleased to receive a copy of the SSDC brochure promoting local businesses and tourism in the area.
- The Leader Levels and Moors Steering Group still had £2.5m to be made available to local businesses via grant applications.
- The Somerton and Langport Links bus service was due to cease operation on 31st October however a sponsor had been found for 2 of the vehicles and a community group were looking at operating the service for one year.

The Chairman advised that a meeting was due to be held on 18th October to discuss the future of community transport in the district.

52. Grant to Compton Dundon Parish Council (Executive Decision) (Agenda Item 8)

The Neighbourhood Development Officer advised that an application for grant funding had been received from Compton Dundon Parish Council to provide a bus shelter in the village. It was proposed to remove the nearby phone box and relocate two parish noticeboards within the bus shelter. The request was for 40% of the total project cost but if the proposal was delivered below cost then the grant would not exceed this percentage.

In response to questions from Members, the Neighbourhood Development Officer advised that:-

- The proposed shelter would have lighting and seating and all costs were based upon a worse case scenario.
- The Highway license would be paid separately by the Parish Council.
- The nearby phone box was currently owned by the defibrillator society and they were currently looking for an alternative site.
- If the project was delivered over the anticipated budget as set out in the report then SSDC would only pay the maximum amount of £3,941.

At the conclusion of the debate, Members unanimously supported the Parish Council's proposal to provide a bus shelter in the village.

RESOLVED: That the Area North Committee agreed to grant a maximum of £3,941 (representing 40% of the total cost of the project) to Compton Dundon Parish Council towards the cost of a bus shelter in the village. The grant to be allocated from the Area North capital programme, subject to SSDC standard conditions for community grants listed in Appendix A to the report.

Reason: To assist the Parish Council towards the provision of a bus shelter in Compton Dundon.

(voting: unanimous in favour)

53. Community Offices Update 2016/17 (Agenda Item 9)

The Community Office Support Manager introduced the report and advised that there had been a decrease of 11% in footfall to community offices across the district, but, a rise in web transactions from 20% to 29% compared to the previous year. The footfall at the Langport Community Office had reduced and it was proposed to investigate delivery of the service to the customers who used this office in an alternative way. This could be offering appointments in existing community buildings, such as the library or conducting home visits.

During discussion, Members noted that efficiencies were required and asked that communication and PR to the public was delivered effectively and options were investigated which recognised customers choice of contact with SSDC. It was also noted that the Town Council were looking at moving the local information centre to the library and this could be an option for SSDC also.

At the conclusion of the debate, Members were content to note the report and the future proposals for the Langport Community Office.

RESOLVED: That the Area North Committee noted the content of the report and the proposals to provide face to face services in an alternative way to best suit customer demand and withdraw from Langport Community Office.

54. Environmental Health Service Update Report (Agenda Item 10)

The Environmental Health Manager introduced the report and outlined the work of the 3 teams (Food and Safety, Environmental Protection and Housing Standards) within the service.

In response to questions from Members, the Environmental Health Manager advised that:-

- Dog fouling was an ongoing problem and additional patrols could be arranged if there was a persistent problem in a particular area. Owners could be fined.
- They were lobbying for the Food Hygiene Rating system to be extended.
- Environmental Health Officers checked the labelling of wild game in shops to ensure it was correctly labelled and they also worked with Rural Crime Officers within the police service to reduce poaching.
- Several fines and cautions for fly tipping incidences had been issued and officers went to great lengths to trace offenders. They were currently running a campaign to discourage the public from using illegal white van waste operators.
- SSDC had an allocation of £1m for disabled facilities grants to adapt homes to reduce hospital admission times and for social care needs. Approximately 150 benefitted from the scheme each year, however, the scheme was under review at the current time.

At the conclusion of the debate, the Environmental Health Manager agreed to circulate information on the disabled facilities grants scheme to Town and Parish Councils. Members were content to note the report.

RESOLVED: That the Area North Committee noted the content of the Environmental Health Service Update report.

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

The Communities Lead advised that there would be two community grant applications presented to the committee in October and the half yearly update on the Area North Service Plan would be presented in November 2017.

With these updates Members were content to note the report.

RESOLVED: That the Area North Committee Forward Plan (as amended) be noted.

56. Planning Appeals (Agenda Item 12)

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

57. 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.

