



Notice of Meeting of

PLANNING COMMITTEE - NORTH

Tuesday, 13 June 2023 at 2.00 pm

**Sedgemoor Room, Bridgwater House, King
Square, Bridgwater, TA6 3AR**

To: The members of the Planning Committee - North

Chair: Councillor Kathy Pearce
Vice-chair: Councillor Matthew Martin

Councillor Brian Bolt	Councillor Alan Bradford
Councillor Hilary Bruce	Councillor Ben Ferguson
Councillor Bob Filmer	Councillor Tony Grimes
Councillor Pauline Ham	Councillor Alistair Hendry
Councillor Harry Munt	Councillor Gill Slocombe
Councillor Brian Smedley	

For further information about the meeting, including how to join the meeting virtually, please contact Democratic Services democraticservicesnorth@somerset.gov.uk.

All members of the public are welcome to attend our meetings and ask questions or make a statement **by giving advance notice** in writing or by e-mail to the Monitoring Officer at email: democraticservicesteam@somerset.gov.uk by **12noon on Monday, 12 June 2023**.

This meeting will be open to the public and press, subject to the passing of any resolution under the Local Government Act 1972, Schedule 12A: Access to Information.

The meeting will be webcast and an audio recording made.

Issued by (the Proper Officer) on Monday, 5 June 2023

AGENDA

Planning Committee - North - 2.00 pm Tuesday, 13 June 2023

Public Guidance Notes for Planning Committees (Agenda Annexe) (Pages 7 - 10)

Click here to join the online meeting (Pages 11 - 12)

1 Apologies for Absence

To receive any apologies for absence and notification of substitutions.

2 Minutes from the Previous Meeting (Pages 13 - 28)

To approve the minutes from the previous meeting.

3 Declarations of Interest (Pages 29 - 30)

To receive and note any declarations interests in respect of any matters included on the agenda for consideration at this meeting.

(The other registrable interests of Councillors of Somerset Council, arising from membership of City, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes.)

4 Public Question Time

The Chair to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public who have submitted any questions or statements, please note, a three minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue.

We are now live webcasting most of our committee meetings and you are welcome to view and listen to the discussion. The link to each webcast will be available on the meeting webpage, please see details under 'click here to join online meeting'.

5 Application 07/23/00006 65 Brent Street, Brent Knoll, TA9 4DX (Pages 31 - 36)

To consider an application for the erection of first floor extension with two storey extension to the NE and SW elevations and formation of a new vehicular access.

6 Application 08/21/00039 42 Sunnybank Road, Bridgwater, TA6 6JJ (Pages 37 - 44)

To consider an application for the erection of a semi-detached house, on the site of an existing annexe (to be demolished).

7 Application 15/23/00002 Land at Scotland Lane, Chapel Allerton, Axbridge, BS26 (Pages 45 - 50)

To consider an application for the erection of an agricultural storage building and solar panels (revised scheme)

8 Application 17/23/00028 Land off Silver Street, Cheddar (Pages 51 - 54)

To consider an application for the erection of an agricultural building with associated works on site of existing polytunnel (to be demolished).

Please note:

Exclusion of the Press and Public for any discussion regarding exempt information

The Press and Public will be excluded from the meeting when a report or appendix on this agenda has been classed as confidential, or if the Committee wish to receive confidential legal advice at the meeting. If the Planning Committee wish to discuss information in Closed Session then the Committee will be asked to agree the following resolution to exclude the press and public:

Exclusion of the Press and Public

To consider passing a resolution having been duly proposed and seconded under Schedule 12A of the Local Government Act 1972 to exclude the press and public from the meeting, on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, within the meaning of Schedule 12A to the Local Government Act 1972:

Reason: Para 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

(Or for any other reason as stated in the agenda or at the meeting)

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Public Guidance Notes for Planning Committees

Can I speak at the Planning Committee?

The Applicant or Agent, Parish, Town or City Council, Division Members and objectors or supporters are able to address the Planning Committee. **All speakers need to register – please see details on the next page.**

The order of speaking will be:-

- Those speaking to object to the proposal - maximum of 5 speakers of 3 minutes each
- Those speaking in support of the proposal - maximum of 5 speakers of 3 minutes each
- Parish, Town or City Council(s) - 3 minutes each
- Councillors of Somerset Council (non-Committee members) - 3 minutes each
- The applicant or their agent - 3 minutes

Public speaking will be timed and the Chair will be responsible for bringing the speech to a close. The speaker/s will be allowed to address the Committee during their registered slot only and will not be allowed to provide further clarification. If an item on the Agenda is contentious, with a large number of people attending the meeting, a representative speaking to object or support the proposal should be nominated to present the views of a group.

The Chair can exercise their discretion in consultation with the Legal Adviser and this maybe, for example, it maybe that comments are derogatory in which case the Chair will exercise discretion to prevent the speaker from continuing, or if balance was required in terms of speakers for and against or to make a specific point, to allow a further speaker.

Comments should be limited to relevant planning issues. There are limits to the range of issues that can be taken into account when considering planning applications.

Although not an exhaustive list, these might include:

- Government planning policy and guidance
- Planning legislation
- The suitability of the site for development
- Conflict with any planning policies such as the relevant Development Plan – which are available for inspection on the Council's website
- Adopted Neighbourhood Plans
- Supplementary Planning Documents (SPD)

- Previous planning applications and decisions
- Design, appearance, layout issues and relationship with the surrounding area.
- Living conditions such as privacy, noise and odour.
- Highway safety and traffic issues
- Biodiversity and ecology
- Impact on trees and the landscape
- Flood risk in identified areas at risk.
- Heritage assets such as listed buildings, conservation areas and archaeology
- The economy, including job creation/retention.
- Drainage and surface water run-off.

