

South Somerset District Council

Minutes of a meeting of the **Area North Committee** held in the **Council Chamber, Council Offices, Brympton Way, Yeovil** on **Wednesday 26 June 2019**.

(2.00 pm - 4.40 pm)

Present:

Members: Councillor Adam Dance (Chairman)

Neil Bloomfield
Malcolm Cavill
Louise Clarke
Mike Hewitson
Tim Kerley

Tiffany Osborne
Clare Paul
Dean Ruddle
Mike Stanton



Officers:

Simon Fox
Sarah Hickey
John Millar
Stanley Norris
Jacqui Churchill
Angela Cox

Lead Specialist - Development Management
Senior Planning Lawyer
Specialist - Development Management
Development Management Case Officer
Development Management Case Officer
Democratic Services Specialist

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

1. Minutes (Agenda Item 1)

The minutes of the meeting held on 27 March 2019 were approved as a correct record and signed by the Chairman.

2. Apologies for absence (Agenda Item 2)

Apologies for absence were received from Councillors Crispin Raikes and Gerard Tucker.

3. Declarations of Interest (Agenda Item 3)

Councillor Neil Bloomfield declared a personal interest in Agenda item 17 - Planning Application 19/00064/FUL** - Land OS 0002 South of Coat Road, Martock as the Chairman of Martock Parish Council who had submitted comments on the application.

Councillor Dean Ruddle declared a personal interest in Agenda item 14 – Planning Application 19/00587/HOU – 11 Beaufort Gardens, South Petherton as the applicant was a distant relative.

4. **Date of next meeting (Agenda Item 4)**

Members noted that the next meeting of the Area North Committee was scheduled for 2.00pm on Wednesday 24 July 2019, in the Council Chamber, Council Offices, Brympton Way, Yeovil.

5. **Public question time (Agenda Item 5)**

There were no questions from members of the public present.

6. **Chairman's announcements (Agenda Item 6)**

There were no announcements from the Chairman.

7. **Reports from members (Agenda Item 7)**

Councillor Dean Ruddle advised that following the Motion at Council the previous month and the climate change declaration, Somerton Town Council were also considering climate change issues and were looking into ways of reducing their carbon footprint.

Councillor Neil Bloomfield reported that Martock Parish Council were installing solar panels on the buildings which they owned.

8. **Area North Committee - Appointment of Members to Outside Organisations and Groups for 2019/20 (Executive Decision) (Agenda Item 8)**

Councillor Clare Paul proposed that Councillor Tiffany Osborne join her to represent SSDC on the Langport Abattoir Liaison Group and this was agreed.

Councillor Clare Paul noted that as she and Councillor Osborne were both coaches at the Huish Episcopi Leisure Centre she did not feel it appropriate that they represent SSDC on that Board. It was proposed and agreed that Councillors Crispin Raikes and Tim Kerley be the SSDC representatives on the Huish Episcopi Leisure Centre Board.

It was proposed and agreed that Councillor Louise Clarke represent SSDC on the Martock Community Planning Partnership.

Councillor Malcolm Cavill expressed an interest in the Somerset Levels and Moors Local Action Group Executive Board and as the previous representative, Councillor Gerard Tucker, was not present, it was agreed to defer this appointment to the next meeting of the Committee.

RESOLVED: That Area North Committee appointed the following members to the outside organisations and groups for 2019/20:-

- a. Somerset Levels and Moors Local Action Group Executive Board – decision deferred to the next meeting of the Committee
- b. Langport Abattoir Liaison Group – Councillors Clare Paul and

Tiffany Osborne

- c. Martock Community Planning Partnership – Councillor Louise Clarke
- d. Huish Episcopi Leisure Centre Board – Councillors Crispin Raikes and Tim Kerley

Reason: To confirm the appointments to organisations and groups to which representatives are requested to be appointed by the Area North Committee for 2019/20.

(Voting: unanimous in favour)

9. Scheme of Delegation - Development Control - Nomination of Substitutes for Chairman and Vice Chairman for 2019/20 (Executive Decision) (Agenda Item 9)

Councillor Tiffany Osborne proposed that Councillors Clare Paul and Crispin Raikes be appointed to act as substitutes for the Chairman and Vice Chairman to make decisions in the Chairman's and Vice Chairman's absence on whether an application should be considered by the Area Committee as requested by the Ward Member(s).