58. Planning Application 17/00813/FUL - Oaklea, Tintinhull Road, Chilthorne Domer (Agenda Item 14)

Proposal: The use of land to form 2 No. pitches for mobile homes and the erection of 1 No. utility / washroom block per pitch.

The Development Manager introduced the report and advised that the proposed mobile homes and utility blocks were outside the development boundary, they were ancillary to the house and would not be seen from the road. A condition was proposed that the homes only be occupied by the immediate family and he recommended approval subject to a suitable section 106 agreement.

Mr D Lamb, the applicant, spoke in support of his application. He advised that the family had always stayed together and he and his wife now relied on family members for support with health issues.

The Ward Member, Councillor Jo Roundell Greene, spoke in support of the application. She said there were no Highway or landscaping objections and proposed that recommendation 3 be amended to 'solely' by the immediate family of the applicant.

During discussion it was requested that an additional condition requesting that the foul water strategy be agreed in advance of occupation of the mobile homes. The Development Manager also confirmed that the permission would be personal to the Lamb family only and any changes would require a new planning application.

On being put to the vote the proposal to approve the application was carried unanimously.

RESOLVED: That planning application 17/00813/FUL be APPROVED, subject to the satisfactory completion of a Section 106 Obligation to cover the following:

1. Occupation of the units to the applicant or his family
2. Non-fragmentation of the planning unit

Justification:

01. The proposed development, due to its scale, design, siting and layout will cause no harm to residential amenity, would not cause any detrimental harm to the character and appearance of the area nor create any severe highway impact. The development would also represent a suitable site for use by gypsies and travellers in this unique family situation in accordance with Policy HG7 of the South Somerset Local Plan (2006-2028) and the aims and objectives of the NPPF and Planning Policy for Traveller Sites (August 2015).

SUBJECT TO THE FOLLOWING:

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

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

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

Drawing number 3814-01 A and BADMINTON 4520

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

03. The occupation of the pitches hereby permitted shall be carried on solely by the immediate family of the applicant, Mr D Lamb, his wife, his children, Bradley Lamb and Bridie Coles and their spouses and resident dependants for the duration of and in connection with the occupation of the main dwelling known as Oaklea.

Reason: The Local Planning Authority would not have granted planning permission except for the need and personal circumstances put forward by the applicant.

04. When the main dwelling ceases to be occupied by those persons stated in condition 03, the use hereby permitted shall cease and all residential units, structures and equipment brought onto the land, or works undertaken to it in connection with the use, shall be removed and the land restored to its condition before the development took place.

Reason: To protect the character and appearance of the area in accord with Policy EQ2 of the South Somerset Local Plan.

05. This permission only grants consent for 2 pitches in total. There shall be no more than 2 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites 1968 as amended, stationed at any one time per pitch, of which only 1 shall be a static caravan.

Reason: To ensure that the number of caravans are controlled on site to protect the character and appearance of the area to accord with Policy EQ2 of the South Somerset Local Plan

06. The area in the south east corner of the site as indicated on the submitted plan, drawing number 3814-01 A shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted and shall be kept clear of obstruction and retained and maintained as such.

Reason: In order to ensure adequate parking and turning is available in the interests of highway safety in accordance with Policy TA5 of the South Somerset Local Plan.

07. No commercial activities shall take place on the land, including

the storage of materials.

Reason: To protect the amenity of the area and in the interests of highway safety to accord with policies EQ2 and TA5 of the South Somerset Local Plan.

08. Before the occupation of any residential unit the septic tank, filter beds and cesspit as detailed on plan (drawing no. 3814-01 A) shall be fully functional, and are retained and are maintained as such.

Reason: To ensure the approved development is properly provided for in terms of foul drainage and to ensure that the amenity of the area is not harmed, to accord with Policy EQ2 and EQ7 of the South Somerset Local Plan.

09. Before the occupation of any residential unit a foul water strategy shall be submitted to and agreed in writing by the Local Planning Authority. Once installed the scheme shall be fully functional and retained and maintained as such.

Reason: To ensure the approved development is properly provided for in terms of foul water drainage and to ensure that the amenity of the area is not harmed, to accord with Policy EQ2 and EQ7 of the South Somerset Local Plan.

(Voting: unanimous in favour)

59. Planning Application 16/03728/FUL - Wayfarers, Long Load, Langport (Agenda Item 15)

Proposal: Replacement balcony and stairs (retrospective application).