Issues that are not usually relevant will vary with each application, but the courts have established that the following matters cannot be taken into account when considering planning applications:

- The history or character of an applicant
- Perceived or actual impact of development on property values.
- Land ownership, restrictive covenants or other private property rights including boundary and access disputes or maintenance.
- An applicant's motivations or future intentions.
- Retrospective nature of applications;
- Impact on private views;
- The extent of public support or opposition for a proposal alone;
- Competition between businesses;
- Matters controlled by other (non-planning) legislation such as licensing and building regulations or other laws.

How do I register to speak at Planning Committee?

A request to speak must be made to the Council's Democratic Services team no later than 12 noon on the working day before the Committee meeting either by email to democraticservicesnorth@somerset.gov.uk or by telephone on 01278 435739. For those speaking to object or support the proposal, the speaking slots will be allocated on a first come first served basis. If there are numerous members of the public wishing to speak in one slot it is advisable to make arrangements for one person to make a statement on behalf of all. The meetings are hybrid and you can speak either in person at the meeting or virtually. If you wish to speak at the meeting virtually please inform Democratic Services so that they can advise you of the details. If you have registered to speak, the Chairman will invite you to speak at the appropriate time during the meeting.

Can I present information to the Committee?

Please be advised that you cannot present documents in any form to the Committee Members at the meeting – this includes photographs and presentations (including Powerpoint presentations).

How do I know what time an application will be heard?

If you have registered to speak in person, we recommend arriving at the meeting venue about 15 minutes before the start time. If joining virtually, please consider joining the meeting a few minutes early to ensure your technology is working correctly - you may have to wait in a lobby until being admitted to the meeting. It is not possible to estimate the exact time an application will be heard.

What if my Division Member does not sit on the Planning Committee?

If your local Councillor is not a member of the Planning Committee, he or she can still address the meeting to outline any concerns or points of support. However, they will not be permitted to take part in the main debate, to make or second a proposal or to vote on any item.

Presentation of planning applications

The Planning Officer will present the case to the Committee explaining the factual matters and any salient points which need to be drawn out with the use of a visual presentation. It is important to note that the Planning Officer is not an advocate for either the applicant or any third parties but will make an impartial recommendation based on the merits of the proposal and any relevant material considerations.

The role of Officers during the debate of an application

When an application is considered at Planning Committee, it is the Officers' role to explain why they have concluded that permission should be approved or refused and answer any questions that Members may have. Whilst the Committee has to reach its own decision bearing in mind the Officer advice, report and recommendation, the Lead Planning Officer and Council Solicitor in particular have a professional obligation to ensure that a lawful and unambiguous decision is made in accordance with the Council's Development Plan, planning legislation, regulations and case law. This means, in the event that a contrary decision is sought, they will need to explain the implications of doing so. This can sometimes mean that Officers need to advise and

guide Members as to planning policy, what are or are not material considerations, what legally can or cannot be considered or given weight and the likely outcome of any subsequent appeal or judicial review.

Officers' views, opinions and recommendations may, on occasion, be at odds with the views, opinions or decisions of the Members and there should always be scope for Members to express a different view from Officers. However, any decision by the Committee must be based on proper planning reasons as part of the overall aim to ensure that a lawful and unambiguous decision is made. Where this is contrary to that recommended within the Officer report, the Lead Planning Officer and Council Lawyer will advise Members in making that decision.

Recording of the Meeting

Please note that this meeting will be recorded, and the recording will be made available on the Council's website and/or on YouTube. You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during the recording will be retained in accordance with the Council's policy. Therefore, unless you are advised otherwise, by taking part in the Council meeting during public participation you are consenting to being recorded and to the use of the sound recording for access via the website or for training purposes.

The Council supports the principles of openness and transparency. It allows filming, recording, and taking photographs at its meetings that are open to the public – providing this is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings, No filming or recording may take place when the press and public are excluded for that part of the meeting.

Teams Joining Information – 13 June 2023

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Minutes of a Meeting of the Planning Committee - North held in the Sedgemoor Room, Bridgwater House, King Square, Bridgwater, TA6 3AR, on Tuesday, 9 May 2023 at 2.00 pm

Present:

Cllr Kathy Pearce (Chair)
Cllr Matthew Martin (Vice-Chair)

Cllr Brian Bolt	Cllr Alan Bradford
Cllr Hilary Bruce	Cllr Bob Filmer
Cllr Tony Grimes	Cllr Alistair Hendry
Cllr Harry Munt	Cllr Mike Murphy
Cllr Gill Slocombe	Cllr Brian Smedley
Cllr Leigh Redman	

1 Apologies for Absence - Agenda Item 1

Apologies were received from Cllr Ben Ferguson who was substituted by Cllr Leigh Redman.

2 Declarations of Interest - Agenda Item 2

Cllr B Filmer confirmed that he had taken part in the referral process in respect of applications 07-23-00006 and 07-23-00007. But that he retained an open mind and would listen to all the merits of the argument before casting his vote.

Cllrs M Martin, A Hendry, A Bradford, B Filmer, H Bruce and M Murphy all declared an Other Registrable Interest as they were members of the Drainage Boards.

Cllr A Bradford declared a Non-Registerable Interest in respect of application 38-23-00001 as the applicant was his Nephew.

Cllr T Grimes declared an Other Registerable interest in respect of applications 07-23-00006 and 07-23-00007 as he was the Division Member but had taken no part in discussions on the applications.

3 Public Question Time - Agenda Item 3

No members of the public had registered to address the Committee.

4 Major Planning Application 51.22.00035 Land to the North West of, Waldrons Lane, Wembdon, Bridgwater - Agenda Item 4

The Planning Officer introduced the application to the Committee with the assistance of a PowerPoint presentation. As an update to his written report, he confirmed that a waste management plan had now been received and that a professional waste company would be removing the dog waste and that Condition 7 would now need to be reworded to a compliance condition.

