

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 24 July 2019.**

(2.00 pm - 5.10 pm)

Present:

Members: Councillor Adam Dance (Chairman)

Neil Bloomfield
Malcolm Cavill
Louise Clarke
Tim Kerley

Crispin Raikes
Dean Ruddle
Mike Stanton
Gerard Tucker



Officers:

Netta Meadows
Adrian Moore
Debbie Haines
Andrew Gunn
Mike Hicks
Jacqui Churchill
Stanley Norris
Sarah Hickey
Angela Cox

Director (Strategy & Support Services)
Locality Officer
Locality Team Leader
Specialist (Development Management)
Specialist (Development Management)
Development Management Case Officer
Development Management Case Officer
Senior Planning Lawyer
Democratic Services Specialist

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

19. Minutes (Agenda Item 1)

The minutes of the meeting held on 26 June 2019 were approved as a correct record and signed by the Chairman.

20. Apologies for absence (Agenda Item 2)

Apologies for absence were received from Councillors Mike Hewitson, Tiffany Osborne and Clare Paul.

21. Declarations of Interest (Agenda Item 3)

Councillor Neil Bloomfield declared a personal interest in Agenda item 17: Planning Application 19/00544/OUT – land adjoining 28 Eastfield, Martock as the Chairman of Martock Parish Council, who had submitted comments on the application.

Councillor Louise Clarke declared a personal interest in Agenda item 17: Planning Application 19/00544/OUT – land adjoining 28 Eastfield, Martock as a member of Martock Parish Council, who had submitted comments on the application.

22. 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 28 August 2019, in the Council Chamber, Council Offices, Brympton Way, Yeovil.

23. Public question time (Agenda Item 5)

There were no questions from members of the public present.

24. Chairman's announcements (Agenda Item 6)

There were no announcements from the Chairman.

25. Reports from members (Agenda Item 7)

Councillor Dean Ruddle reported that a new school for Somerton had been approved by the County Council the previous week.

26. Grant to Long Sutton Village Hall (Executive Decision) (Agenda Item 8)

The Locality Officer introduced the report which was a small community grant towards improved security doors and CCTV for the village hall in Long Sutton.

The Ward Member, Councillor Gerard Tucker advised that the village hall was in a relatively isolated position adjacent to a play area, cricket pitch and large car park. The security work was being carried out on the advice of the police.

There was no discussion and Members unanimously agreed to award a grant of £4,347 to Long Sutton Village Hall towards the costs of improved security doors and a new Closed Circuit Television System (CCTV).

RESOLVED: That Area North Committee agreed to award a grant of £4,347 to Long Sutton Village Hall, the grant to be allocated from the Area North Capital Programme and subject to SSDC standard conditions for community grants (Appendix A)

Reason: To support the costs of improved security doors and a new Closed Circuit Television System (CCTV) for The Village Hall at Long Sutton.

(Voting: unanimous in favour)

27. Area North Committee - Appointment of Member to the Somerset Levels and Moors Local Action Group Executive Board for 2019/20 (Executive Decision) (Agenda Item 9)

The Chairman reminded Members that the decision to appoint a representative to the Somerset Levels and Moors Local Action Group Executive Board had been deferred from their previous meeting as not all Councillors had been present at that meeting.

It was proposed and seconded that Councillor Gerard Tucker be appointed to represent them on the Somerset Levels and Moors Local Action Group Executive Board for 2019/20. This was unanimously agreed.

RESOLVED: That Area North Committee agreed to appoint Councillor Gerard Tucker to represent them on the Somerset Levels and Moors Local Action Group Executive Board for 2019/20

Reason: To agree a representative for the Somerset Levels and Moors Local Action Group Executive Board for 2019/20

(Voting: unanimous in favour)

28. Enforcement Update at Southernaways Cottage, Water Street, Seavington St Mary (Agenda Item 10)

The Committee were addressed by a local resident who outlined the history of the site, and, following the second refusal of planning permission by Councillors, felt that enforcement action should follow. He noted the frustration of the Parish Council and local residents and asked that enforcement action now be pursued.

