

## South Somerset District Council

**Minutes** of a meeting of the **Area East Committee** held in the **Council Chamber, Council Offices, Brympton Way, Yeovil** on **Wednesday 12 October 2022**.

(10.00 am - 12.00 pm)

### **Present:**

**Members:** Councillor Sarah Dyke (Chairman)

Robin Bastable  
Tony Capozzoli  
Charlie Hull  
Mike Lewis

Kevin Messenger  
Paul Rowsell  
William Wallace  
Colin Winder



### **Officers:**

Jan Gamon	Director (Place, Recovery, Arts & Entertainment)
Colin Begeman	Principal Planner (Development Management)
Russell Williams	Specialist, Development Management
Terena Isaacs	Locality Officer
Michelle Mainwaring	Case Officer (Strategy & Support Services)

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

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### **1. Minutes of Previous Meeting (Agenda Item 1)**

The minutes from the meeting of 13th July were approved as a correct record, and were signed by the chairman.

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### **2. Apologies for absence (Agenda Item 2)**

Apologies for absence were received from Councillors Lucy Trimnell, Nick Colbert, Henry Hobhouse and Hayward Burt.

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### **3. Declarations of Interest (Agenda Item 3)**

Councillor Mike Lewis made a personal declaration for agenda item 9, his wife being a voluntary director for the Queen Camel Community Land Trust, and he would not speak or vote on that item.

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### **4. Date of Next Meeting (Agenda Item 4)**

Members noted the date for the next scheduled meeting was the 9th November. This would only be held if there were any planning applications to be determined. The meeting in December was scheduled for Wednesday 7th December at 10am.

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## 5. Public Question Time (Agenda Item 5)

There were no questions from members of the public present.

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## 6. Chairman Announcements (Agenda Item 6)

The Chairman gave members several updates including:

- an update on the Local Community Networks (LCN's) and highlighted progress in the current pilot schemes. The next public event for the pilot in the South Somerset area was on the 20th October at the Charlton Musgrove village hall. The public consultation for LCN's was live and the closing date for this was the 17th October.
  - an update was given on the warm rooms initiative (likely to be called Warm Welcome) that Somerset County Council (SCC) were leading on. The Chairman explained how the venues would be supported to ensure they would all meet requirements and that it would be easier to apply for the hardship fund grant. This also meant that SCC could keep a register of all available warm rooms across the county.  
A question was raised on prioritising larger communities and it was explained by the Director of Place and Recovery that the facility would be available to every parish and all warm spaces would be able to apply for a grant up to £1000. If any members were aware of any warm rooms being created could they contact SCC Councillor Jo Roundell Green who was chairing the members working group so that they could be mapped.
  - The Chairman read out a statement on behalf of Councillor Henry Hobhouse in relation to the planning application for Fox's Run that was given permission in April 2019, detailing the breach of planning conditions and questioned what action had been taken and what advice the legal team had given. The Lead Principal Planner for Area North was in attendance and confirmed that it was under an ongoing investigation with the Principal Lead Planner of Area East and with Legal.
  - an update that, due to current officer capacity, there would not be any site visits organised to previously approved planning sites but that may be something members of the planning committee could look at in the new authority.
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## 7. Reports from Members (Agenda Item 7)

Councillor Mike Lewis asked if there was any further information on where the planning function for members would sit in the new authority. He also reported that the A359 through Marston Magna was closing from the 24th October to the 4th November and could some communications be sent out to highlight this.

It was confirmed at the recent conference that a decision had not been made about the planning committees. The Chairman would report back with any further information when available.

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## **8. Verbal update on Wincanton Regeneration Scheme (Agenda Item 8)**

The Director of Place and Recovery gave members an update on the Wincanton regeneration project. She reminded members that back in September Full Council agreed to a change in scope. The focus was now on empty premises in the town. The public realm works was progressing to the end of stage 2 so that it would be ready for the new authority to continue if they decided to continue.

It was confirmed that a planning application had been received from a building of interest at a key site that was in the public realm works and that there was engagement from the owner between the acting director of place and recovery and the chair of the Wincanton Regeneration Board.

Support had been given to historic buildings deemed to be at risk and in need of repair and out of the 18 who expressed interest, 11 grant offers had been made. The expressions of interest offer had now closed as works would need to be completed by the end of March 2023. The events and activities grant offer had also closed at the end of August. There were 6 additional requests to be considered by the board.

The Chairman thanked officers for their work on the programme so far and felt that the regeneration board was functioning well and moving things forwards positively.