The Committee were addressed by a resident, a representative of the Parish Council and a Division Member. Their comments included: -

- The narrow roads leading to the premises, with few passing points and a history of accidents.
- The additional number of vehicles movements caused by the development.

The Committee were addressed by the applicants. Their comments included:

- The benefits of the gun dog training that they provided.
- That the business was closed on Monday and Tuesday (0 car movements)
- From Wednesday to Saturday, they had one class and 3x one to ones (max 9 visitors, 18 car movements).
- On Sunday they held four classes (max 24 visitors, 48 car movements) which were held half an hour apart.

Members, whilst conscious of the concerns raised by the various parties, were also aware that Highways had raised no objections to this semi-retrospective application. It was felt that if the number of vehicle movements could be restricted to its current level it would be appropriate to grant permission.

At the conclusion of the debate, it was proposed by Cllr Bruce and seconded by Cllr Hendry that the application be approved subject to an amendment to Condition 7, and a condition restricting the number of vehicle movements to those set out in the Officer's report.

On being put to the vote the proposal was carried by 10 votes in favour, 3 votes against.

Resolved

To Grant Permission subject to the following conditions and subject to an amendment to Condition 7 and the additional condition as detailed by the officer regarding restriction on car movements to and from the site in connection with the

use hereby approved, the wording of these conditions to be delegated to the Service Manager Planning North to be agreed in consultation with the Chair and Vice-Chair of Planning Committee - North:

1. The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.
Reason: For the avoidance of doubt and in the interests of proper planning.
2. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level of Waldrons Lane in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 60m either side of the access. 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 in accordance with Policy D14 of the Sedgemoor Local Plan.
3. The areas allocated for vehicle parking, loading and unloading, and turning on the submitted plan, drawing number C1 Rev A, shall be kept clear of obstruction and shall only be used for the said purpose and not for any other purposes.
Reason: In the interests of highway safety in accordance with Policy D14 of the Sedgemoor Local Plan.
4. The access way between the edge of the Waldrons Lane carriageway and the entrance gate shall be properly consolidated and surfaced (not loose stone or gravel) within 3 months of the date of this permission. Thereafter the access shall be maintained in that condition at all times.
Reason: In the interests of highway safety in accordance with Policy D14 of the Sedgemoor Local Plan.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising revoking and re-enacting that Order with or without modifications), the use hereby permitted shall only be as a dog walking/training area or for agriculture and not for any other use including any temporary use.
Reason: In the interest of highway safety and to safeguard residential amenity in accordance with Policies D14 and D25 of the Sedgemoor Local Plan.
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 2015 or any statutory instruments revoking or re-enacting the Order with or without modification, no caravan or other

temporary structure shall be sited within the red line area as detailed on approved Location Plan Drg No. C1 Rev A.

Reason: For the avoidance of doubt as to the extent of the planning permission and in the interests of the visual amenity of the countryside in accordance with Policies CO1, D19 and D2 of the Sedgemoor Local Plan.

7. Within 3 months of the permission hereby approved, a Waste Management Plan shall have been submitted to and approved in writing by the local planning authority. Thereafter the use hereby approved shall be carried out in accordance with the approved Waste Management Plan.

Reason: To prevent undue problems to neighbours and the amenity of the locality in accordance with Policy D25 of the Sedgemoor Local Plan.

8. The proposed landscaping as shown on the submitted Site Plan Drg No. CCSP-002 shall be planted in full within 9 months of the date of this permission. The trees/shrubs/hedgerows shall be protected and maintained, and dead or dying trees/shrubs/hedgerows shall be replaced to the satisfaction of the local planning authority for a period of five years following their planting. .

Reason: In the interests of amenity and biodiversity in accordance with Policies D20 and C01 of the Local Plan.

Schedule A

Location Plan with Proposed Landscaping to Site Plans Drg No. C1 Rev A

Proposed Plans Drg No. CC-SP-002 Rev A

Proposed Landscaping, Site & Section Plans Drg No C3

Proposed Sheds & Car Parking Drg No. C2 Rev A

5 Planning Application 07-23-00006 65 Brent Street, Brent Knoll, Highbridge, Somerset, TA9 4DX - Agenda Item 5

The Planning Officer introduced the application to the Committee with the assistance of a slide presentation.

The Committee were addressed by a representative of the parish council. Their comments included:

- Replacing an old bungalow with a modern house was overdevelopment.
- The first-floor large, glazed windows were out of character and the dwelling would have a detrimental impact in terms of visual amenity.

The Committee were addressed by the Agent. Their comments included:

- It was a larger than average plot and the proposal has the same footprint as

the original bungalow.

- By accommodating the first-floor bedrooms within the roof space they had managed to reduce the Ridge height to below the roofline of the neighbouring red brick house and only 1.8 metres higher than the neighbouring bungalow to ensure that it was not overbearing or resulted in the loss of daylight to the neighbouring properties.

During discussion, Members commented that whilst the village had a diverse range of dwellings the large gable feature on the front, in blue lias, was not in keeping. A proposal was made, and seconded, that the application be approved subject to the gable being in red brick. On being put to the vote the proposal was lost by 6 votes in favour, 7 against.

Members then discussed what their main concerns were and agreed that it was purely the visual appearance of the front elevation and dominance of the gable feature.

It was then proposed by Cllr Murphy and seconded by Cllr Bradford that the application be deferred in order for officers and the agent to negotiate and continue with this application. On being put to the vote the proposal was unanimously carried.

Resolved

To defer the application.

The Committee then adjourned for a 15 minute comfort break.

6 Planning Application 07-23-00007 Land To The East Of, Journeys End, Station Road, Brent Knoll, Highbridge, Somerset - Agenda Item 6

Upon re-adjournment the Planning Officer introduced the application to the Committee with the assistance of a slide presentation.