This was unanimously agreed by Members.

RESOLVED: That, in line with the Development Control Revised Scheme of Delegation, Councillors Clare Paul and Crispin Raikes be appointed to act as substitutes for the Chairman and Vice Chairman to make decisions in the Chairman's and Vice Chairman's absence on whether an application should be considered by the Area Committee as requested by the Ward Member(s).

Reason: To confirm the appointment of two members to act as substitutes for the Chairman and Vice Chairman in the exercising of the Scheme of Delegation for planning and related applications.

(Voting: unanimous in favour)

10. Area North Committee Forward Plan (Agenda Item 10)

There was no discussion and members were content to note the Forward Plan.

RESOLVED: That the Area North Forward Plan be noted.

11. Planning Appeals (Agenda Item 11)

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

Noted

12. Schedule of Planning Applications to be Determined By Committee (Agenda Item 12)

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

13. Planning Application 19/01174/S73 - Barn at the Coach House, West Street, Stapleton, Martock. (Agenda Item 13)

Proposal: Application to vary condition 2 (approved plans) of approval 16/02758/FUL (minor elevational changes to both dwelling and garage)

The Development Management Specialist introduced the report which were redundant farm buildings that already had consent for conversion to a dwelling. He outlined the minor proposed amendments to link the house to the garage. He advised that the application was before Members as the applicant was a senior member of staff within the Council and his recommendation was the application be approved.

Councillor Neil Bloomfield proposed that the application be approved and this was seconded by Councillor Dean Ruddle and unanimously agreed by Members.

RESOLVED: That planning application 19/01174/S73 be APPROVED, as per the officer recommendation, for the following reason:

01. The proposal represents the sustainable re-use of a disused rural building that would enhance the immediate setting and contribute towards the supply of housing. By reason of its design, layout and materials, the proposal respects the character and appearance of the setting and causes no demonstrable harm to residential amenity, or highway safety. In these respects, the proposal accords with the aims and objectives of the NPPF and Policies EQ2, TA5 and TA6 of the South Somerset Local Plan.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun before the expiration of three years from the date of the original permission (16/02758/FUL).

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: the drawings ref. 1901/PL/ numbers 050, 051, 052, 100, 300 and 301

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

03. The development hereby approved shall be carried out in accordance with the details approved submitted with your email of 19/03/2019, in relation to conditions 3(i), 3(ii), 3(iii), 3 (iv) and 3 (v) of decision letter dated 26 August 2016 , ref. 16/02758/FUL. Such approved details shall be fully implemented and thereafter

shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity in accordance with policies EQ2 of the South Somerset Local Plan (2006-2028) and the aims and objectives of the National Planning Policy Framework.

04. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43.0 metres either side of the access. Such visibility shall be fully provided before the dwellinghouse hereby permitted is first occupied and shall thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

05. The areas allocated for parking and turning, including the parking spaces within the approved garage building, shall be kept clear of obstruction at all times 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, and to accord with Policy TA6 of the South Somerset Local Plan.

06. Before occupation of the dwellinghouse hereby permitted, the proposed access over at least the first 6m of its length, as measured from the nearside 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, and shall be permanently maintained as such at all times thereafter.

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

07. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the areas of rebuilding shall be restricted to that defined on the approved plans referred to in Condition 2 and the Structural Report by Brian Jones (Structural Engineers) Ltd., received on 24 June 2016 as part of application ref 16/02758/FUL, and shall not be enlarged without the prior express grant of planning permission. In the event that completion strictly in accordance with such approved plans shall become impracticable for whatever reason, work shall thereupon cease and only be re-commenced if and when an express grant of planning permission shall have been obtained in regard to an amended scheme of works which renders completion of the scheme practicable.

Reason: To clarify the scope of the permission and to prevent wholesale demolition and rebuild of the buildings, to accord with the aims of the NPPF.

08. The development hereby permitted shall be carried out generally in accordance with the recommendations set out in the submitted Structural Report by Brian

Jones (Structural Engineers) Ltd., received on 24 June 2016, ref 16/02758/FUL unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the appropriate conversion of the building in the interests of visual amenity and to accord with the aims of the NPPF and Policy EQ2 of the South Somerset Local Plan

09. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed in the buildings, or other external alteration made without the prior express grant of planning permission.