A question was raised about the sale of Churchfields, and it was confirmed that the sale of the building was completed a couple of months ago and a ward member of Wincanton informed members that planning had been approved to turn the building into residential properties.

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## **9. Community Grant to The Old School, Queen Camel - Toilet Conversion (Executive Decision) (Agenda Item 9)**

The Locality Officer presented the report that requested grant funding of £3509 to the Old School, Queen Camel and explained that all the details were in the report.

In response to a question regarding statutory bodies and ownership, the Locality Officer explained that the application met all the requirements during the application process and that any discrepancies during this process would mean the grant wouldn't be able to progress.

The Chairman asked if a checklist that is used could be circulated to members for further reference for each application.

The applicant then addressed members and confirmed that they owned the freehold of the property. She also confirmed a question regarding the toilet extension and that the toilets would be connected to the main drainage system in the village. She also informed members that they would be proposing to open a warm room at the facility, and they were meeting with the relevant bodies to meet the requirements.

At the end of discussion it was proposed and seconded to award the grant of £3509. Through a show of hands this was approved with 8 votes in favour and 1 abstention.

### **RESOLVED:**

That Area East members;

awarded a grant of £3,509 (50% of costs), the grant towards the conversion of toilets at The Old School, Queen Camel be allocated from the Area East capital programme and subject to SSSC standard conditions for community grants (appendix A)

**Reason:**

Councillors are asked to consider the awarding of a grant of £3,509 towards the conversion of toilets at The Old School, Queen Camel.

*(Voting: 8 in favour and 1 abstention)*

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**10. Community Grant to Chilthorne Domer Recreational Trust - New Play Equipment and Wildlife Area (Executive Decision) (Agenda Item 10)**

The Locality Officer presented the report that requested grant funding of £7638 to the Chilthorne Domer Recreational Trust. She explained that this had been an ongoing scheme to improve the community facilities and that this would be the final stage to the works.

Ward member Councillor Tony Capozzoli explained that all the ward members were fully in support of the application and recommended approval.

In response to a query about land ownership it was confirmed by a ward member that SSDC owns the land.

One member highlighted that it was important that SSDC supported the installation of new play equipment for young children.

In response to a query about time limits of spending the funds, the Locality Officer informed members that a 6 month window was given to applicants and that SSDC needed to be informed if there were likely to be any delays that may require an extension. There was a mechanism in place to allow the funds to still be spent if they went into the new authority. Currently all the grants applications were on track to be completed before vesting day.

One member asked if there were usage figures for the play area, and the Locality Officer explained that the play area was next to the primary school in the village and so used daily before and after school by children. It was a popular play area, and the play equipment that was being funded was to cater for younger children.

At the end of discussion it was proposed and seconded to award the grant of £7638. Through a show of hands, it was approved unanimously.

**RESOLVED:**

That Area East members;

awarded a grant £7,638 (40% of costs) the grant to be allocated from the Area East capital programme and subject to SSDC standard conditions for community grants (appendix A)

**Reason:**

Councillors are asked to consider the awarding of a grant of £7,638 towards Chilthorne Domer, new play equipment & wildlife area.

*(Voting: Unanimous)*

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**11. Community Grant to Wincanton Men' Shed - Wincanton Men's Shed Extension (Executive Decision) (Agenda Item 11)**

The Locality Officer presented the report that requested grant funding of £11,500 towards the Men's Shed extension and explained that all the details were in the report. She informed members that if the grant was awarded, along with the other grants approved, there would be £6657 left in the Area East Capital Programme. She had two other grant applications to bring in December that would use the majority of these remaining funds.

The representative for the Wincanton Men's Shed addressed members and explained that there had been an increase in demand for facilities and that there was now a greater need for flexibility, something which the current facility couldn't offer. The shed use was not just for men, but for woman and children of all ages and needs.

In response to a query from a member the representative confirmed that the proposed changes were to ensure that the shed would be more inclusive with spaces available for all users.

Discussions were supportive of the Men's Shed extension, one member asked about the ownership of the land and whether planning and building control had been consulted. It was confirmed by the planning specialist in attendance that the Men's Shed had already engaged in the pre-application process and he anticipated no issues with the proposed plan as it stood.

The representative informed members that the agricultural shed was a steel frame building that would then be upgraded as needed to meet the requirements. He explained that they paid the Balsam Centre a 'peppercorn rent', not unlike other organisations at the Balsam Centre.

It was suggested by the Chairman that the grant could be awarded in principle, subject to the planning approval and that there was proof of contract between the Balsam Centre and the Men's Shed.

