

South Somerset District Council

Minutes of a meeting of the **Area North Committee** held at the **Council Chamber, Council Offices, Brympton Way, Yeovil BA20 2HT** on **Wednesday 27 June 2018**.

(3.00 pm - 5.00 pm)

Present:

Members: Councillor Graham Middleton (Chairman)

Clare Aparicio Paul	Jo Roundell Greene
Tiffany Osborne	Dean Ruddle
Stephen Page	Sue Steele
Crispin Raikes	Derek Yeomans

Officers:

Helen Rutter	Communities Lead
Katy Menday	Leisure & Recreation Manager
Rachael Whaites	Countryside Manager
Paula Goddard	Legal Specialist
Marc Dorfman	Senior Planning Adviser
Andrew Gunn	Area Lead (West and North)
John Millar	Planning Officer
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.

21. Minutes (Agenda Item 1)

The minutes of the previous meeting held on 23 May 2018 were approved as a correct record and signed by the Chairman.

22. Apologies for absence (Agenda Item 2)

Apologies for absence were received from Councillors Neil Bloomfield, Adam Dance, Sylvia Seal and Gerard Tucker.

23. Declarations of Interest (Agenda Item 3)

There were no declarations of interest.

24. Date of next meeting (Agenda Item 4)

Members noted the next meeting of Area North Committee was scheduled for 2.00pm on Wednesday 25 July 2018, at avenue to be confirmed.

25. Public question time (Agenda Item 5)

There were no questions from members of the public.

26. Chairman's announcements (Agenda Item 6)

The Chairman had no announcements but noted he was without a Vice-Chairman. It was agreed that Councillor Crispin Raikes would take the role of Vice-Chairman for part of the meeting when planning applications were to be considered.

27. Reports from members (Agenda Item 7)

Councillor Sue Steele noted it was an exciting time for Ilton as the Multi Use Games Area was due to officially open shortly. She thanked the appropriate officers for all the work that had been done.

Councillor Claire Aparicio Paul informed members that the pool at Huish Leisure Centre was due to open at the weekend, but the official opening would be at a later date. She also noted that Langport Town Council had been successful with their Expression of Interest regarding future funding for river projects.

28. Langport Cycleway (Executive Decision) (Agenda Item 8)

The Leisure and Recreation Manager presented the report as detailed in the agenda, which updated members on the progress of work with local representatives regarding the future management of the Langport to Muchelney Cycleway. Members were informed of the work undertaken since the last report in April 2018, and she highlighted the proposed way forward and funding plan. The Manager advised that if the proposal was agreed, the Consortium would take over responsibility for the cycleway when the current licences expired, and noted that revenue costs would be greatly reduced and the revised costs would be much more sustainable for the future.

Ward member, Councillor Clare Aparicio Paul noted much work had been done to get the project to this stage. She hoped members would support the proposal and she was confident that funding from other sources would be secured.

The Communities Lead informed members that the grant proposed was a once-off capital sum, and would be conditioned to preclude any future funding applications to SSDC for the cycleway.

At the end of a brief discussion, during which members expressed their support for the proposal, it was unanimously agreed to award the funding to Langport Town Council.

RESOLVED: That Area North Committee agreed to:

1. Note the report, particularly the financial and in-kind support offered by the local community to ensure the sustainability of the Langport to Muchelney Cycleway.
2. Award a grant of £10,000 to Langport Town Council (as lead authority for the Consortium of Huish Episcopi Parish Council, Langport Town Council, Drayton Parish Council and Muchelney Parish Meeting) towards the purchase of a section of the Langport Cycleway and improvements to infrastructure. The funding to be allocated from capital reserves.

Reason: To update members on progress of work with local representatives regarding the future management of the Langport to Muchelney Cycleway and to award a grant towards the costs of purchasing a section of the cycleway and capital improvements along its length.

(Voting: Unanimous)

29. Area North Committee Forward Plan (Agenda Item 9)

The Communities Lead noted that where possible reports scheduled for September would try to be brought forward earlier. She also informed members that there was likely to be a workshop for members prior to the September meeting to provide an opportunity to input into the new Economic Development Strategy.

In response to queries raised during discussion, she noted that:

- There was likely to be a feedback report regarding the Area North Annual Parish Meeting – however this would be a report to members for information and not necessarily an agenda item.
- The South Petherton Neighbourhood Plan item had been removed from the Forward Plan as it had gone through the formal process at District Executive and the referendum was happening shortly.

Members were content to note the Forward Plan.

RESOLVED: That the Area North Forward Plan be noted.

30. Planning Appeals (Agenda Item 10)

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

31. Schedule of Planning Applications to be Determined By Committee (Agenda Item 11)

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

32. Planning Application 18/01257/REM - The Trial Ground (Land OS 5949), Somerton Road, Langport. (Agenda Item 12)**

Proposal: The erection of 80 No. dwellings including associated public space and all other associated external works (Reserved Matters application following approval of 13/03483/OUT).

