

South Somerset District Council

Minutes of a meeting of the **Area North Committee** held at the **Edgar Hall, Somerton**, on **Wednesday 25 April 2018**.

(2.00 pm - 4.05 pm)

Present:

Members: Councillor Graham Middleton (in the Chair)

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

Officers:

Helen Rutter	Communities Lead
Mary Ostler	Neighbourhood Development Officer
Natalie Fortt	Area Development Lead South
Katy Menday	Leisure & Recreation Manager
Pauline Burr	Neighbourhood Development Officer (North)
Rachael Whaites	Countryside Manager
John Millar	Planning Officer
Andrew Gunn	Area Lead (West and North)
Becky Sanders	Case Services Officer (Support Services)

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

145. Minutes (Agenda Item 1)

The minutes of the previous meeting held on 28 March 2018 were approved as a correct record and signed by the Chairman.

146. Apologies for absence (Agenda Item 2)

Apologies for absence were received from Councillors Adam Dance, Sue Steele and Derek Yeomans.

147. Declarations of Interest (Agenda Item 3)

Councillors Neil Bloomfield and Graham Middleton each declared a personal interest for the Martock Our Place Programme Annual Update and planning application 18/00072/FUL, as they are also members of Martock Parish Council.

148. Date of next meeting (Agenda Item 4)

Members noted the next meeting of Area North Committee was scheduled for 2.00pm on Wednesday 23 May 2018, at the Edgar Hall, Somerton.

149. Public question time (Agenda Item 5)

There were no questions from members of the public.

150. Chairman's announcements (Agenda Item 6)

The Chairman made no announcements.

151. Reports from members (Agenda Item 7)

Councillor Neil Bloomfield noted that at the previous meeting there had been some discussion about all major applications now being two starred due to the statistics regarding appeals. It was acknowledged that further information had been circulated by email, but he reiterated his request for a senior officer to hold a workshop or meeting with members to discuss the matter further and explain the situation in more detail.

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

The Neighbourhood Development Officer 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:

- Vision and mission
- Core Service Provision in 2017/18 and Asset Based Community Development
- New groups and activities during 2017
- Large team of volunteers, and it wouldn't be possible to do as much without volunteer support
- Community events
- Celebrations and Challenges
- Future plans

During a short discussion, the officers responded to points of detail, including acknowledgement of comments regarding seeking alternative sources of funding in the future to help make the project more sustainable.

Members commended staff and volunteers for the work achieved, and were pleased to agree the release of funding for the final year of the Service Level Agreement. Members thanked the Community Services Co-ordinator for her well-presented and enlightening presentation.

RESOLVED: That £3,000 for the third year of the Service Level Agreement (SLA) for Our Place Martock be agreed, and that the presentation be noted.

Reason: To agree the release of funding for the third year of the SLA for the Our Place Martock Programme and to receive an update on work undertaken during 2017/18.

(Voting: 8 in favour, 0 against, 2 abstentions)

153. Area North Development - Review of 2017-18 (Agenda Item 9)

The Area Development Lead (North/South) introduced the report and provided a short presentation detailing work undertaken by the Area North Development Team over the past year. She reminded members of the Area North Priorities and highlighted key projects including:

- Publication of a booklet promoting local businesses and attractions to visitors and residents
- Training workshops and networking events
- Supporting the River Action Group in Langport
- Community Grants and Capital Grants
- New Village Hall in Tintinhull

She explained that usually a report would come forward to the June meeting to agree the Area North priorities for the coming year. However this year, due to the authority going through Transformation, June would not be the appropriate time as new staff roles, resources and direction would be unclear until at least late summer. The situation had been discussed with the Chairman and Vice-Chairman, and it had been agreed to continue with the existing priorities for the time being.

Members and the Area Development Lead thanked the team for their work and achievements over the past year.

RESOLVED: That the report and presentation on the work undertaken by the Area North Development Team during 2017-18 be noted.

154. Langport Cycleway Report (Agenda Item 10)

The Leisure & Recreation Manager presented the report which updated members on SSDC's work with local stakeholders to ensure a sustainable future for the Langport Cycleway, and its continued use by the community. She noted that although the project was behind schedule, officers were confident a solution could be achieved in the next few months.

