

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 29 January 2020**.

(4.00 pm - 5.25 pm)

Present:

Members: Councillor Adam Dance (Chairman)

Malcolm Cavill	Clare Paul
Mike Hewitson	Crispin Raikes
Tim Kerley	Mike Stanton
Tiffany Osborne	Gerard Tucker



Officers:

Debbie Haines	Locality Team Leader
Alex Skidmore	Specialist (Planning)
Anthony Garratt	Specialist (Development Management)
Colin Arnold	Specialist (Development Management)
Becky Sanders	Case Officer (Strategy & Commissioning)

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

78. Apologies for absence (Agenda Item 1)

Apologies for absence were received from Councillors Neil Bloomfield, Louise Clarke and Dean Ruddle.

79. Declarations of Interest (Agenda Item 2)

There were no declarations of interest.

80. Date of next meeting (Agenda Item 3)

Members noted that the next meeting of the Area North Committee was scheduled for 2.00pm on Wednesday 26 February 2020 in the Council Chamber, Council Offices, Brympton Way, Yeovil.

81. Public question time (Agenda Item 4)

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

82. Chairman's announcements (Agenda Item 5)

The Chairman reminded members that there was still some money remaining in the Revenue Grants budget for the current financial year. He encouraged members who were aware of any suitable project ideas in their ward to contact the Locality team with details.

83. Reports from members (Agenda Item 6)

Councillor Gerard Tucker noted good progress was being made regarding setting up a community shop adjacent to the village hall in Long Sutton. He also noted one of the parishes in his ward had recently had a very useful presentation from the Environment Agency (EA) who had appointed two staff to engage with parishes – he encouraged other parishes to meet with the EA officers.

Councillor Clare Paul reminded members of the county-wide Climate Strategy and encouraged people to attend one of the drop-in sessions being hosted in each district, and to participate in the Somerset Climate Change Survey which was currently ongoing.

84. Area North Committee Forward Plan (Agenda Item 7)

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

RESOLVED: That the Area North Forward Plan be noted.

85. Planning Appeals (Agenda Item 8)

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

86. Schedule of Planning Applications to be Determined By Committee (Agenda Item 9)

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

87. Planning Application 19/00817/FUL - St Peter and St Pauls Church, Langport Road, Muchelney. (Agenda Item 10)

Proposal: Construction of a disabled WC extension between the North Porch and North Chapel, accessed externally, with amended stone path for access.

The Specialist (Planning) presented the application noting the special context of the site and the locations of nearby historical buildings. She highlighted the comments of Historic England, and presented many photographs to illustrate the context of the proposal. The current proposal was to locate the facility on the east side of the North Porch, whereas Historic England favoured a position away from the porch alongside the tower.

Two members of the public, the applicant and the agent addressed members in support of the application. Some of their comments included:

- Want to make the church more community friendly and encourage use.
- During the severe flooding in 2014, the church became a meeting point for the community, a café for the emergency services, doctor surgeries and a drop off point for supplies
- Been discussing the proposal for six years and there had been many difficulties. Following meetings with the Diocese and conservation officers it was concluded the proposal in the application was the best location, however Historic England disagree.
- There are no public loos in Muchelney except at the Abbey which has restricted opening.
- If located where Historic England suggest it will be right alongside the path and hence no opportunities to screen with vegetation, and there would also be limited access for disabled users.
- The Historic England location would be directly under the rainwater channelling off the tower roof and the proposed structure will be made of wood.
- Do not feel the Historic England location will meet Health and Safety requirements.
- Proposal is part of a larger project.
- The proposed location is considered to be the least detrimental, least problematic and least prominent position.
- The community benefit outweighs the heritage

Ward member, Councillor Mike Stanton, commented he had considered the application in detail and no location was without problems. He noted that wedding parties usually used the tower door rather than the porch, so if any photos taken the loo would be in view if located alongside the tower. The facility had long been needed, and his view the application should be supported.

During a brief discussion most members expressed their support for the application and some of the comments included:

- Church is much used by the community
- Proposed site is already partly screened.
- Diocese are experts in churches.
- Feel this is the only realistically suitable location.
- Spirit of the community is commendable.

It was proposed to approve the application, contrary to the officer recommendation, on the grounds of community benefit and acceptable location. On hearing the comments made the Specialist (Planning) suggested wording for the justification and detailed the conditions required for approved plans, time limit, materials, archaeology and tree protection. On being put to the vote, the proposal was carried 7 in favour, 1 against.

RESOLVED: That planning application 19/00817/FUL be APPROVED, contrary to the officer recommendation, subject to the following:

Justification

The provision of the proposed WC is considered to be an appropriate form of development that will enhance the viability and accessibility of this community building and the resulting public benefit is sufficient to offset the

less than substantial harm, in accordance with policy EQ3 of the South Somerset Local Plan (2006-2028) and the requirements of the National Planning Policy Framework (paragraphs 190, 193-194 and 196).