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

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no garages or other outbuildings shall be erected other than those expressly authorised by this permission.

Reason: To safeguard the character and appearance of the setting and to accord with the NPPF and Policy EQ2 of the South Somerset Local Plan.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to this building without the prior express grant of planning permission.

Reason: To safeguard the character and appearance of the setting and to accord with the NPPF and Policy EQ2 of the South Somerset Local Plan.

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

Reason: In the interests of highway safety.

13. The works shall be implemented in accordance with the details and timing of the bat mitigation and compensation measures, submitted as part of 16/02758/FUL; outlined in Section 4 ('Recommendations') of the report 'Bat Survey of Barn at Stapleton' (Crossman Associates, 19 November 2015), as modified to meet the requirements of any 'European Protected Species Mitigation Licence' issued by Natural England, unless otherwise approved in writing by the local planning authority.

Reason: For the conservation and protection of species of biodiversity importance in accordance with NPPF and Policy EQ4 of the South Somerset Local Plan, and

to ensure compliance with the Wildlife and Countryside Act 1981 and The Habitats Regulations 2010.

Informative:

01. Before this development can commence, a European Protected Species Mitigation Licence (under The Conservation of Habitats and Species Regulations 2010) will be required from Natural England. You will need to liaise with your ecological consultant for advice and assistance on the application for this licence. Natural England will normally only accept applications for such a licence after full planning permission has been granted and all relevant (protected species) conditions have been discharged.

(Voting: unanimous in favour)

14. Planning Application 19/00587/HOU - 11 Beaufort Gardens, South Petherton (Agenda Item 14)

Proposal: Erection of two storey side and rear extension

The Development Management Case Officer introduced her report for a two storey rear and side extension to the property. She advised that a similar application was approved in 2007 but that had single storey side extension with a rear two storey extension. Since writing her report, a further letter of objection had been received from the owners of 5 Compton Road regarding loss of light, over dominant to their property and the proposed materials were out of keeping. Although the Parish Council had raised no objections, the proposed two-storey extension would be 2.6m from the boundary and due to the orientation, difference in levels and proximity to the boundary she considered that this could be an overbearing and an unneighbourly form of development creating a poor relationship with 5 Compton Road. She recommended the application be refused.

The Committee were addressed by the prospective owner of 5 Compton Road. He said their property was 1 ½ storeys high and set at a lower level to 11 Beaufort Gardens and the proposed two storey extension would bring the property 4m closer. It would create significant overlooking particularly into their family bathroom. He said he was happy to work with his neighbour to come to a better solution.

The Committee were addressed by the Agent for the applicant. He said the applicant wished to bring their property up to a modern standard and create additional ground floor space to accommodate an elderly relative. He noted the difference in footprint of the previously approved extension to the one proposed and the difference in proximity to the boundary. He also noted that there was a 2m hedge between the properties.

The comments of Councillor Crispin Raikes were read out in his absence. He said there was an element of overlooking and dominance due to the height of Beaufort Gardens relative to Compton Road, however he was not convinced that this would be significantly altered by the application from the status quo.

In response to questions from Members, the Development Management Case Officer confirmed the view from one of the bedrooms would overlook the neighbouring property but to condition obscured glazing in a bedroom would be very unusual. She also

confirmed that the parking at the site satisfied the optimum as required by the Highway Authority.

Following a brief discussion, it was proposed and seconded that the application be approved, contrary to the officers recommendation, as the proposal respected the character of the area and there was no demonstrable harm to residential amenity or highway safety. On being put to the vote, this was carried by 7 in favour and 2 against.

RESOLVED: That planning application 19/00587/HOU be APPROVED, contrary to the officer recommendation, for the following reason:

The proposal, by reason of its size, scale and materials, respects the character of the area and causes no demonstrable harm to residential amenity or highway safety in accordance with the aims and objectives of Policies EQ2 and TA5 of the South Somerset Local Plan (2006-28) and the provisions of the National Planning Policy Framework 2019.

1. 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.
2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents reference:
 - a. Dwg 187/02 Rev A – Existing Site, Block and Roof Plan
 - b. Dwg 187/03 Rev D – Proposed Floor Plans
 - c. Dwg 187/04 Rev B – Proposed Elevations
 - d. Dwg 187/05 – Proposed Sections
 - e. Design and Access Statement

and the external surfaces of the development shall be of materials as indicated in the application form and no other materials shall be used without the prior written consent of the local planning authority.

