

Regulation Committee (virtual meetings from May 2020 due to Coronavirus)

Thursday 3 September 2020

10.00 am Virtual Meeting



SUPPLEMENT TO THE AGENDA

To: The Members of the Regulation Committee (virtual meetings from May 2020 due to Coronavirus)

We are now able to enclose the following information which was unavailable when the agenda was published:

Item 3	Accuracy of the Minutes of the meeting held on 23rd July 2020 and 29th July 2020 (Pages 3 - 14) The Committee will consider the accuracy of the attached minutes (to follow).
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Democratic Services, County Hall, Taunton

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The Regulation Committee

Minutes of a meeting of the Regulation Committee held on Thursday 23 July (Virtual Meeting) at 10.00am

Present:

Cllr J Parham (Chairman)

Cllr M Caswell

Cllr J Clarke

Cllr S Coles

Cllr N Hewitt-Cooper

Cllr M Keating

Cllr A Kendall

Cllr N Taylor

The Chair welcomed everyone to the meeting, outlined the meeting procedures, referred to the agenda and papers and highlighted the rules relating to public question time.

1 Apologies for Absence - agenda item 1

None.

2 Declarations of Interest - agenda item 2

Reference was made to the following personal interests of the members of the Regulation Committee published in the register of members' interests which was available for public inspection via the Committee Clerk:

Cllr M Caswell Member of Sedgemoor District Council

Cllr J Clarke Member of Mendip District Council

Cllr S Coles Member of Somerset West and Taunton Council

Cllr N Hewitt-Cooper Member of Mendip District Council

Cllr A Kendall Member of South Somerset District Council, Member of Yeovil Town Council

Cllr J Parham Member of Shepton Mallet Town Council

Cllr N Taylor Member of Cheddar Parish Council

3 Accuracy of the Minutes of the Meeting held on 6 February 2020 - Agenda Item 3

The Chairman signed the Minutes of the Regulation Committee held on 6 February 2020 as a correct record.

4 Public Question Time - Agenda Item 4

(1) There were no public questions on matters falling within the remit of the Committee that were not on the agenda.

(2) All other questions or statements received about matters on the agenda were taken at the time the relevant item was considered during the meeting.

5 Importation of inert material to level land used for the golf driving range at Orchardleigh Golf Club - Agenda Item 5

(1) The Committee considered the report of the Service Manager – Planning & Development. The application was submitted by Orchardleigh Golf Club Limited.

(2) The Planning Officer with reference to the report, supporting papers and the use of maps, plans and photographs, outlined the proposals which involved:

- The importation of 75,000m², or approximately 125,000 tonnes, of inert subsoil to level and extend a driving range at Orchardleigh Golf Club.

(3) The report and presentation covered: a detailed description of the application; waste planning policy considerations; impacts on the historic environment; impacts from noise, mud and dust; impacts on biodiversity; local highway impacts; flood risk and drainage; and pollution and discussion thereof; and included a summary, conclusions and recommendations.

(4) The Committee proceeded to debate during which members raised matters including: whether the site would be made unrecognisable, as major groundworks had previously taken place, whilst noting that previous earth movement did not negate policy; that uncharacteristic landforms already exist; the impacts on listed buildings; the need for a well-used driving range, and that this would be key for the golf club to thrive and survive; and the limited benefit to the general population. The

Committee further queried negotiation with applicant with regard to amendments to the application.

(5) The Planning Officer Council responded to comments, noting: the applicant had provided information regarding commercial benefits; and the potential for possible negotiation regarding the scale of infill and the potential to pull steep slopes back from the plantation edge.

(6) Cllr Simon Coles, seconded by Cllr Nigel Taylor, moved the recommendation set out Paragraph 8, Page 44 of the report that the application be **REFUSED**.

(7) Following a vote the Committee denied the application be **REFUSED** stating the policy statements provided and impact on Listed Buildings was not enough for refusal.

(8) Cllr J Parham, seconded by Cllr N Hewitt-Cooper, proposed the vote to confirm the Committee recommendation to **GRANT** the application.

(9) Accordingly the Committee **RESOLVED** that in respect of Planning Application No. 2018/2611/CNT that planning permission be **GRANTED** subject to conditions to be agreed with the Chairman and Vice Chairman.