The Planning Officer (North) introduced the report advising that although the application was retrospective, permission already existed to use the flat roof area as a balcony/terrace area. It was proposed to extend the height of the new railings to protect the amenity of the neighbours on one side.

Mr P Dance spoke on behalf of neighbours, Mr & Mrs Lench, who were concerned at the overlooking of the property and the effect on the setting of their listed property. They asked that the fence be set back by 1.5m from the edge of the flat roof so that it would be less visible to the streetscene and the neighbouring garden.

Ms C Stephens, Agent for the applicant, advised that the previous wooden trellis fence had rotted and they had checked with the planning department and were told that an application was not needed to replace it. However, the change in materials required an application and it was now proposed to raise the fence and obscured glass to 1.8m halfway along the neighbouring boundary. Because of wind concerns, it was not possible to extend this any further.

One of the Ward Members, Councillor Neil Bloomfield, said that although the materials may be high quality, they were more in keeping with an urban setting than a rural one and he felt the overlooking blighted the neighbouring listed building.

The other Ward Member, Councillor Graham Middleton, also felt that the railings should be set back in line with the house wall and he said the glass and steel did not sit well with the neighbouring listed building.

During discussion, varying views were expressed. Some Members felt it was less obtrusive than the previous lattice fence whilst others said that greater care must be taken to protect heritage assets. It was proposed and seconded to refuse the application and on being put to the vote was carried (voting: 7 in favour, 4 against, 0 abstentions).

RESOLVED: That planning application 16/03728/FUL be REFUSED, contrary to the officer's recommendation for the following reason:

Justification:

01. The railings and staircase, by reason of their design, materials and appearance, have a harmful adverse impact on the setting of a designated heritage asset (the Grade 2 listed building 'St Francis'), thereby failing to safeguard that setting and make a positive contribution to its character, contrary to the aims of the NPPF and Policy EQ3 of the South Somerset Local Plan (2006-2028).

(Voting: 7 in favour, 4 against, 0 abstentions)

60. Planning Application 17/01089/COU - Midelney Manor, Midelney Road, Drayton (Agenda Item 16)

Proposal: Application to permit use of gardens of the manor and the potting shed adjacent to gardens to hold events for up to 150 people.

The Planning Officer introduced the report and outlined the proposal. He said the Environmental Protection team had significant input into the application and although the site was at a remote location, he felt that because of the potential impact on the residential amenity of neighbouring houses, he proposed the application be refused.

Mr M French and Mr I Hall, nearby residents, spoke in support of the application. They said that 8 local residents supported the proposal and only 1 objected. The noise from passing tractors or helicopters outweighed the possible noise nuisance of the proposal.

Mrs A Acton, the applicant, said the manor house had been in her family ownership for 500 years and her parents had previously operated the grounds as a successful wedding venue some years earlier. She outlined the benefits of employment for local people and business for local caterers, florists and B&B establishments.

Ms H Lazenby, Agent for the applicant, said there would only be 10 events per year and she drew attention to the acoustic consultants report which confirmed that noise from events would be within the guidelines. She suggested a range of controls including the restriction of live entertainment, maximum of 150 guests, 10 events per year, speakers directed downwards and away from houses and a one way system in the car park.

The Ward Member, Councillor Tiffany Osborne, said it was unfortunate there was one objection as the applicants had sought to mitigate noise concerns. She felt that the

economic benefit and local employment were welcome and she proposed that the application be granted permission.

During a brief discussion, Members were supportive of the application and the Planning Officer clarified that the marquee would be removed after each event. It was proposed and seconded that the application be approved and this was unanimously agreed by all Members.

RESOLVED: That planning application 17/01089/COU be APPROVED, subject to the following:

Justification:

01. The proposal represents an acceptable scheme for the diversification of use of a Grade 1 listed building, securing the generation of income for the maintenance of the heritage asset. No demonstrable harm to residential amenity or the character and appearance of the listed building or its setting would result, and the proposal accords with the aims and core principles of the NPPF (Paragraph 17) and Policies EQ2, EQ3 and EQ7 of the South Somerset Local Plan (2006 – 2028).

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plan: The revised site layout plan (05/07/17) received by email on 5 July 2017.

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

03. No more than ten events hereby permitted shall take place in any calendar year.

Reason: In the interests of residential amenity and to accord with the aims of the NPPF and Policy EQ2 of the South Somerset Local Plan.