At the end of discussion it was proposed and seconded to award the grant, subject to the Chairman's suggestions. On being put to the vote it was approved unanimously.

**RESOLVED:**

That Area East members;

awarded a grant £11,500 (38% of costs) the grant to be allocated from the Area East capital programme and subject to SSDC standard conditions for community grants (appendix A), that planning permission has been granted and that there is a contract between the applicant and the landlord for at least 5 years.

**Reason:**

Councillors are asked to consider the awarding of a grant of £11,500 towards the Wincanton Men's Shed Extension.

(Voting: Unanimous)

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**12. Area East Committee Forward Plan (Agenda Item 12)**

Members were content to note the forward plan, with the additional comments made;

- An update regarding Section 106 and CIL be added
  - An update on the warm rooms circulated to members signposting to information
  - A report be added to Feb/March to update on the successes of the warm room initiative.
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**13. Planning Appeals (for Information) (Agenda Item 13)**

Members noted the planning appeals that had been received and dismissed.

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**14. Schedule of Planning Applications to be Determined by Committee (Agenda Item 14)**

Members noted the schedule of planning applications to be determined.

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**15. Planning Application 21/03400/FUL - Land Os 3600, Land At Manor Farm And Avalon Farm , Galhampton Hill, Galhampton, BA22 7AE (Agenda Item 15)**

***Proposal: Construction of a bridge across the A359 and associated estate track and landscape works.***

The Planning Specialist presented the application as detailed in the agenda report and with the aid of a PowerPoint presentation proceeded to show the site and proposed plans. Part of the presentation included plans of the proposed bridge and photos of the proposed location with how the bridge would look in situ. He highlighted to members the key considerations that included:

- Visual impact – the site was not in a protected area or an AONB. Tracks would only be visible from short term views. There was a high degree of landscaping and the applicant had a reputation for delivering high quality schemes. The visual impact was deemed acceptable.
- Drainage – the Lead Local Flood Authority (LLFA) were happy with the surface water strategy.
- Highways – there were no objections as the proposal would not result in a greater number of vehicular movement. Overall it would enhance highway safety.
- Bio Diversity – No objections
- Residential Amenity – the proposal was about 150m from the nearest residential property and there was deemed to be no adverse impact. Pre-application consultations had been undertaken with the wider community.

In summary the principle of development was deemed acceptable, and it was recommended that planning permission be granted.

The Agent then addressed members in support of the application and some of his comments included;

- The Newt was a popular visitor attraction for the Emily estate and the farming and land management were key to operations.
- There were daily vehicle and livestock movements across the road and the proposed bridge would take all this traffic off the highway. It would also give a safe passage for the public and connect the bridle way to the public footpath.
- There would be new tree planting to support the visual amenity of the proposal.
- The pre-application had been fully supported.
- There had been good local community engagement and the dedicated footpath across the bridge was a result of these consultations.

Ward member Councillor Robin Bastable explained that he had asked the application to come to the committee as it was a visible application in the area and also because the proposal was on the edge of his ward, and also included Cary ward. He commented that the slides shown in the presentation showing the bridge had been helpful and was supportive of the application.

Councillor Kevin messenger informed members that plans had been brought to his parish council and there had been good communication with nearby villages. He was supportive of the application.

There was further supportive discussion between members and some questions were raised. The planning specialist responded with the support of the applicants in agreement with the Chair and members and some of the comments included:

- The planning consultation included everyone who shared a boundary with the proposal.
- The wider pre-application consultation was with Castle Cary town council and Galhampton parish council.
- The access and tracks would be made from compacted materials and the bridge width had been amended to 2metres wide to allow for 2-way traffic.
- The ownership and maintenance of the bridge would be the applicants responsibility.
- The applicant would have to get the relevant Section 278 agreement with the highways authority before any works commenced.
- Handrails and width of the pathway were amended during the application process to ensure they were compliant with highways safety needs.
- It was anticipated that the road would only be closed for 5-7 days during the bridge installation.
- The British Horse Society was in support of the application.

At the end of discussion, it was proposed and seconded to approve the planning application, in-line with the officer's recommendation and subject to the conditions as set out in the planning report. On being up to the vote it was approved unanimously.

**RESOLVED:**

Area East members approved planning application 21/03400/FUL for the following reason;

The principle of development is considered to be acceptable in this location. Subject to the use of appropriate conditions there will be no demonstrable harm to local character, residential amenity, highway safety, flood risk, or ecology/biodiversity. As such, the proposal should be recommended for approval

in accordance with policies EQ1, EQ2, EQ4, TA5, EP4 and EP5 of the South Somerset Local Plan and the aims and provisions of the NPPF.