6 Application for the importation of 64,760m³, or approximately 130,000 tonnes, of inert subsoil to raise and remodel holes 8, 9 and 10 of Cricket St Thomas Golf Club - Agenda Item 6

(1) The Committee considered the report of the Service Manager – Planning & Development on this application. The application was submitted by Mr Steve Hill, Cricket St Thomas Golf Club.

(2) The Planning Officer with reference to the report, supporting papers and the use of maps, plans and photographs, outlined the application which involved:

- the importation of 64,760m³, or approximately 130,000 tonnes, of inert subsoil to raise and remodel holes 8, 9 and 10 of Cricket St Thomas Golf Club.

(3) The main issues for consideration were: planning policy considerations; impacts on the amenity of local residents and the local community; impacts on the local highway; impacts on biodiversity and ecology; impacts on flood risk / groundwater; impacts on the local landscape; and included a summary, conclusions and recommendations which were set out in full in Paragraphs 9 on Pages 73 - 80 of the report. The Officer also highlighted an undetermined planning application for an adjoining site that had been drawn to the Council's attention, but advised that the

conclusion of the EIA screening opinion for this application remained that there would be no significant cumulative effects.

(4) The Committee heard from the following, with their comments/views summarised as shown:

(i) James Nichol – Objector: who raised a number of points including: this was a resurrection of a previous application which has been dormant for a number of years; local residents have had no opportunity to object and scrutinise; it would be more appropriate to provide a significantly more detailed application in order for local residents and other parties to consider the likely impact of the scheme; the large scale proposal works; the lack of detail provided in the reports; potential impact and damage to the hedgerows by HGV; and that the natural habitats of wildlife could be decimated unless stricter controls are implemented.

(ii) Victoria Short – Objector: read a statement on behalf of Professor Chris Lewis, Chair of Somerset CPRE, noting: the proposal would use narrow rural lanes servicing two small villages; the proposed development was a large scale landfill operation; the material to be used was construction and demolition waste containing hazardous materials (metals, lead) and not greenfield soil; the most recently submitted construction and environment report makes it clear that this operation would use the equivalent of 10% of all annual construction and demolition waste in the County of Somerset; and there is no reason why the fairways could not be improved by a single on site digger. In summary Victoria Short noted that this is the wrong location for large scale construction and demolition waste disposal.

(iii) Dave King, Head Green Keeper at Cricket St Thomas Golf Club – Supporter, who raised a number of points including: the benefits to the golf course; that holes 8,9 and 10 are too small for modern golfing demands; areas of the course are prone to waterlogging; remodelling will create visual markers and improve presentation bringing the holes to a much higher standard; and improved playability whilst reducing fertiliser and chemical inputs in an environmentally sustainable way.

(iv) Steve Hill, Owner of Cricket St Thomas Golf Club, - Supporter, who raised a number of points including: investment in the club; growth in membership and the renovation of the club house.

(v) Ken Dunthorne – Supporter: Chairman of Chaffcombe Parish Council, who raised a number of points including: that the application directly affects one of the access roads to and from the village of Chaffcombe; and that the Parish Council attended meetings with the owner and a compromise was found covering the introduction of traffic controls from and to the A30 giving priority to village traffic. Mr Dunthorne further noted that the village is prone to flash flooding and commented that the planned attenuation pond will alleviate this.

(vi) *Lucy Binnie* – Supporter, who raised a number of points including: the work which has gone into this proposal to reduce material and the additional information which has been provided regarding traffic movements.

(5) The Planning Officer responded to the matters raised by the public speakers, highlighting that re-consultation earlier in the year had resulted in increased objections; and that consultees have requested no further details.

(6) The Committee proceeded to debate during which members raised matters including: the nature of the waste material being deposited; environmental regulations; improved drainage; enforcement of the ecology and biodiversity conditions; and enhancement, monitoring and maintenance.

(7) The Planning Officer responded as follows to the matters raised by the Committee: run-off pollution is not a concern as any run off would be from clean subsoils; the attenuation pond will act as a settlement facility to improve sediment run off; and implementation and maintenance will be evidenced by the applicant through submission of reports; and that SCC will be able to monitor the site during the works with the applicant reporting at various trigger points.

(8) Cllr M Caswell, seconded by Cllr N Hewitt-Cooper, moved the recommendation in Paragraph 9, Page 73 – 80 that planning permission be **GRANTED** subject to conditions.