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

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

15. Planning Application - 19/00952/HOU - Southernaways Cottage, Water Street, Seavington St. Mary (Agenda Item 15)

Proposal: Erection of a garden room and garden store (revised retrospective application)

The Development Management Case Officer introduced the report and advised that he had received no objections to the garden room but had received 7 letters of objection and 2 letters of support for the garden store which was sited at 22m from the road. There had been some comments on the new gate entrance but this had no bearing on the application. It was proposed to lower the roof height of the garden store by 400mm and the Conservation Officer had not raised any objections therefore the recommendation was to approve the application.

The Committee were then addressed by a representative of the Parish Council. He questioned why there was no Listed Building application for the proposal and said that construction had continued despite the planning officers instructions to cease further works when they visited the site. He also noted that their first application, which was submitted retrospectively, had also been refused permission.

The Committee were then addressed by 5 local residents who spoke in opposition to the application. Their comments included:

- No amount of shrubs will screen the store and to allow it to remain sets a precedent for any other application in the village.
- The view from my kitchen window is completely dominated and this will be worse in the winter months.
- The applicants were given advice that the proposal would be unacceptable on the character of a listed building.
- The Conservation Officer's advice was misplaced and there was no evidence they had visited the site.
- The reduction of one tile length was ridiculous, it was close to a footpath and in full view and impeded the streetscene.

The Agent for the applicant then read out a statement from the owner of the cottage. She said her mobility was not good so the store was located as close to the cottage as possible and a climbing plant would be grown over it to soften the outline. She said that she wished the cottage to look its best and by next year the store would be much improved.

The Agent for the applicant said the roof height would be reduced by over 1ft and following refusal of the previous application, they had worked with planning officers on this one. She said the store was well concealed and could only be seen from longer views or the footpath. She concluded that the applicant was happy to accept a condition to reinstate the hedgerow.

In his absence, the comments of Ward Member, Councillor Crispin Raikes, were read out. He said that this is not the first time work has been carried out before permission had been granted. The Parish Council had raised concerns the previous year as the construction had no permission and a planning officer attended the site and advised the contractor that planning would be required and that all work should cease until it had been obtained. Work did not cease and the store in its current form was completed and a retrospective application submitted. Lowering the roofline would do little to improve this and he asked that Members go against the officer recommendation and move to take enforcement action.

Councillor Adam Dance, the other Ward Member, said the garden store should be located elsewhere in the garden and not in its current prominent position. He said there was a lot of local opposition and he proposed that the application be refused permission. This was seconded by Councillor Clare Paul.

In response to a question, the Development Management Lead Specialist confirmed that an officer had visited the site the previous Autumn and advised the owner to cease work. He said that people were at liberty to continue in the knowledge that permission may be refused and enforcement action taken. He also advised that Members were able to choose to refuse the application and, the applicant had the right to appeal any decision to refuse and any subsequent decision to take enforcement action, which would all take

time. They could also submit a further application to re-site the garden store in another location within the garden.

During discussion, Members felt the hedge should be reinstated and the entrance gate removed. The proposal to refuse permission as put to the vote and carried (voting: 8 in favour, 1 against, 0 abstentions)

The Development Management Lead Specialist then asked Members what enforcement action they wished to take if any and it was suggested that officers discuss with the applicant the possibility of re-siting the garden store to a more appropriate position in the rear garden. A report on this conversation to be brought to the next available committee meeting for the committee to consider.

RESOLVED: That planning application 19/00952/HOU be REFUSED permission, contrary to the officer's recommendation, for the following reason:

The garden store hereby proposed in terms of its size, setting materials and design is considered to cause harm to the character of the area and the heritage asset, contrary to policies EQ2 and EQ3 of the South Somerset Local Plan (2006-28) and the provisions of the National Planning Policy Framework 2019.

NB: A decision on the enforcement of the refusal to be held in abeyance pending a conversation with the applicant as to the possibility of re-siting the garden store to a more appropriate position in the rear garden. A report on this conversation to be brought to the next available committee meeting for the committee to consider.