**SUBJECT TO THE FOLLOWING:**

01. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

2. Development must proceed in strict accordance with the following plans:

ADP-00-XX-DR-A-9003 SP P9  
ADP-00-XX-DR-A-9008 SP P12  
ADP-00-XX-DR-A-9020 SP P5  
ADP-00-XX-DR-A-9021 SP P6  
ADP-00-XX-DR-A-9022 SP P6  
ADP-00-XX-DR-A-9025 SP P8  
ADP-00-XX-DR-A-9026 SP P10  
ADP-00-XX-DR-A-9027 SP P8  
ADP-00-XX-DR-A-1303 SP P4  
ADP-00-XX-XX-L-1900 S2 P4  
BB1441-GA-001 P04  
BB1441-GA-004 P05  
BB1441-GA-002 P04

Reason: In the interests of clarity and proper planning.

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

03. The development hereby approved shall be constructed using the materials schedule set out in the application documents, subject to any further detailed approvals granted by the Local Planning Authority pursuant to condition 8 of this permission.

Reason: To ensure that the external appearance of the development is appropriate to its surroundings in accordance with Policy EQ2 of the adopted South Somerset Local Plan 2006 - 2028.

04. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before the vegetation is cleared and provides written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority by the ecologist. In no circumstances should netting be used to exclude nesting birds.

Reason: In the interests of nesting wild birds and in accordance with policy EQ4 of the South Somerset Local Plan and the provisions of the NPPF.



05. 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, the pre-commencement requirements of the submitted scheme of tree and hedgerow protection measures (Ref: Tree Protection Plan- as prepared by Bosky Trees dated 11th May, 2022) must be installed and made ready for inspection by a competent Arboriculturalist who must confirm in-writing to the Council that the approved tree and hedgerow protection measures (in particular, any required fencing, signage and ground-protection installations) are installed to a satisfactory standard (to comply with this planning condition, you will need to instruct your appointed Arboriculturalist to contact us at [planning@southsomerset.gov.uk](mailto:planning@southsomerset.gov.uk) - quoting Planning Reference: 21/03400/FUL). The approved protection requirements must remain implemented in accordance with the approved scheme throughout the duration of the construction of the development (inclusive of hard and soft landscaping measures) 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) in accordance with the Council's policies as stated within The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

06. All planting and landscaping measures comprised in the approved planting and landscaping scheme (Ref: ADP-XX-XX-L-1900 S2P4) must be carried out within the first available dormant planting season (November to February inclusively) upon or prior to the first occupation of the development hereby approved; and if any trees or shrubs which within a period of ten years from the completion of the development die, are removed or in the opinion of the Council, become seriously damaged or diseased, they shall be replaced by the landowner in the next planting season with trees/shrubs of the same approved specification, in the same location; unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the planting of new trees and shrubs in accordance with the Council's statutory duties relating to The Town & Country Planning Act, 1990 (as amended)[1] and to secure a quality scheme of landscaping measures in order to fulfil the following objectives of The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

07. Other than site clearance works, the development hereby approved shall not commence until a construction management plan or construction method statement has been submitted to and approved in writing by the Local Planning Authority. The plan/statement shall provide for:

- 24-hour emergency contact number;
- Hours of operation;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Routes for construction traffic.
- Locations for loading/unloading and storage of plant, waste, and construction materials;
- Method of preventing mud being carried onto the highway;
- Measures to protect vulnerable road users (cyclists and pedestrians)

- Any necessary temporary traffic management measures;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

The approved plan/statement shall be adhered to throughout the demolition/construction period.

Reason: In the interests of highway safety, in accordance with Policy TA5 of the adopted South Somerset Local Plan 2006 - 2028.

08. Prior to the bridge hereby permitted first being brought into use, full design and engineering details of the bridge structure and associated works shall be submitted to and approved in writing by the local planning authority. Thereafter, the bridge shall be constructed in accordance with the approved details unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of highway safety, in accordance with Policy TA5 of the adopted South Somerset Local Plan 2006 - 2028.

09. The development shall be carried out in strict accordance with the submitted mitigation and enhancement measures set out within Section 5 of the approved ecology report Season Ecology Preliminary Ecology Appraisal December 2020/October 2021/MAY 2022 to provide appropriate mitigation for protected species and to conserve features of nature conservation value.

Reason: To provide adequate safeguards for the protection of any protected species existing on the site, in accordance with the provisions of the National Planning Policy Framework and Policies EQ4 and EQ5 of the adopted South Somerset Local Plan 2006 - 2028.