The Committee were addressed by a representative of the parish council. Their comments included:

- The applicant wished to remain living at the site where they had lived for nearly all of their life.
- The junction and side road had been established many years ago and had clear visibility in both directions.
- He was not aware of any accidents at that junction within the last 25 years and the Parish Council saw no reason to refuse the application.

The Committee were addressed by the Agent. Their comments included:

- The only issue with the application was highways and that the standing

advice applied to new developments.

- There was no evidence to suggest that the development scheme for one additional single dwelling would have any material effect on the safe operation of the local surrounding road network.

Members discussed the highways issues and after looking at the presentation photos and hearing from local councillors who pointed out that with a blind bend to one side and a blind hill brow to the other traffic coming from both directions was likely to be slow.

The Committee believed it was in an appropriate sustainable location and in balancing this against the highway considerations, which they considered fairly minor, as the access was already being used by three properties, concluded that in this instance the proposal was acceptable. It was subsequently proposed by Cllr Filmer and seconded by Cllr Slocombe to recommend approval of the application subject to the imposition of appropriate conditions to be agreed in consultation with the Chair and Vice-Chair. On being put to the vote the proposal was carried unanimously.

Resolved

To grant permission subject to the imposition of appropriate conditions to be delegated to the Service Manage Planning North to be agreed, in consultation with the Chair and Vice-Chair of Planning Committee - North.

7 Planning Application 17-22-00048 at Land West Of, Wedmore Road, Cheddar, Somerset, BS27 - Agenda Item 7

The Planning Officer introduced the application to the Committee with the assistance of a slide presentation.

At the conclusion of the presentation, it was proposed by Cllr Hendry and seconded by Cllr Slocombe that the application be approved subject to the conditions in the Planning Officer's recommendation outlined in the report. On being put to the vote the proposal was carried unanimously.

Resolved

To grant permission subject to the following conditions:

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

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

3. The dwelling hereby permitted shall be planned, built and first occupied in an accordance with the definition of “self-build and custom housebuilding” as defined in the Self-build and Custom Housebuilding Act 2015 (as amended). The dwelling hereby permitted shall be first occupied by the applicant, Mr D Fear, as their sole or main residence.

Reason: Development in this location is only considered acceptable on the basis that it meets an identified local need for self or custom build development in accordance with Sedgemoor Local Plan 2011-2032 policy D9.

4. Before the dwelling hereby approved is first occupied, the proposed parking provision as shown on approved Splay Diagram Drg No. 22-180-009 Rev A shall be provided with the parking area available for use. The parking area shall thereafter be maintained at all times. This parking area shall be used only for the parking of vehicles.

Reason: in the interest of highway safety in accordance with Policy D14 of the Local Plan.

5. Prior to first occupation of the dwelling hereby permitted, the visibility splays as shown on approved drg no. 22-180-009 Rev A shall be delivered with no obstruction to visibility over 600mm with the visibility splays shown.

Thereafter the splays shall be maintained and retained.

Reason: In the interest of highway safety and in accordance with policy D14 Sedgemoor Local Plan 2011-2032

6. Prior to the construction above damp course level, a lighting design shall be submitted to, and approved in writing by the Local Planning Authority.

The design shall follow guidance note 08/18 Bats and artificial lighting in the UK (ILP and BCT 2018). The design shall show how and where external lighting, including any amenity and security lighting, will be installed, including through the provision of technical specifications so that it can be clearly demonstrated that areas to be lit or affected by light spill will not disturb or prevent bats using their territory, and details of how glare from internal lighting is to be mitigated through materials such as anti-glare glazing. All large, glazed areas on the south-western and north-eastern elevations of the dwelling will be of glazing that limits light spillage so that light levels do not adversely disturb bats and other species using their

territory or having access to resting places. For the avoidance of doubt, the design will be expected to accord with Step 5 of the Guidany Note 08/18 including submission of contour plans illustrating Lux levels. Lux levels shall be below 0.5 lux on identified potential bat commuting routes and retained or compensatory bat roosts. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. No external lighting other than the approved 'lighting design for bats' shall be installed without prior consent from the Local Planning Authority

Reason: In the interests of the integrity of a European site, the 'Favourable Conservation Status' of populations of European protected species, and to prevent any unacceptable adverse impacts from light pollution on the dark skies of the countryside; in accordance with policies D19, D20, and D24 of the Sedgemoor Local Plan 2011-2032.

7. Prior to commencement of the development hereby approved, a detailed landscape plan shall be provided that shall include details of the hedgerows and trees to be retained, The plan shall detail the root protection areas (RPA). Temporary fencing shall be erected in line with the RPA's prior to commencement of work on site and no materials, fires lit, liquids tipped, rubbish dumped or plant stored within the defined root protection areas. No underground services shall be located within the RPA's without the prior written consent of the LPA. The temporary fencing shall be retained for the duration of the works and shall not be altered or realigned without the prior approval in writing of the LPA.

The landscape plan shall include a habitat enhancement area of wildflower meadow and orchard trees accessible to Greater Horseshoe bats. The replacement habitat shall be as described in 4.21 - 4.28 of the Crossman Associates Bat Survey 2022. A detailed scaled drawing which identifies the proposed green infrastructure and includes a plant schedule and planting specification. The planting schedule shall detail the proposed species, quantities, stock sizes, planting densities and spacings and the planting shall be implemented no later than the end of the first planting season following first occupation of the dwelling hereby permitted. All landscape areas shall be protected and maintained, and any trees or plants which, within a period of five years from the completion of the planting, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.

Reason: A pre-commencement condition in the interests of European and UK protected species and biodiversity and to ensure that the application site remains appropriately landscaped in accordance with policy accordance with

Sedgemoor District Council Local Plan: Policies D19 Landscape and D20 Biodiversity and Geodiversity.