(9) Accordingly, the Committee **RESOLVED** in respect of Planning Application No 17/02084/CPO

(a) that planning permission be **GRANTED** subject to the conditions set out in Section 9 of the Officer's report;

(b) that authority to undertake any minor non-material editing which may be necessary to the wording of these Conditions be delegated to the Service Manager Planning and Development.

7 Fairmead School - Agenda Item 7

(1) The Committee considered the report of the Service Manager – Planning & Development on this application. The application was submitted by Somerset County Council.

(2) The Planning Officer with reference to the report, supporting papers and the use of maps, plans and photographs, outlined the application which sought a two storey extension to school, additional parking, relocation of existing bin store and new bike store, rearrangement of hard and soft play areas and support infrastructure.

(3) The main issues for consideration were: the need for development; car parking provision and potential impacts on the highway; the potential impacts on residential amenity; impact on play and open space and impact on biodiversity.

(4) The Planning Officers presentation covered: the description of the site; background and planning history; details of the proposal; environmental impact assessment; review of the main issues

(5) The Committee heard from the following, with their comments/views summarised as shown:

(i) *Phil Curd* - Supporter: Strategic Manager, Somerset County Council, who raised a number of points including: that this application relates to critical education to ensure there are places for children with complex education needs; that comments regarding parking have been noted; that the application is supported by an updated school travel plan and proposed additional parking; that no construction work will take place on a Sunday; and potential amendments to the biodiversity enhancement management plan and the construction environment management plan to avoid any delay in the project.

(ii) *Dale Evans* – Supporter: Agent, who raised a number of points including: the impact of any delay in the build programme; that a draft construction environment management plan has been submitted; the biodiversity management plan and associated trigger points; and the importance of the development for disadvantaged children in the County.

(6) The Planning Officer responded, noting: diversity enhancement and the need for badger protection: that other enhancements would follow at appropriate trigger points: that a construction management plan has been submitted and is being considered by relevant specialists; and that discussions regarding Condition 14 – drainage had been on-going with an acceptable form of wording now having been agreed.

(7) The Committee's attention was drawn to the late paper submitted which had been circulated in full to all Regulation Committee members.

(8) The Committee proceeded to debate during which members raised matters including: the travel plan; the potential installation of EV charging points, staff survey results and the need to support staff to walk and cycle to work; sustainability and the installation of solar panels; management plan trigger points; and construction traffic control.

(9) The Planning Officer responded and in reference to the Environmental Management Plan noted that: construction operation hours and delivery times are detailed in condition 4; whilst there is currently no provision for EV charging points or staff showers, this can be discussed with the applicant; and the intention for the

development to be as sustainable as possible including measures regarding ventilation, heating and lighting.

(10) Cllr J Clarke, seconded by Cllr S Coles requested that an informative be added to the recommendations to encourage the applicant undertake a review of sustainable measures including the installation of EV charging points and solar panels.

(11) Cllr M Caswell, seconded by Cllr N Hewitt-Cooper, moved the recommendation set out Paragraph 9, Page 100 - 109 of the report that the application be **GRANTED**.

The Committee **RESOLVED** in respect of Planning Application SCC/3708/2020:

(a) that planning permission be **GRANTED** subject to the conditions set out in Section 9 of the Officer's report, subject to an amendment to Condition 10 so that the trigger for the BMEP would be 'prior to the development progressing above ground level' (with the exception of badger protection). In addition, the Committee agreed amendments to Condition 14 regarding drainage as detailed by the Planning Officer.

(b) that authority to undertake any minor non-material editing which may be necessary to the wording of these Conditions be delegated to the Service Manager Planning and Development.

The Committee further encouraged the applicant to consider the addition of electric vehicle charging points, solar panels and staff showers.

(The meeting ended at 1pm)

CHAIR

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The Regulation Committee

Minutes of a meeting of the Regulation Committee held on Thursday 29 July (Virtual Meeting) at 3pm.

Present:

Cllr J Parham (Chairman)

Cllr J Clarke

Cllr S Coles

Cllr N Hewitt-Cooper

Cllr M Keating

Cllr A Kendall

Cllr N Taylor

The Chair welcomed everyone to the meeting, outlined the meeting procedures, referred to the agenda and papers and highlighted the rules relating to public question time.