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

16. Planning Application 18/02578/FUL - St. Francis, Silver Street, Shepton Beauchamp (Agenda Item 16)

Proposal: Construction of three dwelling units and associated works following the demolition of existing dwelling and industrial unit

The Development Management Specialist introduced the report which proposed two semi-detached houses to the front of the site with a bungalow to the rear. The industrial unit had already been removed and the two semi-detached houses to the front of the site would be set down in the bank so would be no higher than the existing bungalow. Visibility was reasonable and the access would be improved. There were no Highway Authority concerns so his recommendation was to approve the application.

The Committee were then addressed by a representative of the Parish Council. He said the applicant had originally discussed his proposals for the site with the Parish Council but the subsequently submitted plans did not reflect those discussions. He said the site was surrounded by bungalows and two houses, though reduced in height, were not in keeping. He also mentioned a nearby flood alleviation scheme which should not be damaged during construction.

The Committee were then addressed by the Agent for the applicant. He said this was an infill site, within the village. The applicant lived in the village and the comments made by the immediate neighbours could be accommodated. The development would not affect the nearby storm drain and CIL payments would be made.

In his absence, the comments of Ward Member, Councillor Crispin Raikes, were read out. He said that the applicant had attended a Parish Council meeting with some plans and had a constructive discussion. But, when the application was submitted it bore no relation to that presented and took no account of the discussion that had previously taken place. He said the roofline of the semi-detached houses to the front of the site may be a similar height to the existing bungalow but digging out the grass bank and replacing it with a ground floor of a full house would have a significant impact.

In response to a question, the Development Management Specialist confirmed the site was in Flood Zone 1 and the surface water from the site was dealt with in condition 4 of approval.

Members briefly discussed the application and felt the site was reasonable infill within the village. It was proposed and seconded to approve the application and, on being put to the vote, this was carried by 8 in favour, 0 against and 2 abstentions.

RESOLVED: That planning application 18/02578/FUL be APPROVED, as per the officer recommendation, for the following reason:

01. The proposal reason of size, scale and materials, is acceptable as it respects the character of the site and its surroundings, and has no detrimental impact on local ecology, residential amenity or highway safety. As such, the proposed development is considered to accord with the aims and objectives of policies SD1, TA5, TA6, EQ2 and EQ4 of the South Somerset Local Plan and the aims and objectives of the NPPF.

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 complete accordance with the following approved plans: 1046 P01 Rev A, 1046 P02 Rev D, 1046 P05 Rev E, 1046 P06 Rev D, 1046 P07 Rev E, 1046 P08 Rev D, 1046 P09 Rev E and 1046 P010 Rev C.

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

03. No work shall be carried in respect to the construction of the external surfaces of the dwellings hereby permitted unless details of materials (including the provision of samples) to be used for the external walls and roofs, have been submitted to and approved in writing by the Local Planning Authority. Such details shall include finish of the roof verges, and the provision of a sample panel of new stonework for inspection on site. Once approved such details shall be fully implemented and thereafter shall not be altered without the prior written consent of the Local Planning Authority.

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

04. Details of foul and surface water drainage to serve the development, shall be submitted to and approved in writing by the Local Planning Authority. Such approved drainage details shall be completed and become fully operational before any of the dwellinghouses hereby permitted are first occupied. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: In the interests of highway safety and to ensure that the development is served by a satisfactory system of drainage, in accordance with policies TA5, EQ1 and EQ2 of the South Somerset Local Plan) aims and objectives of the National Planning Policy Framework.

05. The areas allocated for parking and turning on the approved plans 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 policy TA5 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

06. There shall be no obstruction to visibility greater than 900 millimetres above adjoining road level in advance of the visibility splays shown to the south of the access, as indicated on the approved plans. Such visibility shall be fully provided before any of the dwellinghouses hereby permitted are first occupied and shall thereafter be maintained at all times.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

07. In order to avoid the illumination of the scattered trees along the northern and western boundary, no artificial lighting associated with the development shall be operated on any part of the subject land unless details of all new lighting have been first submitted to and approved in writing by the Local Planning Authority. Any such lighting scheme should include details of specifications such as downward lights, and motion sensors, and how this would be achieved. Such approved details, once carried out shall not be altered without the prior written agreement of the Local Planning Authority.

Reason: For compliance with the Wildlife and Countryside Act 1981, and for the conservation of biodiversity, in accordance with NPPF and Policy EQ4 of the South Somerset Local Plan.