8. Prior to first occupation of the dwelling hereby permitted, the following biodiversity enhancement measures shall be erected at the site:

Two Schwegler 1SP Sparrow terraces or similar at least one metre apart directly under the eaves and away from windows on the either the northerly or easterly elevations, as described in 4.18. - 4.20. of Crossman Associates Bat Survey (2022).

The measures set out above shall thereafter be maintained and retained at all times.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 174(d) of the National Planning Policy Framework and policy D20 Sedgemoor Local Plan 2011-2032

9. No development shall take place above damp proof course level until samples of the materials to be used on the external surfaces of the building hereby approved, to include windows, doors, walls and roof, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials.

Reason: In the interests of visual amenity in accordance with Adopted Sedgemoor Local Plan 2011-2032 Policy D2.

Schedule A Location Plan Drg No. 22-180-005 Rev 0

Block Plan Drg No. 21-138-006 Rev 0

Existing Site Plan Drg No. 22-180-008 Rev 0

Existing Elevations and Layout Drg No. 22-180-001

Proposed Site Plan Drg No. 22-180-007

Proposed Layout Drg No. 22-180-003

Proposed First Floor Area Drg No. 22-180-004

Proposed Elevations Drg No. 22-180-002

Splay Diagram Drg No. 22-180-009 Rev A

8 Planning application 34-23-00002 Land North of, Main Road, Middlezoy, Bridgwater, Somerset, TA7 - Agenda Item 8

The Planning Officer introduced the application to the Committee with the

assistance of a slide presentation.

The Committee were addressed by a resident in opposition to the application. Their comments included: -

- The gap between her property and the fence appeared quite wide in the plans but was in fact about 4 foot at its widest reducing down to only 2 feet at the narrowest.
- The proposed properties were very close the boundary fence and would cause overshadowing.

The Committee were addressed by the Agent. Their comments included:

- It accorded with all relevant planning policies and the site fell within the established development boundary for the village.
- It could clearly be seen from the indicative plan that two 3 bedroom properties with good levels of amenity space and sufficient parking could be accommodated on the site.
- Any concerns could be addressed at the reserved matters stage.

In response to questions from Members, the Planning Officer advised that the application was for up to two dwellings.

The Committee, whilst understanding the neighbour's concerns, acknowledged that it was only an outline application and that issues such as loss of light and distances from the boundary would be considered at the reserved matters stage. Consequently, it was proposed by Cllr Filmer and seconded by Cllr Slocombe that the application be approved subject to the conditions in the Planning Officer's recommendation outlined in the report. On being put to the vote the proposal was carried unanimously.

Resolved

To Grant Permission subject to the following conditions:-

1. Approval of the details of the access, appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced. Plans and particulars of the reserved matters referred to above, relating to the access, appearance, landscaping, layout and scale, shall be submitted in writing to the local planning authority and shall be carried out as approved.

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.

The development hereby permitted shall be begun either before the expiration of [five] 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.

Reasons: The application was submitted as an outline application in accordance with the provisions of Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015. In accordance with the provisions of Section 92 of the Town and Country Planning Act, 1990 (As amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

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

3. As part of the reserved matters application a programme of biodiversity mitigation and enhancement measures will be submitted for approval. The approved scheme shall be installed in full prior to the first occupation of the dwelling hereby approved. Once installed, the biodiversity enhancements shall thereafter be retained.

Reason: In the interests of biodiversity net gain in accordance with Sedgemoor Local Plan 2011-2032 Policy D20.

4. Prior to the first occupation of the development hereby permitted, a lighting design shall be submitted to and approved in writing by the local planning authority. The strategy shall show how and where external lighting will be installed (with the provision technical specifications and operation) so that it can be clearly demonstrated that external lighting will be limited to the application site only. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. No external lighting other than those approved shall be installed without the prior written consent from the local planning authority.

Reason: To prevent light pollution and unacceptable impacts to neighbouring residential dwellings and in accordance with policies D24 and D25 Sedgemoor Local Plan 2011-2032.

5. If, during the works contamination is encountered which has not previously been identified, then the contamination shall be fully assessed and an appropriate remediation scheme shall be submitted to and approved in writing by the local planning authority.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land and in accordance with policy D24 Sedgemoor Local Plan 2011-2032.

Schedule A

Location Plan Drg No. 00126-23-01B

Cllr A Bradford left the meeting.

9 Planning Application 38-23-00001 Danvia House, North Lane, Othery, Bridgwater, Somerset, TA7 0QG - Agenda Item 9

The Planning Officer introduced the application to the Committee with the assistance of a PowerPoint presentation.

The Committee were addressed by a resident in opposition to the application. Their comments included:-

- That the application was for one long 83 foot structure that would be visually dominant.
- The footprint of the dwelling would double.
- Noise from the dog room

In response to questions from Members, the Planning Officer advised that the construction would have to comply with the current building regulations and, as part of a dwelling, would have to be built to residential standards. Additionally, the side of the building nearest the neighbours would have a blank façade with no doors or windows so that any noise would be directed towards the applicants main living accommodation.

During discussion, Members acknowledged that there was a need to ensure that:-

- The extension was used for personal domestic use only.
- Permitted development rights should be removed to restrict any roof lights or openings facing the neighbouring properties.

At the conclusion of the debate, it was proposed by Cllr Hendry and seconded by Cllr Redman that the application be approved subject to the conditions in the Planning Officer's recommendation outlined in the report together with a condition removing permitted development rights and a condition restricting it to personal not business use. On being put to the vote the proposal was carried by 9 votes in favour, 3 votes against.

Resolved

To Grant Permission subject to the following conditions and subject to the two additional conditions requested by members, the wording of these conditions to be delegated to the Service Manager Planning North to be agreed in consultation with the Chair and Vice-Chair of the Planning Committee - North.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.
Reason: For the avoidance of doubt and in the interests of proper planning.