The Case Officer for Service Delivery advised the Committee that since their previous meeting on Wednesday 26th June 2019 where they had refused permission for a garden store at Southernaways Cottage, Water Street, Seavington St Mary, it had been confirmed in writing by both the agent and applicant that the decision to refuse the application would be appealed, rather than submit a revised application for the re-siting the garden store, which had been encouraged by Members. An appeal against the decision had been received on 22 July 2019.

In response to questions from Members, the Development Management Specialist advised that a stop notice could have been issued following the officers visit the previous year when the applicants were advised to cease works, however, there were cost implications in doing this if a subsequent appeal was successful. He advised on the likely time periods for household and enforcement appeals but he said they could be run concurrently by the Planning Inspectorate.

During a short debate, Members felt that enforcement action was appropriate in this case and asked officers to proceed with issuing the necessary enforcement paperwork.

At the conclusion of the debate, it was proposed and seconded to proceed with enforcement action against the garden store only and the proposal was passed unanimously.

RESOLVED: That Area North Committee agreed to proceed with enforcement action for the removal of a garden store erected without permission under planning application 19/00952/HOU at Southernaways Cottage, Seavington St Mary.

Reason: To agree to proceed with enforcement action on planning application 19/00952/HOU at Southernaways Cottage, Seavington St Mary.

(Voting: unanimous in favour)

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

The Director for Strategy and Support Services confirmed that the discussions at the Members Workshop prior to the meeting would be presented to the Area North Committee, District Executive and Full Council as the new priorities in the Council Plan for 2020 were agreed.

Councillor Dean Ruddle asked when the report of the Somerton Conservation Area would come forward and officers said they would let him know the date.

Members were content to note the Forward Plan.

RESOLVED: That the Area North Forward Plan be noted.

30. Planning Appeals (Agenda Item 12)

Members noted that there had been no planning appeals which have been lodged, dismissed or allowed that month.

Noted

31. 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.

32. Planning Application 18/01803/FUL - Land OS 1449 Gore Lane, Pitney (Agenda Item 14)

Proposal: The change of use of land to 2 No. Gypsy / Traveller pitches comprising 2 No. mobile homes, 2 No. touring caravans, and associated works

The Specialist, Development Management, introduced his report and advised that since writing his report, he had received a letter of objection from a solicitor representing 72 local residents and a further letter and a petition raising concerns about local flooding. He said that although the Local Plan target of 28 pitches by 2028 had already been met, it was only a target and not a maximum figure. He noted that the Highway Authority had not raised any objections and although there were issues at a nearby water treatment

pumping station, it was proposed the site be served by its own package treatment plant. Local flooding had been raised as an issue, but, the site was within Flood Zone 1 and so acceptable. He proposed the application be granted permission.

The Committee were addressed by 6 local residents and a representative of the Parish Council. Their comments included:-

- The application was beyond the boundary of the village, which had no shop, public transport or healthcare.
- There were already 5 gypsy pitches in the parish which meant a ratio of 1:32 people and if the permission was granted this would increase to 1:17.
- The site was proposed to have 2 static, 2 touring and two day rooms for one family.
- There was no evidence of a travelling lifestyle except the information in the report.
- No height was specified for the caravans and they may be raised higher because of local flooding.
- No consideration had been given to the existing ecology at the site.
- The site is wet and prone to surface water flooding which would be a significant health and safety risk.

The Committee were addressed by a representative of the applicants in support of the application. Their comments included:

- This was a small two pitch site for a small family whose children were already attending a local school and their father.
- The planting to screen the site had already been done and the site would be kept clean and tidy.
- There was need for gypsy and traveller sites and this one would be funded by the family.

The Ward Member, Councillor Gerard Tucker, advised that the nearby water pumping station was inoperable at times of flooding as it sat in the lowest part of the village. He noted the number of local objections to the proposed site and the need to respect the views of the Parish Council. He showed the maps from the Environment Agency indicating local flooding and questioned why they had not commented on the site.