The Planning Officer introduced the application and reminded members that a scheme for 94 dwellings on the same site had been considered by North Committee in January 2018, which members had resolved to refuse. He provided several updates to members including detail regarding a letter between a neighbour and Persimmon Homes. It was also noted that a recent update had been received regarding the width of the highway within the development which would now be 5 metres wide and hence meet required specifications.

The Planning Officer noted that an official response from Highways had yet to be received, however, he was not anticipating their response to be any different to that given for the outline application or the refused 94 dwelling application.

The application was presented in detail to members. The officer noted that the current proposal was in line with the expectation at outline stage and it hopefully addressed many of the previous concerns. He highlighted that the access had already been agreed, and that since the outline approval the addition of a crossing point near the new access was now proposed. It was acknowledged that much correspondence had been received regarding the avenue beech hedge and wishes of the local community for it to be retained.

Two members of Huish Episcopi Parish Council and four members of the public spoke in objection to the application. Their comments included:

- The detailed proposal lacks imagination and character.
- The Trial Ground is a unique site directly opposite the historic Old Kelways building. The context with Old Kelways is important and to preserve that context the central hedge avenue, which is a prominent landscape feature, should be retained.
- The public footpath would not impact the development and the Parish Council were unlikely to support a diversion.
- The Parish Council have consistently recommended refusal of permission at this site.
- Concerns about additional traffic, out of date sewerage system, and impact on local schools and the surgery.
- Feel there is a need for a light controlled crossing, bus stop and additional pavement.
- Wessex Water need to commit to checking the local drainage system and take responsibility for any subsequent failure.
- Would like to see some of the planning contributions go towards a much needed village hall.
- Site access needs to be reconsidered. Concerned about impact on neighbouring properties and impact on quality of life of nearby residents.
- There has been little consultation about the type of pedestrian road crossing, its suitability and location.
- Why is the application being considered by Committee if Highways comments have not been received?
- Many people have signed a petition for the beech hedge avenue to be retained, and reference to biodiversity and local policies.
- Proposal is too close to, and will have an impact on, the nearby listed building, and is contrary to national and local policies regarding protection of heritage assets.
- The access from the site needs to be carefully considered as well as the access into it. There is little mention in reports or on mapping of the properties opposite the site.
- Traffic filter lane has benefits but it is too close to other accesses along the road and will impact the nearby properties. The access proposals are not safe and there must be alternative solutions.

The agent noted this application followed a previously refused application for 94 dwellings. The scheme for 80 dwellings would allow for better traffic flow around the development. Parking proposals had been updated following comments that frontage parking was too dominant. Access had not changed since the outline permission where

Highways had raised no objections. He referred to the amenity value of the beech hedge and officer comments in the earlier outline report that noted the hedge was not worthy of retention.

Ward member, Councillor Clare Aparicio Paul, acknowledged that the principle of development was already established, but noted the proposal was clearly not wanted locally in the current format. She also noted that the number of dwellings would take the area over the housing figures stated in the Local Plan. She commented there had been much engagement regarding the application and many compromises had been made, but some concerns and anomalies remained unresolved, such as the entrance traffic flows and hedge etc. There was a need to be confident that some of the outstanding issues would be addressed such as appropriate access for disabled residents.

During a lengthy discussion varying views were expressed including:

- Feel road layout within the development is too narrow and will be dangerous. Much tandem parking is proposed so likely to be roadside parking which will make it difficult for emergency vehicles and refuse lorries to manoeuvre.
- It's a site opposite a historic building, the houses are small and the materials are inappropriate. More should be done to reflect the Old Kelways building and the local area.
- Feels like Highways have given most consideration to access into site, and less consideration to traffic leaving the site. Access must be maintained for neighbours.
- The hedge is important and could be regenerated. Feel additional planting could be done to enhance it and could make it into an interesting amenity space.
- Not against development but it needs to be right for the area. The developer needs to work with what's there and not against it.

In response to comments made the Legal Specialist, Planning Officer and Area Lead advised that:

- If members were minded to refuse the application, it would need to go to Regulation Committee for determination with a recommendation from Area North Committee. If minded to defer the application there would need to be clear reasons for deferral.
- 5.5 metres was not the road width required on roads in developments such as that proposed. For a road to be adopted by County Highways the required width was 5 metres. What is proposed met Highways specifications.
- The heritage impact had been fully considered and was included in the comments of the Landscape Officer.
- The hedge had been discussed several times when previous applications had been considered. The Landscape Officer and Tree Officer had not raised objections to it being removed and had noted it was not worthy of retention. The retention of the hedge would impact on the urban design of the proposal, and the loss of the hedge had been deemed acceptable when the outline application had been approved.
- There had been no objections from statutory consultees.

The Senior Planning Advisor, informed members that as the meeting started he had received a phone call with verbal comments from Highways. He advised that their response confirmed that the principle of the junction had been agreed at outline and the 5 metre width was appropriate in this situation. Car parking could be dealt with by a condition and the adoption process.