3. With the exception of site clearance and preparation, no development hereby approved shall be commenced until a landscape planting scheme has been submitted to and approved in writing by the local planning authority. Such landscaping shall include a new native species hedgerow to the east boundary and the planting of 2 x native trees (i.e. silver birch, common lime, English oak, alder) on the applicants property. Unless agreed otherwise in writing, the approved scheme shall be fully carried out within nine months from the date of commencement of the development. The trees/shrubs shall be protected and maintained, and any dead or dying trees/shrubs shall be replaced to the satisfaction of the local planning authority for a period of five years following their planting.
Reason: To safeguard biodiversity and in the interests of visual amenity in accordance with policies D2 and D20 of the Sedgemoor Local Plan 2011- 2032.

Schedule A

Location Plan Drg No. 989/01

Existing Block Plan Drg No.

989/01 Existing Floor Plan Drg No.

989/03

Existing Elevations - Sheet 1 Drg No.

989/04 Existing Elevations Sheet 2 Drg No.

989/05 Proposed Block Plan Drg No.

989/06D Proposed Floor Plan Drg No.

989/07D Proposed Elevations Sheet 1 Drg

No. 989/08

Proposed Elevations Drg No. 989/09

Cllr A Bradford re-joined the meeting.

10 Planning application 42-23-00004 Dunball Services, Dunball, Bridgwater TA6
- Agenda Item 10

The Planning Officer introduced the application to the Committee with the assistance of a slide presentation.

Following clarity being given on the siting of the signage, it was proposed by Cllr Slocombe and seconded by Cllr Redman that the application be approved subject to the conditions in the Planning Officer's recommendation outlined in the report. On being put to the vote the proposal was carried unanimously.

Resolved

To grant advertisement consent subject to the following conditions:

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to-
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason for the above five conditions: To accord with the provisions of Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

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

Schedule A

Location Plan Drg No. 17.159.01 Rev. A

Block Plan Drg No. SBP-8032-01 Rev A

Dunball Externals Drg No. C-SD8032-01 Rev. M Page 2 (received 17/03/2023)

Dunball Externals Drg No. C-SD8032-01 Rev. M Page 3 (received 17/03/2023)

Dunball Externals Drg No. C-SD8032-01 Rev. M Page 4 (received 17/03/2023)

Dunball Externals Drg No. C-SD8032-01 Rev. M Page 5 (received 17/03/2023)

Dunball Externals Drg No. C-SD8032-01 Rev. M Page 6 (received 17/03/2023)

Dunball Totem Drg No. C- SD8032 Page 2 of 3

Dunball Totem Drg No. C- SD8032 Page 3 of 3

(The meeting ended at 5.26 pm)

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CHAIR

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Somerset
Council

SOMERSET COUNCIL

**COUNCILLORS WHO ARE ALSO CITY, TOWN AND/OR
PARISH COUNCILLORS**

SOMERSET COUNCILLOR	CITY, TOWN AND/OR PARISH COUNCIL
Alan Bradford	North Petherton Town Council
Peter Clayton	Burnham Highbridge Town Council
Ben Ferguson	Axbridge Town Council
Bob Filmer	Brent Knoll Parish Council
Pauline Ham	Axbridge Town Council
Marcus Kravis	Minehead Town Council
Kathy Pearce	Bridgwater Town Council
Leigh Redman	Bridgwater Town Council
Gill Slocombe	Bridgwater Town Council
Brian Smedley	Bridgwater Town Council

The memberships of City, Parish or Town Councils will be taken as being declared by these Councillors to be other registerable interests in the business of the Somerset Council meeting and need not be declared verbally.

Monitoring Officer of Somerset Council

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Agenda Item 5

Committee date 13/06/23

Case Officer: Shanta Parsons

Brent Knoll

07/23/00006/STP registered 03/03/23
Expiry Date: 27/04/2023
(Full Planning Permission)

Proposal:

Erection of first floor extension with two storey extension to the NE and SW elevations and formation of new vehicular access. at 65 Brent Street, Brent Knoll, Highbridge, Somerset, TA9 4DX for Mr & Mrs Colls



UPDATE

This application was deferred at Committee on 9th May 2023 to allow for further consideration of the design of the building within the character of the area.

The proposal has been amended by the use of render for the front gable feature rather than natural stone as previously proposed and no use of natural stone for the front of the existing garage.

PREVIOUS REPORT:

Referral to Committee required

This application is referred to the area committee at the request of the Chair and/or Vice Chair to enable the issues raised by the Parish/Town/City Council and/or elected member/s to be debated.

Background

The site is located within the predominantly residential built-up area of the village, within the

settlement boundary and is one of a row of detached and semi-detached houses on the west side of Brent Street.

65 Brent Street comprises of a rendered bungalow with brick features and sits between a bungalow and a pair of semi-detached houses. Within the street scene, there is a variety of styles and materials of dwellings.

There is a single brick garage set back from the frontage with a drive and access onto Brent Street.

The existing accommodation comprises of 2 bedrooms, a living room, dining room, kitchen, bathroom and conservatory.

It is proposed to reconfigure the layout and extend the bungalow to form a two-storey dwelling. The second floor will be formed above an extended ground floor footprint.

The accommodation provided would result in a living room, dining room, kitchen/dining room, shower room and utility. At first floor level there would be 3 bedrooms, an en-suite, a bathroom and a home office.

The proposed dwelling would be finished in render with a natural stone feature to the front extension and front of the garage. Roof would be grey concrete tiles.

Relevant History

N/A

Consultation Responses

Parish Council: object

"The Parish Council has considered the above application and decided not to support the proposal on the grounds of over development of this location and not in keeping with the neighbouring Street scene the decision was unanimous."