08. The development hereby permitted shall include the following biodiversity enhancements, details of which shall be submitted to and agreed in writing by the Local Planning Authority.

- 2 x Schwegler 2FN bat box (<https://www.wildcare.co.uk/bat-box-55.html>) to be erected on the proposed new dwellings or any suitable trees on site. This should

- be installed facing a southerly direction approximately 3-5m above ground.
- 1 x bee brick (<https://www.nhbs.com/bee-brick>) to the southern of western elevation of each separate dwellings.
- Garden fencing between properties will feature small mammal holes at the base of the fence, keeping to the minimum size of 13x13cm, to allow hedgehogs to move freely between the new and existing properties.

The agreed biodiversity enhancements shall be provided prior to the dwellinghouses hereby permitted being first occupied.

Reason: To ensure appropriate provision of mitigation measures for protected species in accordance with Policy EQ4 of the South Somerset Local Plan and the aims and objectives of the NPPF.

09. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed in the dwellings hereby permitted without the prior express grant of planning permission.

Reason: In the interests of residential amenity in accordance with policy EQ2 of the South Somerset Local Plan and the aims and objectives of the NPPF.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwellings hereby permitted without the prior express grant of planning permission.

Reason: In the interests of residential amenity, and to safeguard the character and appearance of the area in accordance with policy EQ2 of the South Somerset Local Plan and the aims and objectives of the NPPF.

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.

You are advised to visit our website for further details: <https://www.southsomerset.gov.uk/cil> or email cil@southsomerset.gov.uk.

02. The applicant will be required to secure an appropriate legal agreement/ licence for any works within or adjacent to the public highway required as part of this development, and they are advised to contact Somerset County Council to make the necessary arrangements well in advance of such works starting.

03. The developers and their contractors are reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017. In the unlikely event that bats are encountered during implementation of this permission it is recommended that works stop and advice is sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity.
04. The developers and their contractors are reminded of the legal protection afforded to nesting birds under legislation including the Wildlife and Countryside Act 1981. In the event that nesting birds are encountered during implementation of this permission works should stop and advice be sought from a suitably qualified, licensed and experienced ecologist at the earliest possible opportunity.

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

17. Planning Application 19/00064/FUL - Land OS 0002 South of Coat Road, Martock (Agenda Item 17)**

Proposal: The erection of 120 homes together with associated infrastructure including access/highway improvements, drainage and attenuation, play area, open space and landscaping

The Development Management Specialist introduced the report and explained that consent has previously been granted on the site for 95 houses and it was now proposed to build 120 houses which were smaller in size than those previously approved. There was an increase in 2 and 3 bedroom properties and more would be affordable. The layout was an improvement on the previous scheme.

One of the Ward Members, Councillor Neil Bloomfield, proposed that the application be referred directly to the Regulation Committee. He said that if the Committee refused the application, it would be referred to that committee in any case and he did not see the point in hearing the application twice. His proposal was seconded by Councillor Dean Ruddle.

At the Chairman's request, the Development Management Lead Specialist explained the reason for the Regulation Committee to ensure consistent decision making across the 4 Area Committees and to ensure the Local Plan was administered consistently.

During a short debate, it was noted that the Committee had previously refused permission at the site for 95 houses but permission had been granted on appeal. Some Members expressed concern that they were setting a precedent by not discussing the application or hearing the public comments. Councillor Mike Hewitson asked that his dissent to the proposal be registered.

The proposal to defer the application to the Regulation Committee was put to the vote and carried by 6 votes in favour and 3 against.

RESOLVED: That planning application 19/00064/FUL** be REFERRED to the Regulation Committee.

(Voting: 6 in favour, 3 against, 0 abstentions)

The Chairman noted that 11 members of the public had registered to speak on the application and there were more in the audience to hear the debate. He thanked them for attending and urged them to attend the Regulation Committee meeting on 16th July at 2.00pm.

18. Planning Application 19/00721/FUL - Land OS 1615, Etsome Road, Somerton (application withdrawn from the Agenda) (Agenda Item 18)

Proposal: Erection of new primary school, to include construction of sports pitches, parking area with drop off/pick up area, new access points onto Northfield and Etsome Road, landscaping and associated infrastructure

It was noted that the application had been withdrawn from the agenda and would be considered at a later date.

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Chairman