She explained that recent work had focussed on engaging with the local communities and ascertaining the works required for a handover. An estimate of the funding required was provided, and it was hoped that with a Memorandum of Understanding between the partnerships coming forward that they would be eligible to seek sources of external funding.

It was anticipated that a further report would come forward to Area North Committee in June with a request for capital funding.

During discussion, members expressed their support for the project and noted that the consultation responses clearly indicated the cycleway was important locally. The Leisure & Recreation Manager and the Neighbourhood Development Officer (North) responded to points of detail including that:

- Currently there was an annual fee for two licences plus maintenance costs. If the land was purchased then the annual funding required would be substantially reduced and SSDC would have no ongoing costs.

- The local communities were very much in favour of taking on responsibility for the cycleway.
- Some partners were offering direct financial contributions; others were offering in-kind contributions such as people or project management and insurance.
- Some route improvements and replacement of access furniture would be completed before handover to the community.

At the end of discussion members were content to note the report and agreed to accept a further report coming forward in June.

RESOLVED: That Area North Committee agreed to:

1. Note the report, including the appendix, which indicated the cycleway was well-used and a popular resource for both the local community and visitors to the area, and recognise the commitment of the parish and town councils to ensure its future use.
2. To accept a further report in June 2018, confirming local commitment including financial contributions, and to seek agreement for an Area North grant as part of an “invest to save” strategy.

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

The Communities Lead reminded members that the Forward Plan looked slender due to the impact of going through Transformation. The Plan would change and be different in the future reflecting the changes going forward.

Following earlier discussion, she noted a report regarding the Area Development Plan and agreeing new priorities would be added for some time in the late summer.

RESOLVED: That the Area North Forward Plan be noted, including the following additional report:

- Area Development Plan – Priorities

156. Planning Appeals (Agenda Item 12)

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

157. 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.

158. Planning Application 18/00072/FUL - 56A Bower Hinton, Martock. (Agenda Item 14)

Proposal: Demolition of stone walls of former cottage. Erection of 2 No. dwellings with associated access and parking. Erection of front wall to 56A and restoration of existing outbuilding (revised application to 17/03184/FUL).

The Planning Officer presented the application as detailed in the agenda report and highlighted the key considerations. The officer recommendation was for refusal of the application due to the backland nature of the proposal and the impact on the historical linear development of Bower Hinton.

Agent, Mr M Williams, noted the officer report made it clear there was no objection to the design of the dwellings or access, therefore the only issue seemed to be the additional dwelling which was a subjective assessment. Using a slide he indicated other existing backland dwellings nearby which were located behind the linear roadside dwellings. He felt the proposed the additional dwelling was in a similar position to the existing no.62. He spoke of the merits of the proposal and that it was a carefully considered scheme which would have some environmental benefits.

Ward member, Councillor Neil Bloomfield, commented that the proposal would enhance the Conservation Area and make the street scene at the site better than it was currently. He considered there was other backland development through Bower Hinton, and the proposal was sympathetically designed. He noted if members were minded to approve the application that several other properties in the locality had low hamstone walls with railings as the front boundary, and it would be good to see that replicated with this proposal. He was surprised the recommendation was one of refusal and he expressed his support for the application

Ward member, Councillor Graham Middleton, felt the proposal would be better than what was at the site at the moment. He noted the officers had done due diligence but on this occasion he did not agree with their recommendation. He also supported the application.

During a short discussion several comments were made in support of the application including that it would be an opportunity to get some cars parked off the road which would be an improvement. It was proposed and seconded to approve the application.

The Planning Officer responded to a point of detail mentioned during discussion regarding a number of concerns raised by a neighbour. He clarified that if the application was approved there would be a condition for making good boundary walls, and also there would be informatives reminding the applicant to obtain written permission from the neighbour for any easement or access required during construction etc; the Party Wall Act; and the preference of members for the front boundary treatment.

As members were minded to approve the application, and on hearing the comments made during discussion, the Planning Officer suggested the wording for the justification would include that the proposal respected the local area, there were no substantial amenity concerns and it would not prejudicial to highway safety. He also advised members that conditions would be required for:

- Approved plans
- Time limit
- Materials
- Surfacing
- Front boundary treatment
- Making good party walls
- Internal ground floor levels
- Landscaping
- Visual splay, parking and access
- Archaeology monitoring

The proposal to approve the application, contrary to the officer recommendation, was put to the vote and carried 5 in favour, 3 against, 1 abstention.