During a brief discussion, Members felt the site was unsuitable in open countryside, remote from local services and in close proximity to the water treatment plant. It was noted that a package water treatment plant would not work if it was submerged in floodwater.

It was proposed and seconded to refuse planning permission for the following reasons:

- Harm to the character and appearance of the countryside
- Mass of development and impact on site
- Evidence of Surface water flooding at the site
- Unsustainable location

At the conclusion of the debate, the proposal to refuse was put to the vote and carried by 7 in favour, 1 against, 0 abstentions.

RESOLVED: That planning application 18/01803/FUL be REFUSED, contrary to the officer recommendation, for the following reasons:

01. Evidence of surface water flooding at the site
02. Harm to the character and appearance of the countryside.
03. Unsustainable location
04. Harm to the character and appearance of the countryside

(Voting: 7 in favour, 1 against, 0 abstentions)

33. Planning Application 18/02320/OUT - Land at Upton Lane, Seavington (Agenda Item 15)

Proposal: Outline application for the erection of 8 dwellings

The Specialist, Development Management, introduced his report and advised that the application was for 8 dwellings at the north end of Upton Lane. Although this was an unclassified road of variable width serving approximately 40 properties, the development was acceptable as there were plenty of passing places. There were issues with the junction of Upton Lane with the old A303 but the Highway Authority had not raised any objections and had recommended a number of conditions if permission was granted. The properties at the northern end of the site would be single storey due to the proximity with the nearby A303. He concluded that his recommendation was to grant permission.

The Committee were addressed by 4 local residents and a representative on behalf of the Parish Council. Their comments included:-

- Upton Lane is a narrow highway for most of its length and two vehicles meeting often have difficulty passing each other.
- The parish does not need or want more houses on its northern edge which is good arable land.
- The proposal to plant trees to mask the vehicle noise of the A303 will have little effect on the development or the village.
- There is a constant stream of traffic on the old A303 who constantly exceed the 30mph limit.
- The Highway Authority's intention to dual the A303 will bring the road closer to this development.
- The junction of Upton Lane with the old A303 is poorly aligned and there is no visibility to the West.
- The proposed development does not bring employment, community services or sustainability and does not have local support.

The Committee were addressed by the applicants Highway Adviser and the applicant's Agent. Their comments included:-

- The applicants had conducted a traffic survey during the peak traffic period which had 20 vehicles leaving Upton Lane and 16 arriving which equalled 2 vehicle movements every 3 minutes.
- There had been no recorded accidents at the junction in the past 5 years.
- The responses from the Highway Advisers should not be set aside without good reason.
- Upton Lane used to be a through road.

- The applicants had been patient and had reduced the height of some of the proposed properties.

In response to questions from Members, the Specialist, Development Management advised:

- A housing needs assessment had not been submitted as part of the application.
- Although the applicants had mentioned offering discounted housing in their supporting statement, because the proposal was for less than 10 dwellings this could not be enforced or made binding.
- There was no history of any other housing development applications at the site although there could have been on adjacent sites.

One of the Ward Member, Councillor Crispin Raikes, advised that the additional vehicle movements at the junction would impact on local residents and although the pinch point in the lane was short, parked vehicles beyond it made access difficult. Surface water run-off down the roads sometimes exceeded the culverts capacity and was a problem. He felt that one or two houses would be acceptable but 8 was too many.

The other Ward Member, Councillor Adam Dance, regretted that there was no affordable housing or that the offer of discounted housing had not been pursued and he asked that his disappointment be recorded.

Members discussed the substandard junction with the old A303 but concluded that refusing the application because of highway issues would be a weak argument. The Senior Planning Lawyer confirmed that the applicants could not be held to any offer of discounted housing under current Government planning laws.

At the conclusion of the debate, it was proposed and seconded to approve the application as per the officer's recommendation and on being put to the vote, this was approved by 5 in favour, 3 against and 0 abstentions.