04. No event hereby permitted shall be attended by more than 150 guests (excluding staff).

Reason: In the interests of residential amenity and to accord with the aims of the NPPF and Policy EQ2 of the South Somerset Local Plan.

05. Amplified music at the events hereby permitted shall be restricted to the marquee placed in the designated area shown on the submitted plan (the revised site layout plan (05/07/17) received by email on 5 July 2017). There shall be no amplified music played

in any outbuildings, including the 'potting shed'.

Reason: In the interests of residential amenity and to accord with the aims of the NPPF and Policy EQ2 of the South Somerset Local Plan.

06. The siting, layout and orientation of the marquee, stage, loudspeakers and other equipment shall be in accordance with a detailed layout plan which shall have been submitted to and approved in writing by the Local Planning Authority prior to any event hereby permitted taking place. Once approved, these details shall be complied with for all succeeding events, unless agreed otherwise in writing with the Local Planning Authority.

Reason: In the interests of residential amenity and to accord with the aims of the NPPF and Policy EQ2 of the South Somerset Local Plan.

07. No amplified music shall be played before 12 noon or later than 23h00 (11 p.m.) on the day of any event hereby permitted, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of residential amenity and to accord with the aims of the NPPF and Policy EQ2 of the South Somerset Local Plan.

08. Parking of vehicles in connection with the events hereby permitted shall be limited to the designated parking area shown on the submitted plan (the revised site layout plan (05/07/17) received by email on 5 July 2017).

Reason: In the interests of residential amenity and to accord with the aims of the NPPF and Policy EQ2 of the South Somerset Local Plan.

09. The entrance and exit points of the parking area shall be clearly signposted as such to ensure a flow of traffic in a single direction through the parking area, as indicated on the submitted plan (the revised site layout plan (05/07/17) received by email on 5 July 2017).

Reason: In the interests of highway safety and residential amenity in accordance with Policies TA5 and EQ2 of the South Somerset Local Plan.

10. Prior to the commencement of any event hereby permitted, details of the surfacing and drainage of the parking area shall be submitted for approval to the Local Planning Authority. Such details, once agreed, shall be fully implemented prior to the first event and thereafter permanently retained and maintained unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and to safeguard the setting of the listed building in accordance with Policies TA5 and EQ3 of the South Somerset Local Plan.

11. The marquee, stage and any other equipment sited in accordance with the details agreed under Condition 6 above shall be

completely dismantled and stored away from the agreed siting position within 48 hours of each event.

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

(Voting: unanimous in favour)

61. Planning Application 17/02732/DPO - Land West of Stanchester Academy, Montacute Road, East Stoke (Agenda Item 17)

Proposal: Application to vary S106 agreement between South Somerset District Council and Melanie Anne Quantock Shuldham dated 11th July 2014 relating to affordable housing.

The Section 106 Monitoring & Compliance Officer introduced the report and advised that the applicants were seeking to discharge the planning obligations within the s106 agreement on grounds of financial viability. He confirmed that they had followed due process and the District Valuer had agreed that the scheme was currently unviable and so unable to deliver the obligations held within the agreement. Therefore he recommended the application to modify the S106 agreement be approved.

Mr H Donovan, Vice Chairman of the Parish Council, voiced their strong objections to proposals. He said there was a dire need for affordable housing in the village and the withdrawal of the leisure contributions would impact on several ongoing village facilities and projects.

Mrs B Brooks, Chairman of the Parish Council, said that negotiation should have taken place on the planning obligations rather than discharge them. Building works had already commenced and she felt the developers accountants had presented a worse case scenario to the District Valuer.

Mr O Marigold, on behalf of ARC Homes, said that since the purchase of the land the costs of building had increased and if the S106 was not changed then building would cease until the market returned. He said that the company's community fund would be made available and the review mechanism would ensure that if the market improved then the S106 could be reviewed again.

Ms W Lewis, on behalf of ARC Homes said this was potentially a loss making site for them. Although all profits were used to build houses in other areas, their profit levels were nowhere near those of general builders.

The Ward Member, Councillor Sylvia Seal, said the Parish Council were relying on the S106 money from the development to fund a new adventure playground and the loss of 6 affordable houses was not good for the community. As the site was already under construction, the developer should stand by their S106 obligations.

During a short discussion, Members were unanimous in their opposition to the proposal to vary the S106 agreement. They felt that the developer should have known the costs involved from the outset and as the development was already partly constructed they should keep to the original S106 agreement. It was proposed and seconded to refuse the application and on being put to the vote, was carried unanimously.