RESOLVED: That planning application 18/0072/FUL, be APPROVED, contrary to the officer recommendation, subject to the following:

Justification:

01. The proposed dwellings, due to their scale, siting, design and materials, respects the setting and character of the surrounding conservation area, raises no substantive visual amenity or residential amenity concerns and is not considered to be prejudicial to highway safety, in accordance with the aims and objectives of policies SS1, TA5, TA6, EQ2 and EQ3 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 site hereby approved for development shall be as shown on the submitted drawings: '17-46.101', '17-46.103', '17-46.104', '17-46.105', '17-46.107', '17-46.108', '17-46.109', '17-46.110 Rev A', '17-46.111', '17-46.112' and '17-46.113'.

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

03. Details of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of each element of the proposal respectively;

- a) materials (including the provision of samples where appropriate) to be used for all external walls, roofs, chimneys and lintels;
- b) full details of the new natural stonework walls, including the materials, coursing, bonding, mortar profile, colour and texture, to be provided in the form of a sample panel to be made available on site;
- c) details of the design, materials and external finish for all external doors, windows, boarding and openings and entrance gates;
- d) details of all roof eaves, verges and abutments, including detailed section drawings, and all new guttering, down pipes and other rainwater goods, and external plumbing;
- e) details of the surface material for the access, parking and turning area;
- f) details of roadside boundary treatment.

Once approved the development hereby permitted shall be carried

out in complete accordance with the agreed details and thereafter shall not be altered without the prior written agreement of the Local Planning Authority.

Reason: To safeguard the character and setting of the conservation area to accord with policies EQ2 and EQ3 of the South Somerset Local Plan.

04. Prior to the demolition of the existing outbuilding that abuts 62 Bower Hinton, a scheme of making good of the boundary wall shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall thereafter be carried out in full.

Reason: In the interest of visual and residential amenity to accord with policies EQ2 and EQ3 of the South Somerset Local Plan.

05. The development hereby permitted shall not be commenced unless details of the internal ground floor levels of the building have been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with these details.

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

06. 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 occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of visual amenity and to safeguard the character and setting of the conservation area to accord with policies EQ2 and EQ3 of the South Somerset Local Plan.

07. Before the commencement of the development hereby permitted the applicant, or their agents or successors in title, shall have secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) which has been submitted and approved in writing by the Planning Authority. The WSI shall include details of the archaeological excavation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development hereby

permitted shall be carried out in accordance with the approved scheme.

Reason: To ensure that adequate opportunity is afforded for investigation of archaeological or other items of interest in accordance with policy EQ3 of the South Somerset Local Plan and the provisions of chapter 12 of the National Planning Policy Framework.

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

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

09. There shall be no obstruction to visibility greater than 900mm above adjoining road level forward of a line drawn 2.4m back and parallel to the nearside carriageway edge on the centre line of the access and extending to a point 43m either side of the access to the nearside carriageway edge. Such visibility shall be fully provided and shall thereafter be maintained at all times.

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

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

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no new openings formed within the south elevation of plot 56b or the north elevation of plot 56c hereby permitted other than those expressly authorised by this permission.

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

Informatives:

1. The applicant is reminded that the separate permission of adjoining owners may be required should access or a right of easement be required across their land, such as for scaffolding and footings etc. They would also be advised to check for any rights of easement for adjoining landowners that might exist and to contact Wessex Water to check for services that may cross the application site.
2. The applicant should also be mindful of the Party Wall Act.

3. In respect to condition 3(f), the applicant is reminded of the Planning Committee Members' preference for the provision of railings to the roadside boundary treatment, notwithstanding any other requirements in respect to highway safety.
4. 04. Please be advised that approval of this application by South Somerset District Council will attract a liability payment under the Community Infrastructure Levy. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice.

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

(Voting: 5 in favour, 3 against, 1 abstention)

**159. Planning Application 17/04870/OUT - Land OS 6730, Henley, Langport.
(Agenda Item 15)**

Proposal: Outline application for alterations to existing accesses and erection of 2 No. dwellings (Revised Application).

The Planning Officer introduced the application and informed members that since the agenda had been published five additional letters had been received in support of affordable housing in the parish.