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 drawings numbered 0070.P.003, 0070.P.026 Rev B, 0070.P.025 Rev B.

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

03. No works shall be carried above existing ground level unless particulars of the following have been submitted to and approved in writing by the Local Planning Authority;

- a) materials and details of their finish (including the provision of samples where appropriate) to be used for all external walls and roofs (slate hooks shall not be used);
- 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, including detailed sectional drawings;
- 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;

Reason: To safeguard the character and setting of the listed building in accordance with policy EQ3 of the South Somerset Local Plan (2006-2028).

04. 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 shall have been submitted to and approved in writing by the Local 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 (2006-2028).

05. The development hereby permitted shall not be first brought into use until the site archaeological investigation has been completed and post-excavation analysis has been initiated in accordance with Written Scheme of Investigation approved under the POW condition and the financial provision made for analysis, dissemination of results and archive deposition has been secured.

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 (2006-2028).

06. Prior to commencement of the development, site vegetative clearance, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree and hedgerow protection measures shall be prepared by a suitably experienced and qualified arboricultural consultant in accordance with *British Standard 5837: 2012 - Trees in relation to design, demolition and construction* and submitted to the Council for their approval. Upon approval in writing by the Council, the scheme of tree and hedgerow protection measures (specifically any required ground-protection, fencing and signage) shall be installed prior to any commencement of the development and it shall be inspected and confirmed as being satisfactory by the appointed arboricultural consultant in-writing. Prior to commencement of the development, the suitability of the tree and hedgerow protection measures shall be confirmed in-writing by a representative of the Council (to arrange, please contact us at planning@southsomerset.gov.uk or call 01935 462670). The approved tree and hedgerow protection requirements shall remain implemented in their entirety for the duration of the construction of the development and may only be moved, removed or dismantled with the prior consent of the Council in-writing.

Reason: To preserve existing landscape features (trees and hedgerows) and the setting of the conservation area and listed building in accordance with policies EQ2, EQ3, EQ4 and EQ5 of the South Somerset Local Plan (2006-2028).

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

88. Planning Application 19/01587/S73A - Land at Aller Court, Church Path, Aller. (Agenda Item 11)

Proposal: Application to amend planning condition 3 of approval 14/04300/FUL to allow lifetime of solar park from 25 years to 40 years.

The Specialist (Planning) presented the application and noted some councillors would be familiar with site. She explained that at the current time only the east part of the site had been completed, with the remainder of the site due to be built out imminently. The officer view was that the principle to extend the lifetime of the solar park was acceptable, and similar applications had been approved elsewhere in the district. She also reminded members of the recently declared climate emergency and the SSDC Environment Strategy.

There were no members of public wishing to address members about the application.

Ward member, Councillor Gerard Tucker, noted that when the original application had been considered locally a number of years ago it was much opposed. However when this application was discussed at parish level in late 2019 there was no-one wishing to speak at the meeting. He endorsed approval of the application and commented the solar park would help meet renewable energy targets.

During a short discussion some mixed views were expressed including:

- 40 years seems an exceptionally long time.
- Don't know where we will be with technology in 25 years.
- Feel would be better to review in 20 years time and request an extension of time then.
- If this proposal helps with the economics of renewables to work it shouldn't be a concern.
- Is there any requirement for them to update their technology?
- Why has the whole site not been built out?

The Specialist (Planning) responded to points of detail raised during discussion, including:

- The site had been built in two phases as two different companies were involved.
- Conditions detailed that if the park ceases to make electricity then the site effectively reverts back to agricultural use prior to the 40 years expiring.
- Acknowledge concerns about the timeframes. 25 years was a common timeframe used by companies for applications and was probably based on tariffs at the time. Many solar farms were now making applications for extensions of time.
- Regarding technology, if something more viable came forward a new application could be made to replace what is currently approved.
- There was no new material harm resulting from extending the time to 40 years.

At the conclusion of debate, it was proposed to approve the application as per the officer recommendation, and on being put to the vote was carried 6 in favour and 2 against.

RESOLVED: That planning application 19/01587/S73A be APPROVED, as per the officer recommendation, subject to the following:

Justification:

The proposal to vary the operational lifespan of the solar farm, results in a temporary permission that continues to respect the character of the area and causes no demonstrable harm to neighbour amenity, highway safety, the setting of nearby heritage assets, ecology, flooding or other environmental concern in accordance with the aims and objectives of Policies SD1, TA5, EQ1, EQ2, EQ3, EQ4, EQ5 and EQ7 of the South Somerset Local Plan as well as the provisions of the National Planning

Policy Framework.