RESOLVED: That planning application 18/02320/OUT be APPROVED, as per the officer recommendation, for the following reason:

01. The proposal, by reason of its size, design, materials and location, represents a development that would respect the character of the area, causes no demonstrable harm to residential amenity and does not foster growth in the need to travel in accordance with the aims and objectives of Policies SD1, EQ2, EQ4, EQ7, TA1, TA5 and TA6 of the South Somerset Local Plan (2006-2028) and the relevant guidance within the National Planning Policy Framework (2019).

SUBJECT TO THE FOLLOWING:

01. Details of the appearance, landscaping, layout and scale (hereinafter called the "reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
Reason: As required by Section 92(2) of the Town and Country Planning Act 1990.
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 and the development shall begin no later than 3 years from the date of

this permission or not later than 2 years from the approval of the last "reserved matters" to be approved.

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

03. Other than as required by conditions the development hereby permitted shall be carried out in accordance with the following approved plans: 18.23.01; 18/23/02 only.

Reason: In the interests of clarity.

04. The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

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

05. The development hereby permitted shall not be occupied until the parking spaces for the dwellings and a properly consolidated and surfaced turning space for vehicles have been provided and constructed within the site in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Such parking and turning spaces shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety to accord with Policies TA5 and TA6 of the South Somerset Local Plan (2006-2028).

06. The development hereby permitted shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Somerset County Council). The plan 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 and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Traffic Management Plan.

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

07. The dwellinghouse(s) to be erected within the plots annotated as 'P5 C' and P6 B' illustrated on the approved plan, drawing No. 18.23.02 shall be of single-storey construction only with no accommodation in the roof space.

Reason: In the interests of preserving the setting of the adjacent Listed Building to accord with Policy EQ3 of the South Somerset Local Plan (2006-2028).

08. Prior to first occupation of the dwellings hereby permitted, electric charging points (of a minimum 16amps) for electric vehicles shall be provided for each dwelling adjacent to their designated parking spaces or garages in accordance with details to be approved in writing by the Local Planning Authority. Once installed such parking points shall be retained and maintained in working order, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is resilient and sustainable in accordance with Policy TA1 of the South Somerset Local Plan (2006-2028).

09. The reserved matters submission shall be for residential development not exceeding a total gross internal floor area of 1,000 square metres

Reason: To ensure an appropriate levels of planning obligations in accordance with the relevant sections of the NPPG and the National Planning Policy Framework.

Informatives:

01. Nesting birds:

The applicant is advised of their obligations under the relevant wildlife protection legislation. If any site clearance works take place between March and August (inclusive) then a walkover of the site will be required to ensure skylarks are not nesting on the ground.

If bramble removal is required and cannot be completed between September and February, then an ecologist will should inspect the scrub patches to ensure nesting birds are not present.

02. General Works

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.

Section 171 Licence

The applicant will be required to secure a licence from the Highway Authority for works on or adjacent to the highway necessary as part of this development, and they are advised to contact Somerset County Council at least four weeks before starting such works.

03. The applicant is advised that consent is required from Wessex Water to connect to the public foul sewer and water mains. The applicant is further advised that Wessex Water will not permit the build over of public water mains. For further information please contact development.west@wessexwater.co.uk

04. The surfacing of the PROW CH 21/18 will require authorisation from SCC Rights of Way Group. Associated infrastructure may also be required. I have attached a form that should be completed and returned to Les Braunton (Rights of Way Officer - email: LBraunton@somerset.gov.uk).

The applicant is advised that there is a public footpath (CH 7/2) adjacent to the proposed site. If it is considered that the development would result in any of the outcomes listed below, then authorisation for these works must be sought from Somerset County Council Rights of Way Group:

- A PROW being made less convenient for continued public use.
- New furniture being needed along a PROW.
- Changes to the surface of a PROW being needed.
- Changes to the existing drainage arrangements associated with the PROW.
- If the work involved in carrying out this proposed development would:
 - i. make a PROW less convenient for continued public use; or
 - ii. create a hazard to users of a PROW,

then a temporary closure order will be necessary and a suitable alternative route must be provided. For more information, please visit Somerset County Council's Rights of Way pages to apply for a temporary closure:

<http://www.somerset.gov.uk/environment-and-planning/rights-of-way/apply-for-a-temporary-closure-of-a-right-of-way>

(Voting: 5 in favour, 3 against, 0 abstentions)

34. Planning Application 18/03115/FUL - Long Sutton Farmhouse, Martock Road, Long Sutton (Agenda Item 16)

Proposal: Erection of a garden shed

The Development Management Case Officer introduced her report and advised that the proposal was for a shed within the garden of a Grade II listed building. Conditions would restrict any future conversion to a habitable building and position of shutters to prevent overlooking. The site was currently occupied by an unauthorised shipping container which would be removed by condition within 3 months if approved. If the application was not approved then enforcement action would be sought for its removal. She said that 11 letters of objection had been received from local residents and the Parish Council and although the objections had been carefully considered, her recommendation was to approve the application.

The Committee were addressed by one local resident. He said the proposed shed was much larger in area than would be needed for a garden shed, but was more suited to an industrial building. It would be excessively high at 4.5m, the corrugated roof was not suited to a garden shed and it would be sited only 1m from his boundary. He referred to drilling and sawing noise from the storage container which had been on the site since 2018. He suggested the roof height be lowered to 3m and that it be located further away from his boundary which was set at a lower level.

The Committee were addressed by the applicant who said they had taken advice from officers before submitting their application. He said the shed would be for domestic use only and the roof pitch was the same as a barn. He said there was no intention to breach any planning conditions and he felt it would have a minimal impact on his neighbours.

The Ward Member, Councillor Gerard Tucker, said the proposed shed would be almost double the height of the shipping container at the site and although conditions imposed no business use or windows overlooking neighbours it was in a conservation area and

within the curtilage of a listed building and the height would be overbearing. He noted that separate enforcement action on the unauthorised shipping container was ongoing.

During discussion Members expressed concern at the height of the proposed shed in a conservation area and its close proximity to the boundary. It was proposed to refuse permission as the proposal was against policies EQ2 and EQ3 of the South Somerset Local Plan (2006-28) – against the local area character and proximity to a listed building, and, because of its size and harm to the character of the area.

This proposal was seconded and unanimously agreed by Members.

RESOLVED: That planning application 18/03115/FUL be REFUSED, contrary to the officer recommendation, for the following reason:

The garden shed 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.

(Voting: unanimous in favour)

35. Planning Application 19/00544/OUT - Land Adjoining 28 Eastfield, Martock (Agenda Item 17)

Proposal: Outline planning application for the erection of a pair of semi-detached houses with gardens and parking

The Specialist, Development Management, introduced his report and advised that the site was land left within SSDC ownership following the transfer of council housing to Yarlington Homes. Although there were some local objections, the proposal to build two semi-detached properties in a residential area was acceptable and he recommended the application be approved.

The Committee was addressed by one local resident. His comments included:-

- The site is not big enough for two semi-detached houses
- Parking is already a major issue on the estate
- I have tried to purchase the site but was told it was to be used as a community project.

One of the Ward Members, Councillor Louise Clarke, said the site was very small and close to the houses behind it.

The other Ward Member, Councillor Neil Bloomfield, advised that the site had been offered to the Parish Council some time ago but the offer was not taken up. He said that Martock was a sustainable village and it could cope with two additional houses, however, any additional vehicles would significantly impact on local residents as there was currently nowhere to park in the evenings on that estate.

In response to questions from Members, the Director for Support Services advised that the site had been identified as an income generation opportunity for the District Council and it would be sold with outline planning permission to increase its value.

During a brief discussion it was suggested that the site be re-offered to Martock Parish Council to purchase as they may develop a small parking area for local residents. It was proposed and seconded to defer the application for no more than 4 months to allow discussions with Martock Parish Council. On being put to the vote, this was carried by 6 in favour, 0 against, 2 abstentions.

RESOLVED: That planning application 19/00544/OUT be DEFERRED for 4 months, for the following reason:

1. To explore alternative ways to dispose of the site, including offering it to Martock Parish Council.

(Voting: 6 in favour, 0 against, 2 abstentions)

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Chairman