He presented the application as detailed in the agenda report, and indicated the location of a listed building and working agricultural buildings in relation to the application site. He also informed members that it was proposed to remove the hedge along the roadside boundary and refurbish some existing railings. It was noted a Housing Needs Survey had been completed in the parish and verified by Strategic Housing, but this site was not considered sustainable and it was remote from central village facilities.

The Planning Officer explained that the proposal was suggested to be low cost market housing and not affordable housing provided by a Registered Social Landlord, or as indicated in the Housing Needs Survey. It was considered there would be some impact on the listed building nearby, and with agricultural buildings housing livestock neighbouring the site potential residential occupiers were likely to be subject to associated agricultural noise and smells.

Objectors, Mr I Marshall and Mr A Lloyd made several comments including:

- Proposal would not sit comfortably in the area and will significantly change the character and visual impact
- Applicant may apply for further housing at a later stage
- Limited village facilities and public transport
- If approved, will be unable to store hay in the agricultural barns due to fire risk
- Housing in that location could impact on the farming livelihood
- There are more suitable sites elsewhere and the Parish Council want the housing in High Ham village.

- No guarantee the proposal will be affordable housing.

Mr J Godfrey spoke in support of the application, as at last someone wanted to do something about providing affordable housing in the area. He felt things had to change, and if done properly, the proposal would not be a problem.

Applicant, Mr B Bartlett, noted almost two years had passed to try and build two affordable homes. The site was available immediately and did not require negotiation. He referred to central government promoting the building of affordable homes.

Ward member, Councillor Gerard Tucker, referred to the parish having recently undertaken a Housing Needs Survey and detailed the housing type need identified. He acknowledged the applicant was incredibly well-meaning and was offering the site with little personal gain. He referred to several responses of consultees in the officer report and noted that comments of local consultees seemed to contradict some responses of the national consultees which was confusing. Reference was made to an approved scheme a few years ago at nearby Henley Farm and he struggled to see the difference between that application and this one. He felt if members were minded to approve the application there should be conditions for no extensions and that a Registered Social Landlord be involved with the allocation of the homes.

During a short discussion members raised several comments including:

- Acknowledge local affordable housing need
- Very concerned about loss of hedge which will dramatically change the scene
- Concern about proximity to the neighbouring working farm and buildings housing livestock. If any nuisance complaints were to be raised by potential residential occupiers, it may have an impact on the farm.
- Commend landowner for what he is trying to do but this is not a suitable location.
- The proposal is not affordable housing in the normal sense

At the conclusion of debate it was proposed to refuse the application, as per the officer recommendation, and on being put to the vote this was carried 8 votes in favour, 0 against, with 1 abstention.

RESOLVED: That planning application 17/04870/OUT be REFUSED, as per the officer recommendation, for the following reasons:

Reasons:

01. The proposal would represent new residential development in open countryside, for which an overriding essential need has not been appropriately justified. The application site is also remote from local services and therefore constitutes unsustainable development that is contrary to policies SD1 and SS1 of the South Somerset Local Plan (2006-2028) and to the aims and objectives of the National Planning Policy Framework.
02. The proposed development by reason of its siting within open countryside, and associated proposed hedgerow removal works, represents an incongruous form of development that would erode local character and distinctiveness, in addition to causing less than

significant harm to the significant impact on the character, appearance and the rural context of the locality. The proposal is therefore contrary to policies EQ2 and EQ3 of the South Somerset Local Plan (2006-28) and provisions of chapters 7, 11, 12 and the core planning principles of the National Planning Policy Framework.

03. The proposed dwelling is unacceptable by reason of its siting in close proximity to an adjoining agricultural building. This relationship has the potential to cause unacceptable harm to the residential amenities of the future occupiers of the proposed dwelling by way of noise and odour generation as a result of the possible use of the adjoining building for the accommodation of livestock. As such it is contrary to policy EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of the core planning principles of the National Planning Policy Framework.

NOTES:

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;
 - offering a pre-application advice service, and
 - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case, there were no minor or obvious solutions that could be applied during the course of the application to overcome the reasons for refusal.

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

In the event of an approval at appeal, you would be required to complete and return Form 1 Assumption of Liability as soon as possible after the grant of permission and to avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place. Please complete and return Form 6 Commencement Notice.

(Voting: 8 in favour of refusing the application, 0 against, 1 abstention)

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Chairman