Subject to the following conditions:

01. The development hereby permitted shall be carried out in accordance with the following approved plans which form part of the planning permissions dated 8th June 2016; drawings numbered 1074-0200-05 Issue 03; 1074-0204-00 Issue 01; 1074-0205-01 Issue 01; 1074-0206-09 Issue 01; 1074-0208-70 Issue 01; Figure 1 Site Location Plan; 1074-0208-50 Issue 01; 1074-0207-13 Issue 02; 1074-0201-01 Issue 09; 1074-0208-76 Issue 01; 2707-200-Rev H; 00005-02.

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 removed and the land restored to its former condition within 40 years of the date of the original permission (planning ref. 14/04300/FUL), i.e. by 8 June 2056, or within six months of the cessation of the use of the solar park for the generation of electricity, whichever is the sooner, in accordance with a restoration plan to be submitted to and approved in writing by the local planning authority. The restoration plan shall be submitted to the local planning authority no less than 6 months prior to the cessation of the use of the solar park for the generation of electricity and shall make provision for the removal of all structures, materials and any associated goods and chattels from the site. The local planning authority must be notified of the cessation of electricity generation in writing no later than five working days after the event.

Reason: In the interest of landscape character and visual amenity in accordance with Policy EQ2 of the South Somerset Local Plan.

03. There shall be no permanent raising of ground levels in Flood Zone 3. The development shall be carried out in accordance with the flood storage compensation measures agreed under discharge of condition application 16/04897/DOC, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that flood risk is not increased to accord with the provisions of the NPPF.

04. No development shall take place within 8 metres of the top of bank of any river or ditch at any time during the development.

Reason: To ensure that flood risk is not increased and to allow the maintenance of watercourses and in the interest of protecting the biodiversity value of the watercourses to accord with the provisions of the NPPF and policy EQ4 of the South Somerset Local Plan.

05. The construction phase of the development hereby permitted shall

only be carried out in strict accordance with the details and requirements of the Construction Environmental Management Plan agreed under discharge of condition application 16/04897/DOC, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highway safety, neighbour amenity and to protect local ecology and protected species to accord with policies TA5, EQ2, EQ4 and EQ7 of the South Somerset Local Plan.

06. The construction phase of the development hereby permitted shall be carried out in strict accordance with the details and requirements of the Construction Traffic Management Plan agreed under discharge of condition application 16/04808/DOC, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highway safety policy TA5 of the South Somerset Local Plan.

07. The biodiversity enhancement measures agreed under discharge of condition application 16/04808/DOC shall be fully implemented, unless otherwise agreed in writing by the local planning authority.

Reason: For the enhancement of biodiversity in accordance with the provisions of the NPPF and policy EQ4 of the South Somerset Local Plan.

08. The monitoring and mitigation scheme for the post-construction monitoring and mitigation of the impact of the development upon birds shall be fully implemented in accordance with the details agreed under discharge of condition application 16/04808/DOC, unless otherwise agreed in writing by the local planning authority.

Reason: To assess any potential risk to the waterbird assemblage of the Somerset Levels and Moors Special Protection Area, in accordance with the Habitats Regulations 2010 and policy EQ4 of the South Somerset Local Plan.

09. The development hereby permitted shall be carried out in accordance with the measures agreed under discharge of condition application 16/04662/DOC to minimise the risk of harm of collision by birds with overhead lines. The agreed details shall be fully implemented as part of the development and shall thereafter be permanently maintained unless otherwise agreed in writing by the local planning authority.

Reason: To minimise the risk of potential bird collision in the interest of safeguarding the ecological interest of the area in accordance with the Habitats Regulations 2010 and policy EQ4 of the South Somerset Local Plan.

10. The development hereby permitted shall be carried out in accordance with the written scheme of archaeological investigation agreed under discharge of condition application 16/04808/DOC, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the archaeological interest of the site in accordance with policy EQ3 of the South Somerset Local Plan.

11. All planting, seeding, turfing or earth moulding comprised in the landscaping scheme approved under discharge of condition application 17/00410/DOC shall be carried out in the first planting and seeding season following the first generation of electricity. If within a period of five years from the completion of the development the approved planting dies, is removed or becomes seriously damaged or diseased, it shall be replaced in the next planting season with others of similar size and species. The approved landscaping scheme shall thereafter be maintained in accordance with the details set out within the Landscape Management Plan agreed under discharge of condition application 17/00410/DOC for the duration of the operation of the site for the purposes of generating electricity, unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of landscape character and visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

12. The design and finished colour of the security fencing and the finished colour and position of the security camera equipment shall accord with the details agreed under discharge of condition application 16/04662/DOC, unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of landscape character and visual amenity to accord with policy EQ2 of the South Somerset Local Plan.

13. No means of audible alarm shall be installed on the site without the prior written consent of the local planning authority.