RESOLVED: That planning application 17/02732/DPO be REFUSED, contrary to the officer's recommendation for the following reason:

Justification:

01. The removal of all planning obligations would result in a scheme that does not provide the necessary infrastructure/mitigation resulting in an unsustainable form of development contrary to SD1 of the South Somerset Local Plan (2006-2028).

(Voting: unanimous in favour)

62. Planning Application 17/02737/OUT - Land Rear of Cobbetts, North Street, South Petherton (Agenda Item 18)

Proposal: Outline application with all matters reserved except access for the development of 3 bungalows including associated landscaping and parking.

The Development Manager introduced the report and advised that the principle of housing had been established in a neighbouring property where a similar permission had recently been granted. The key issue was the landscape character which the Landscape Officer felt very strongly that it went against the grain of the settlement, therefore the recommendation was to refuse permission.

Mr A Tregay, Agent for the applicant, spoke in support of the application.

One of the Ward Members, Councillor Crispin Raikes, noted that all consultees were content with the application with the exception of the Landscape Officer. As a similar application had been approved nearby and the adjacent footpath had been cleared he proposed that the application be approved.

The other Ward Member, Councillor Adam Dance agreed with the comments and he seconded the proposal to approve permission.

There was no debate and Members voted unanimously to approve the application.

RESOLVED: That planning application 17/02737/OUT be APPROVED, contrary to the officer's recommendation for the following reason:

Justification:

01. The proposed residential development of the site of 3 no. bungalows is considered to be acceptable in this location, they will contribute to housing provision and growth in a rural centre and could be carried out, subject to detail, with respect to the established pattern and layout of development in the area, and without causing significant demonstrable harm to landscape character, visual amenity, residential amenity or highway safety, in accordance with policies SD1, SS1, SS4, SS5, EQ2, TA5 and TA6 of the South Somerset Local Plan (2006-2028) and the core planning principles of the National Planning Policy Framework.

Subject to the following conditions:

01. The development hereby permitted shall be begun either before the expiration of three 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 later.

Reason: To accord with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2010.

02. 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(2) of the Town and Country Planning Act 1990.

03. Approval of the details of the appearance of the building(s), the landscaping of the site, Layout and Scale (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To accord with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2010.

04. Other than as required by Reserved Matters and planning conditions the development hereby permitted shall be carried out in accordance with the following approved plan:
Drawing no. 3673/001 received 27 June 2017
Drawing no. 3673/002 Revision A received 27 June 2017
Drawing no. 3673/003 received 27 June 2017

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

05. The development hereby permitted shall comprise of no more than 3 no. bungalows.

Reason: in the interest of visual amenity and landscape character and in accordance with policy EQ2 of the South Somerset Local Plan. (Adopted March 2015)

06. Before the dwellings hereby permitted are first occupied, a properly consolidated and surfaced access shall be constructed (not loose stone or gravel) details of which shall have been submitted to and approved in writing by the Local Planning Authority. The access shall be constructed in accordance with the agreed design and shall be maintained in the agreed form thereafter at all times.

Reason: in the interest of highway safety and to accord with Policy

TA5 of the South Somerset Local Plan (Adopted March 2015).

07. The proposed access shall be constructed generally in accordance with the submitted plans contained within the Access Statement dated January 2017(drawing number P_01 Rev 1 'General Arrangement and Visibility Splays'), and shall be available for use before commencement of the development hereby permitted. Once constructed the access shall be maintained thereafter in that condition at all times.

Reason: in the interest of highway safety and to accord with Policy TA5 of the South Somerset Local Plan (Adopted March 2015).

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

Reason: in the interest of highway safety and to accord with Policy TA5 of the South Somerset Local Plan (Adopted March 2015).

09. 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, prior to its installation. Such provision shall be installed before the site is first brought into use and thereafter maintained at all times.

Reason: in the interest of highway safety and to accord with Policy TA5 of the South Somerset Local Plan (Adopted March 2015).

10. At the proposed access there shall be no obstruction to visibility greater than 900millimetres above adjoining road level within the visibility splays, in accordance with the submitted plans contained within the Access Statement dated January 2017(drawing number P_01 Rev 1 'General Arrangement and Visibility Splays'). 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 and to accord with Policy TA5 of the South Somerset Local Plan (Adopted March 2015).