10. Prior to the erection, installation, fixing, placement and/or operation of any external lighting on the site (including on the buildings themselves), details of such external lighting shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the equipment and supporting structures, positions, sizes, heights, type, luminance/light intensity, direction and cowling of all external lights to the building and any other parts of the application site edged red and the hours at which such lighting is to be operated.

The external lighting shall thereafter be carried out in accordance with the approved details (unless the Local Planning Authority gives prior written approval to any subsequent variations), and shall thereafter be retained in that form and under no circumstances shall it cause light pollution. Under no circumstances should any other external lighting be installed without prior consent in writing from the Local Planning Authority.

Reason: To safeguard the rural character and appearance of the locality and to safeguard any biodiversity interests; and in the interests of public safety and convenience, having regard to Policies EQ2 and TA5 of the South Somerset Local Plan and relevant guidance within the NPPF.

11. The use of the bridge hereby approved shall not commence until the scheme for the provision of permissive bridleway routes, as identified on drawing number ADP-00-XX-DR-A-9008 SP P12, has been completed. Thereafter, the permissive routes shall remain open and available for public access for the duration of the operational life of the bridge.

Reason: To deliver public benefit through increased accessibility to the countryside for the public, in accordance with Local Plan Policies HW1 and EQ2.

12. Other than site clearance works, no development shall be commenced until detailed engineering details of the sustainable surface water drainage scheme for the site, has been submitted to and approved in writing by the local planning authority. Such scheme should aim to meet the four pillars of SuDS (water quantity, quality, biodiversity, and amenity) to meet wider sustainability aims as specified by The National Planning Policy Framework (July 2018) and the Flood and Water Management Act (2010). The development shall include measures to prevent the control and attenuate surface water and once approved the scheme shall be implemented in accordance with the approved details and maintained at all times thereafter unless agreed otherwise in writing by the local planning authority.

Reason: To ensure the development is properly drained in accordance with the NPPF.

13. The estate tracks and approved bridge shall not be first brought into use until a plan for the future responsibility and maintenance of the surface water drainage system has been submitted to and approved by the Local Planning Authority. The approved drainage works shall be completed and maintained in accordance with the details agreed.

Reason: To safeguard the long-term maintenance and operation of the proposed system to ensure development is properly drained in accordance with the NPPF.

#### **Informatives:**

01. IN relation to Conditions 3 and 4 of this permission, the LLFA will expect to see the following in order to discharge the conditions:
- Drawing / plans illustrating the proposed surface water drainage scheme including the sustainable methods employed to delay and control surface water discharged from the site, sewers and manholes, attenuation features, pumping stations (if required) and discharge locations. The current proposals may be treated as a minimum and further SuDS should be considered as part of a 'SuDS management train' approach to provide resilience within the design.
  - Detailed, network level calculations demonstrating the performance of the proposed system are required and this should include:
  - Details of design criteria etc and where relevant, justification of the approach / events / durations used within the calculations.
  - Where relevant, calculations should consider the use of surcharged outfall conditions.
  - Performance of the network including water level, surcharged depth, flooded volume, pipe flow, flow/overflow capacity, status of network and outfall details / discharge rates.

- Results should be provided as a summary for each return period (as opposed to each individual storm event).
- Evidence may take the form of software simulation results and should be supported by a suitably labelled plan/schematic to allow cross checking between any calculations and the proposed network
- Detail drawings including cross sections, of proposed features such as infiltration structures, attenuation features, pumping stations and outfall structures. These should be feature-specific.
- Details for provision of any temporary drainage during construction. This should include details to demonstrate that during the construction phase measures will be in place to prevent unrestricted discharge, and pollution to the receiving system. Suitable consideration should also be given to the surface water flood risk during construction such as not locating materials stores or other facilities within this flow route.
- Further information regarding external levels and surface water exceedance routes and how these will be directed through the development without exposing properties to flood risk.
- With regards to maintenance, it should be noted the condition is recommended as a 'pre-occupation' condition. The following information will be required
- Detailed information regarding the adoption of features by a relevant body. This may consider an appropriate public body or statutory undertaker (such a water company through an agreed S104 application) or management company.
- A management and maintenance plan for the lifetime of the development which shall outline site specific maintenance information to secure the long-term operation of the drainage system throughout the lifetime of the development.

02. Your attention is drawn to the need to apply for and obtain a s278 Agreement license from Somerset County Council in relation to the bridge detail and audit process.

*(Voting: Unanimous)*

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Chairman