1 Apologies for Absence - agenda item 1

Cllr M Caswell

2 Declarations of Interest - agenda item 2

Reference was made to the following personal interests of the members of the Regulation Committee published in the register of members' interests which was available for public inspection via the Committee Clerk:

Cllr J Clarke Member of Mendip District Council

Cllr S Coles Member of Somerset West and Taunton Council

Cllr N Hewitt-Cooper Member of Mendip District Council

Cllr A Kendall Member of South Somerset District Council, Member of Yeovil Town Council

Cllr J Parham Member of Shepton Mallet Town Council

3 Public Question Time - Agenda Item 3

- (1) There were no public questions on matters falling within the remit of the Committee that were not on the agenda.
- (2) All other questions or statements received about matters on the agenda were taken at the time the relevant item was considered during the meeting.

4 Fiveways School - Agenda Item 4

- (1) The Committee considered the report of the Service Manager – Planning & Development on this application. The application was submitted by Somerset County Council c/o Mr Mark Collis - Head Teacher Fiveways School.
- (2) The Case Officer, with reference to the report, supporting papers and the use of maps, plans and photographs, outlined the application which sought a single storey extension to school, relocation of bike/bin store, new bike store, additional car parking, reconfiguration of new hard and soft play areas, landscaping and support infrastructure.
- (3) The main issues for consideration were highlighted to the committee, including: the need for development; the potential impacts on the highway; the potential impacts on residential amenity; and car parking provision.
- (4) The Case Officer's presentation further covered: the description of the site; background and planning history of the site; details of the proposal; the environmental impact assessment; consultation responses from external and internal consultees and the public; the development plan, material and planning policy considerations; and a review of the main issues.
- (5) The Committee heard from the following, with their comments/views summarised as shown:
 - (i) Phil Curd, Strategic Manager, SCC - Supporter: who raised a number of points including: that the application relates to the critical and urgent provision of high quality learning and therapy spaces for children with the most complex learning difficulties in South Somerset; that a commitment has been made regarding the implementation of the school travel plan; and the potential to amend the biodiversity management plan condition.
 - (ii) Mark Collis, Headteacher – Supporter: who raised a number of points including: how the development is essential to meet the current and projected demands on the

school; complex and challenging needs; pressure on places and the growth in the number of children attending the school; the schools very specialist education that requires groups of pupils to be supported in multidisciplinary teams with specifically adapted classroom space; and that classes should contain no more than eight pupils with a teacher and four or five teaching assistants.

(iii) Dale Evans, Planning Consultant – Supporter: who raised a number of points including: that the biodiversity management plan would be agreed prior to the development proceeding above slab level; and that construction environment management plan is available in draft format.

(6) The Committee heard from Cllr J Lock, local member, who supported the development but raised concerns regarding the consultation response numbers. Cllr Lock further commented regarding the issue of parking in a residential area; noted the additional planning application for a further classroom; and suggest the travel plan address day visitor parking so as not inconvenience local residents.

(7) The Case Officer responded to the points raised, noting; the additional planning application was outlined in section 2.1.3 of the report; the consultation response applies to the direct responses to the officers report and not the number of people that attended consultation meetings; that the application is supported by an updated school travel plan and proposed additional parking; and that the school was committed to reviewing and monitoring the travel plan.

(8) The Committee proceeded to debate during which members raised matters including: the need for schools to meet the needs of those who have additional educational requirements; trigger points for the BMEP; parking challenges in terms of meeting the needs staff and visitors; establishing a car sharing scheme; additional bicycle spaces; facilities for people in terms of showering to encourage the use of alternative ways to travel to work; specific visitor car park spaces; the addition of electric vehicle charging points and solar panels

(9) Cllr N Hewitt-Cooper, seconded by Cllr S Coles, moved the recommendation.

(10) Accordingly, The Committee **RESOLVED** in respect of Planning Application SCC/3708/2020:

(a) that planning permission be GRANTED subject to the conditions set out in Section 9 of the Officer's report, subject to an amendment to Condition 10 so that the trigger for the BMEP would be 'prior to the development progressing above ground level' (with the exception of badger protection). In addition, the Committee agreed amendments to Condition 14 regarding drainage as detailed by the Planning Officer.

(b) that authority to undertake any minor non-material editing which may be necessary to the wording of these Conditions be delegated to the Service Manager Planning and Development.

(The meeting ended at 4pm)

CHAIR