It had been initially proposed earlier in discussion to defer the application due to Highway matters and concerns about the access. The Legal Specialist advised that the deferral reasons had now been covered in the update provided by the Senior Planning Advisor. This initial proposal was subsequently withdrawn.

There was a further short discussion, during which officers responded to points of detail including:

- SSDC had its own Highways consultant, however with major applications such as this, it was important to take advice of SCC Highways.
- Deferral was usually about going back to get further information or clarity from the applicant or consultees
- The professional opinion of officers was that receiving verbal comments from consultees was acceptable, but it was also understandable that members may wish to see responses in writing before determining an application.
- If members were suggesting that they wanted the applicant to consider changing the scheme, the officer advice was that this was not a fair reason to defer.

A proposal was made to refer the application to the Regulation Committee with a recommendation to refuse on the grounds of concerns about highway safety, setting and impact on Old Kelways, unacceptable design and materials, impact on character and appearance, loss of the beech hedge and the detrimental impact regarding access for existing properties opposite the proposed site access.

On being put to the vote, there were 4 votes in favour of refusal, 4 against with 1 abstention. The Chairman used his casting vote in favour of refusing the application, and hence the application to go forward to Regulation Committee for determination.

RESOLVED: That planning application 18/01257/REM** be referred to the Regulation Committee with a recommendation from the Area North Committee that the application be refused, for the following reasons:-

- The estate roads would be of insufficient width to allow safe and effective vehicle movement around the site, to the detriment of highway safety. It was noted that no comment had been received from the Highway Authority at the time of Members considering the application.
- Design and materials of the proposed houses are unacceptable, failing to respect the character, appearance and rural context of the site and its surroundings, and adversely affecting the local heritage setting, specifically that of the grade II listed buildings comprising the former Old Kelways Nurseries complex.
- The loss of an existing beech hedge dividing the application site will adversely impact on the rural character of the site, and have an unacceptable impact on local ecology.
- The proposed access would impact unacceptably on the use of existing residential vehicular accesses on the east side of Field Road, opposite the proposed access, detrimentally impacting highway safety on the adjoining public highway network and adversely affecting the amenities of neighbouring residents.

(Voting: 5 in favour in recommending refusal, 4 against)

33. Planning Application 18/00761/FUL - Highfield Farm, Windmill Lane, Pibsbury. (Agenda Item 13)

Proposal: The erection of 2 No. detached dwellings (Revised Application).

The Planning Officer presented the application and made reference to planning appeal decisions for the site. He reminded members of the planning history for this and the neighbouring site, and noted the reason for recommending refusal remained the same as in previous applications.

A representative for Huish Episcopi Parish Council addressed members and noted it was good to see bungalows being built and they could see no harm being caused by the proposal. The Parish Council fully supported the application.

The agent noted that the issues raised by the officer solely related to visual impact. He explained that circumstances had changed and why a revised application had been submitted. The area of the proposed buildings did not go into open countryside and would not go beyond the existing building line. He felt it was incomprehensible that a scheme that would be well screened and barely visible would have a detrimental visual impact.

Ward member, Councillor Clare Aparicio Paul, noted there were other new houses nearby. She felt it was a sustainable location as there were several local facilities nearby, and she struggled to understand some of the Inspector's reasons for dismissing previous appeals. She proposed that the application be approved contrary to the officer recommendation, on the grounds that the site is in a sustainable location and would have no detrimental impact.

There was no debate. The Planning Officer suggested the wording for the justification and advised that conditions would be required for:

- Time limit
- Approved plans
- Materials
- Parking and turning
- Landscaping

On being put to the vote, the proposal to approve the application was carried 8 in favour with 1 abstention.

RESOLVED: That planning application 18/00761/FUL be APPROVED, contrary to the officer recommendation, subject to the following:

Justification:

01. The proposed development, by reason of its size, scale and materials, respects and relates to the character of its surroundings, has no adverse effect on local landscape character, visual or residential amenity and highway safety. As such the proposed development is considered to accord with the aims and objectives of policies SD1, SS1, SS2, TA5, TA6 and EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of chapters 4, 6, 7, 10 and 11 and the core planning principles of the National Planning Policy Framework.

Subject to the following conditions:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans: '6761-01', '6761-02' and '6761-03.'

Reason: For the avoidance of doubt as to the development authorised and in the interests of proper planning.

03. No works shall be carried out in relation to the construction of the external surfaces of the development hereby permitted unless particulars of materials (including the provision of samples) to be used for the external walls and roof have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity, in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 7 of the National Planning Policy Framework.

04. No development shall be carried out on site 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 after the development hereby permitted is first brought into use; 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 interests of visual amenity, in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 7 of the National Planning Policy Framework.

05. The area allocated for parking and turning on the approved plan, shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety, in accordance with policies TA5 and TA6 of the South Somerset Local Plan (2006-2028) and the provisions of chapter 4 of the National Planning Policy Framework.

Informatives:

01. 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: 8 in favour, 1 abstention)

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Chairman