County Highway Authority: refers to Standing Advice

Representations

One local resident objects:

- Concern regarding over looking windows
- Use of blue lias stone out of keeping
- lack of usable parking spaces

Most Relevant Policies

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF require that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policies

Sedgemoor Local Plan 2011-2032

- D2 Promoting High Quality and Inclusive Design
- D14 Highway Safety
- D25 Protecting Residential Amenity

Community Infrastructure Levy (CIL)

The application is for residential development in Brent Knoll where the Community Infrastructure Levy (CIL) is Non-urban Residential £111.81/sqm of additional gross internal floor area created. Based on current rates, the CIL receipt for this development would be in the region of 11185.57. This amount does not take into account any existing floor space on site that may be converted or demolished, or any CIL exemption or relief that may be eligible.

Main Issues

Visual Amenity

Policy D2 seeks to achieve high quality, sustainable and inclusive design which responds positively to and reflects the local characteristics of the site and identity of the surrounding area and be of a design solution that makes the most efficient use of land through appropriate densities, whilst recognising the need for positive treatment of the spaces around and between the buildings.

The proposed extensions would result in a significant change to that of the existing bungalow, resulting in a full two-storey house on the site. However, it would sit comfortably between the existing pair of houses on one side and the existing bungalow on the other.

In terms of materials, the proposal would be finished in render with a slate roof but would also incorporate a feature of blue lias stone on the front elevation of the house and garage. Within this area of the village, there is a mixed palette of materials including red brick, render, slate and a mix of clay and concrete tiles. Further along the road there is the use of blue lias type natural stone. It is considered that the use of this natural stone would create an interesting feature on the front of the house and garage that would complement the overall design.

There is no distinct vernacular and as such, it is not considered that the proposed dwelling would look out of character with the area and would be of a form, design and materials that would be appropriate for this location and character of the area.

As such, the development would have no adverse impact in terms of visual amenity and accords with policy D2 of the Local plan.

Residential Amenity

Policy D2 states that development should not harm the amenity value of the occupiers of nearby buildings which is supported by Policy D25 which states that 'Particular consideration will be given to the extent that the proposal would result in unacceptable noise and disturbance, over shadowing, overlooking and/or visual dominance.'

The proposal would result in a second floor being provided but would not reduce the gaps between the existing built form of the bungalow and the neighbouring dwellings on both sides.

The ridge height of the house would be raised by 2.1 m resulting in a ridge height of 7.15 m. This would be 1.8 metres above the ridge of the nearest dwelling which is the bungalow to the north-west standing approximately 6.7 metres away.

It is considered that the extensions are of a scale that would not cause undue harm to the amenities of any neighbouring residents in terms of loss of light or visual domination.

The proposal includes first floor obscure glazed windows in both the side elevations which

would not result in over-looking as long as conditioned to remain as such.

As such the development would have no adverse impact in terms of residential amenity and accords with policies D2 and D25 of the Local plan.

Highways Issues

D14 of the Local Plan seeks to ensure provision is made for inclusive, safe and convenient access for all and that the nature and volume of expected traffic from development would not compromise highway safety and that development proposals must provide safe access to roads of adequate standard within the route hierarchy and ensure that the expected nature and volume of traffic and parked vehicles generated by the development would not compromise the safety and/or function of the local or strategic road networks in terms of both volume and type of traffic generated.

The proposal would retain the garage as well as the space in front of the house and the space to the southern side of the house. While the proposal would result in a 3-bedroomed house, there would be sufficient land to accommodate at least 4 car parking spaces off the highway.

As such it is not considered that the proposal would have any adverse impact on highway safety and accords with Policy D14 of the local plan.

Conclusion

The development would have no adverse impact on the character of the area, residential amenity or highway safety.

RECOMMENDATION

GRANT PERMISSION

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

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

- 3 Before the extension hereby approved is first brought into use, the first floor side windows in the bedroom no. 1 shall be obscure glazed as shown on the approved drawing no.1001-06E.

The windows shall remain obscure glazed for all time thereafter.

Reason; To safeguard the privacy of neighbouring properties.