11. No work shall commence on the development site until the developer has submitted and had approved by the Local Planning Authority details of the footway to be provided along Droeway Road. No part of the development hereby permitted shall be occupied until the approved footway has been constructed.

Reason: in the interest of highway safety and to accord with Policy TA5 of the South Somerset Local Plan (Adopted March 2015).

12. The development hereby approved shall be carried out in

accordance with the mitigation recommendations outlined in Section 5 of the submitted Ecological Assessment.

Reason: For the protection of a legally protected species to accord with policy EQ4 of the South Somerset Local Plan 2006-2028, and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended), and for the conservation of a 'priority species' in accordance with NPPF.

13. Prior to commencement of the development, site vegetative clearance, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree and hedgerow protection measures shall be prepared by a suitably experienced and qualified arboricultural consultant in accordance with British Standard 5837: 2012 - Trees in relation to design, demolition and construction and submitted to the Council for their approval. Specifically, the scheme will include details of special engineering measures to construct hard-surfacing in close-proximity to trees and hedgerows. Upon approval in writing from the Council, the tree and hedgerow protection measures shall be installed and made ready for inspection. A site meeting between the appointed building/groundwork contractors and the Council's Tree Officer (Mr Phillip Poulton - 01935 462670/07968 428026) shall then be arranged at a mutually convenient time. The locations and suitability of the tree and hedgerow protection measures shall be inspected by the Council's Tree Officer and confirmed in-writing by the Council to be satisfactory prior to any commencement of the development. The approved tree and hedgerow protection requirements shall remain implemented in their entirety for the duration of the construction of the development and the protective fencing and signage may only be moved or dismantled with the prior consent of the Council in-writing.

Reason: To preserve existing landscape features (trees and hedgerows) in accordance with the Council's policies as stated within The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

14. No works shall be undertaken until there has been submitted to and approved in writing by the Local Planning Authority, a scheme of tree and shrub planting. Such a scheme shall include planting locations, numbers of individual species, sizes at the time of planting, details of root-types and the approximate date of planting. Installation details regarding ground preparation, staking, tying, guarding and mulching shall also be included in the scheme. All planting comprised in the approved details shall be carried out within the next planting season following the commencement of any aspect of the development hereby approved; and if any trees or shrubs which within a period of fifteen years from the completion of the development die, are removed or in the opinion of the Council, become seriously

damaged or diseased, they shall be replaced by the landowner in the next planting season with trees/shrubs of the same approved specification, in the same location; unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the planting of new trees and shrubs in accordance with the Council's statutory duties relating to The Town & Country Planning Act, 1990 (as amended)[1] and the following policies of The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

15. Prior to any works commencing on the access road and the public right of way path adjoining the site, details of the surfacing method shall be submitted to and approved in writing by the Local Planning Authority.

Reason: in the interest of visual amenity and to ensure that the hedgerows and tree roots are protected and in accordance with policies EQ2 and EQ4 of the South Somerset Local Plan (2006 - 2028)

16. No development shall commence until a Construction Management and Environmental Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice, a scheme to encourage vehicle share and / or the use of public transport amongst contractors, wheel wash facilities within the site and measures for incorporating pollution prevention. The development shall be undertaken in accordance with the approved Plan.

Reason: in the interest of residential amenity and highway safety and to accord with policies EQ2 and TA5 of the South Somerset Local Plan (2006 - 2028)

(Voting: unanimous in favour)

63. Planning Application 17/02890/OUT - Little Meadow, Love Lane, Shepton Beauchamp (Agenda Item 19)

Proposal: Demolition of existing garage, erection of a dwelling, formation of access and creation of parking area for existing dwelling (outline).

The Planning Officer introduced the report and advised that the proposal was backland development which if agreed, would open the area to further backland development in the future. Because of the impact on the character and the appearance of the setting and residential amenity, his recommendation was refusal.

Mrs J Bishop, representing the Parish Council, said the site was not overlooked or visible from the nearby Cowleaze meadow. The village needed small houses and this development would make the front house available. The Parish Council had unanimously supported the application.

Ms J Fryer, Agent for the applicants, said the land had been a garden for many years and 50% of it could be built on without permission. The application was for one modest single storey dwelling which related well to the existing property. Other dwellings had been granted permission within the village in similar situations.