Reason: In the interest of residential amenity and the rural amenities of the area to accord with policy EQ2 of the South Somerset Local Plan.

14. Other than on the switch gear building, no means of external illumination or external lighting shall be installed without the prior written consent of the local planning authority.

Reason: In the interest of visual amenity and to safeguard the rural character of the area to accord with policies EQ2 and EQ7 of the South Somerset Local Plan.

15. The supporting posts to the solar array shall not be concreted into the ground.

Reason: In the interest of sustainable construction and to accord with part 10 of the National Planning Policy Framework.

16. The rating level of the noise emitted from the development hereby approved from fixed plant and equipment shall not exceed a level of 30dB(A) outside any dwelling at a distance of not less than 3.5 metres from any façade of that dwelling containing a window to a habitable room. The measurements and assessment shall be made in accordance with BS 4142: 1997.

Reason: To safeguard the residential amenity of nearby residents in accordance with policies EQ2 and EQ7 of the South Somerset Local Plan.

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

89. Planning Application 19/02818/OUT - Land Adjacent The Willows, Wick, Langport. (Agenda Item 12)

Proposal: Outline application for the erection of 1 No. dwelling with all matters reserved.

The Specialist (Development Management) presented the application and noted the site had an existing entrance via a field gate. He noted that sustainability was the main issue and key consideration, due to the distance to facilities in Langport and Curry Rivel, and therefore it was considered to be contrary to the National Planning Policy Framework.

A member of the public addressed members in support of the application and explained that major modifications were needed to the applicant's existing home in order to meet their increasing medical needs. The proposal would enable a purpose-built property to be constructed. The site was currently used for growing fruit and vegetables by a family member and there were only two cars in the family, probably soon to be one.

Ward members, Councillor Tiffany Osborne and Clare Paul, noted there were no objections locally and the applicant had lived in the area for over 60 years. They could see little reason to refuse the application, and noted that when considering Wick in the cluster of settlements of Langport and Curry Rivel it could be considered sustainable.

During a short discussion most members expressed their support for the application and comments included:

- If applicant went into care it may generate more traffic than the proposal through family visits.
- Extending rural communities by two or three houses is acceptable

At the conclusion of debate it was proposed to approve the application, contrary to the officer recommendation, on the grounds of it being acceptable development and facilities being available in nearby Langport and Curry Rivel.

On hearing the comments made the Specialist (Development Management) suggested the specific wording for the justification and detailed the conditions that would be

required for time limit, visibility splays, access, surface water, parking and single storey dwelling only.

On being put to the vote, the proposal was carried 7 votes in favour, 0 against, with 1 abstention.

RESOLVED: That planning application 19/02818/OUT be APPROVED, contrary to the officer recommendation, subject to the following:

Justification:

The site lies within a cluster of dwellings at Wick served by the facilities and services of both Langport and Curry Rivel. As such it is considered a sustainable location in accordance with Policy SS2 of the South Somerset District Local Plan and advice contained within the National Planning Policy Framework.

Subject to the following conditions:

01. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

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

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

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

- Location and Site plan no AH2 1:200
- Site Plan showing access plan no AH2 1:500

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

04. 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 brought into use and thereafter maintained at all times.

Reason: In the interests of highway safety and in accordance with

policies TA5 and TA6 of the South Somerset District Local Plan 2006-2028

05. Notwithstanding the submitted details, 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 vehicular access and extending to points on the nearside carriageway edge 43 metres in the westerly direction and 60 metres in the easterly direction. Such visibility shall be fully provided before the development hereby permitted is brought into use and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset District Local Plan 2006-2028

06. Any entrance gate(s) shall be set back a minimum distance of five metres from the edge of the adjoining carriageway and the sides of the access shall be splayed from the centre of the access at such distance from the carriageway edge at an angle of 45 degrees. These works shall be fully implemented before the access concerned is first brought into use.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset District Local Plan 2006-2028

07. The use of the development hereby permitted shall not be commenced until the surfacing materials of the access drive and turning and parking areas have been approved in writing by the Local Planning Authority and such areas properly drained, consolidated and surfaced in accordance with those approved details.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset District Local Plan 2006-2028

08. The dwellings hereby permitted shall not be first occupied until two parking spaces for the dwelling have been provided in a position to be approved in writing by the Local Planning Authority. The said spaces and access thereto shall thereafter be kept clear of obstruction and not used other than for the parking of vehicles or for the purpose of access.

Reason: In the interests of highway safety and in accordance with Policies TA5 and TA6 of the South Somerset District Local Plan.

09. The dwelling(s) hereby permitted shall be of a single storey design only.

Reason: In the interest of visual amenity and to avoid adverse impacts upon the neighbouring property 'The Willows' and in

accordance with Policy EQ2 of the South Somerset District Local Plan.

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

.....
Chairman