One of the Ward Members, Councillor Crispin Raikes, noted that the Parish Council were in favour of the development and it was one bungalow which would not be visible.

The other Ward Member, Councillor Adam Dance agreed that the views of the Parish Council were important and should be valued.

There was no debate and Members voted unanimously to approve the application.

RESOLVED: That planning application 17/02890/OUT be APPROVED, contrary to the officer's recommendation for the following reason:

Justification:

01. The proposal represents an acceptable form of development on greenfield land that would respect the established character and appearance of the edge of the village, the local landscape and the setting of the conservation area while making provision for one additional housing unit. The proposal is considered to represent sustainable development that causes no demonstrable harm to residential amenity or highway safety, and accords with the aims of the NPPF and Policies SD1, EQ2 and EQ3 of the South Somerset Local Plan (2006-2028).

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun either before the expiration of three 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 later.

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

02. Application for approval of the appearance, landscaping of the site and scale of development, referred to in this permission as the reserved matters, shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and before any development is commenced on site.

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

03. The access and layout of the development hereby permitted shall be carried out in accordance with the following approved plans: the untitled plans at scales 1:1250 and 1:500 submitted with the application.

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

04. No development hereby permitted shall be commenced unless details of all boundary treatments and fencing have been submitted to and approved in writing by the Local Planning Authority. Such details, which shall include fencing along the southern boundary, shall be fully implemented and thereafter retained.

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

05. At the proposed access there shall be no obstruction to visibility greater than 600 millimetres above adjoining road level within the visibility splays shown on the submitted location plan. Such visibility splays shall be constructed prior to occupation of the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interests of highway safety.

06. Prior to occupation of the development hereby permitted, the proposed access over at least the first 6 metres of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall thereafter be maintained in that condition at all times.

Reason: In the interests of highway safety.

07. Any entrance gates erected shall be hung to open inwards, shall be set back a minimum distance of 6 metres from the carriageway edge and shall thereafter be maintained in that condition at all times.

Reason: In the interests of highway safety.

08. 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 prior to occupation of the development hereby permitted and thereafter maintained at all times.

Reason: In the interests of highway safety.

(Voting: unanimous in favour)

64. Planning Application 17/02973/OUT - Land Adjoining Bramble End, Bakers Lane, Barrington (Agenda Item 20)

Proposal: Outline application for erection of two dwellings.

The Planning Officer advised that there were significant historical issues with the location. It was beyond the development area of the village and so if approved it would be difficult to defend other applications on an adjacent site, where 7 previous applications had been refused. The site was currently open agricultural land and the proposed dwellings would impact on the character and appearance of the countryside setting.

Mr P Larcombe spoke in opposition to the application. He noted the site was currently agricultural land outside the general village development line and if agreed then it would lead to future applications on adjacent land.

Mr D Rowswell, one of the applicants, said he had farmed in the village all his life and the two houses would allow himself and his brother to return to live in the village. He suggested tying the remaining land and the properties for their sole occupation.

Mr P Dance, Agent for the applicants, said the proposed houses were outside the conservation area and the site was an infill between Bramble End and the existing horticultural building. He said Barrington was a sustainable location and the houses would enhance the character of the area. He noted the Parish Council were supportive.

The Ward Member, Councillor Derek Yeomans, said there was a danger in filling up spaces in the lane but the proposal would allow two local families to return to the village. They were willing to tie the properties to themselves and the Parish Council were in favour.

During a short discussion, Members expressed concern at the precedent they would set in allowing the application and felt that other applications would follow on adjacent land. It was proposed and seconded to refuse permission in line with the officers recommendation, and when put to the vote, was carried (voting, 11 in favour, 1 against, 0 abstentions).

RESOLVED: That planning application 17/02973/OUT be REFUSED permission for the following reasons:

Justification:

01. The proposal would result in the extension of development along this narrow country lane that would encroach into this sensitive area of countryside on the edge of the village. It would result in an adverse impact upon landscape and visual character, as a result of the spread of domestic form at the rural edge of the village, in a manner at variance with local settlement character, and the historic settlement pattern. The proposal is thereby considered to fail to reinforce local distinctiveness and respect local context. The identified harm is not considered to be outweighed by the contribution

of two additional houses to the overall supply of housing land. In these respects the proposal is considered to represent unsustainable development and is contrary to the aims of the NPPF and Policies SD1, EQ2 and EQ2 of the South Somerset Local Plan.

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

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Chairman