Schedule A

Existing Plans & Elevations Drg No. 1001-01

Proposed Floor Plans Drg No. 1001-05C

Proposed Elevations Drg No. 1001-06F received 11/05/23

Location Plan Drg No. 1001-07

Proposed Block Plan Drg No. 1001-08A

DECISION

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Committee date 13/06/23

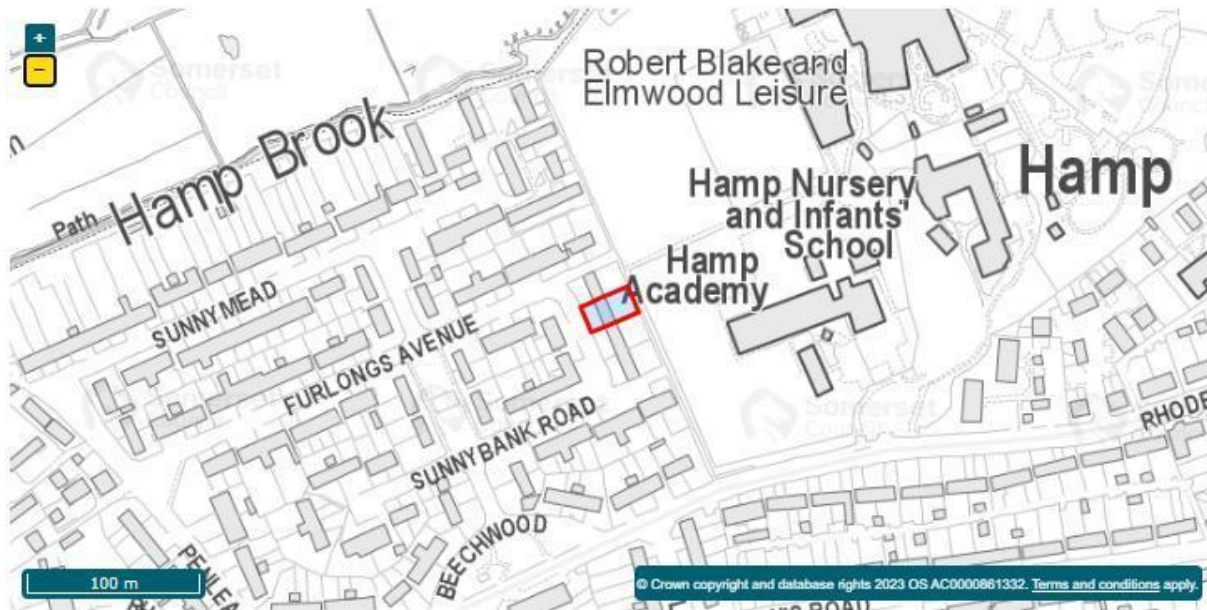
Case Officer: Shanta Parsons

Bridgwater

08/21/00039/STP registered 05/05/21
Expiry Date: 29/06/2021
(Full Planning Permission)

Proposal:

Erection of a semi-detached house, on site of existing annexe (to be demolished). at The Annexe, 42 Sunnybank Road, Bridgwater, Somerset, TA6 6JJ for Mr J Parkhouse



Committee decision required because

This application is referred to the area committee at the request of the Chair and/or Vice Chair to enable the issues raised by the Parish/Town/City Council and/or elected member/s to be debated

Background

The site is located within the predominantly residential built-up area of the town and is one of a row of semi-detached houses within the larger housing estate with a single storey annexe to the side.

To the north, south and west are houses and to the rear, east are the grounds to Hamp School.

The house is set back from the road with a single storey flat roofed extension to the side including a single garage.

The applicant refers to the single storey section as a garage/flat. The existing floor plan shows a single garage, living room, kitchen bathroom. In terms of planning permission, none can be traced.

The garden area upon which the house and single storey extension sits measures 30 metres by 16 metres with the two-storey house taking up half the width of the garden.

It is proposed to demolish the single storey section and to build a house onto the side of the existing house following the existing roof line to provide an attached three bed house in place of the single storey structure. The accommodation would include an open-plan living/dining room, kitchen, utility and wc with three en-suite bedrooms above.

There would be two car parking spaces for the existing house and three for the proposed.

The house would be finished in materials to match the host dwelling with brick and tiles.

Relevant History

None

Supporting information supplied by the applicant

Planning Statement
Bat survey
Ecology Report

Consultation Responses

Town Council: No objection

Ward Member: Cllr Leigh Redman: comments on original scheme prior to amendment:

“Good afternoon, I am one of the local councillors & resident for the area, I have several concerns that would like reviewed prior to the application going forward.

I am concerned about possible overlooking from the open side and front. Can I have details of this consideration?

I am concerned that a 4 bed property would increase vehicles requiring parking, the property is on a section that is narrow and often causes issue if street parking is used, I would like to see as much dedicated parking for the property to minimise the need for street parking. Can we see plan showing parking detail?

I would like confirmation of the properties consulted in the area and details of how that has been done.

I will consider any further comments once I have seen the responses to the above and any residents responses.”

County Highway Authority: Standing Advice

Environmental Health: No objection

Somerset Rights of Way Officer: no objection

Representations

Letters from 3 local households object:

- Impact on parking and extra traffic
- over-looking

- Impact on drainage system
- Concern regarding the part wall
- Contamination from dust from building works

Most Relevant Policies

National Planning Policies

National Planning Policy Framework (NPPF)

Sedgemoor Local Plan 2011-2032

- S2 Spatial Strategy for Sedgemoor
- D2 Promoting High Quality and Inclusive Design
- D20 Biodiversity and Geodiversity.
- D25 Protecting Residential Amenity
- D14 Managing the Transport Impacts of Development

Community Infrastructure Levy (CIL)

The application is for residential development in Bridgwater where the Community Infrastructure Levy (CIL) is Urban Residential £52.60sqm of additional gross internal floor area created. This amount does not take into account any existing floor space on site that may be converted or demolished, or any CIL exemption or relief that may be eligible.

Main Issues

Principle

The site is within a residential area where the principle of residential development is acceptable.

Design and Impact the Character of the Area

Policy D2 seeks to achieve high quality, sustainable and inclusive design which responds positively to and reflects the local characteristics of the site and identity of the surrounding area and be of a design solution that makes the most efficient use of land through appropriate densities, whilst recognising the need for positive treatment of the spaces around and between the buildings.

The proposed house would be of similar design to the host dwelling in terms of its form, roof line, fenestration and materials and it would be set within a plot which is similar in pattern to those of the surrounding properties. As such, it is not considered that it would look out of character in the street scene. As such the proposal accords with Policy D2 of the Local Plan.

Residential Amenity

Policy D2 states that development should not harm the amenity value of the occupiers of nearby buildings which is supported by Policy D25 which states that 'Particular consideration will be given to the extent that the proposal would result in unacceptable noise and disturbance, over shadowing, overlooking and/or visual dominance.'

With regard to any potential impact on the amenity of neighbouring residents, the proposed house would be sited along side the existing, host dwelling and would be set in from the

boundary with the neighbour. Also, due to the orientation of the proposed house being on the north side of the neighbour, together with the neighbour's intervening garage, there would be no adverse impact in terms of visual domination or loss of light.

In terms of over-looking potential, there would be first floor windows in both the front and rear elevations. However, those windows would be some distance from neighbouring properties and would not increase any level of loss of privacy. There would be windows in the side elevation, one serving the pantry at ground floor level and the other serving an en-suite facility at first floor level. Provided these windows are obscure glazed there would be no loss of privacy and an appropriate condition would ensure that to be the case.

As such it is not considered that the proposal would impact on the amenity of future residents due to lack of space and therefore it would accord with Policy D2 and D25 of the Local Plan.

Access and parking

Policy D14 of the Local Plan seeks to ensure provision is made for inclusive, safe and convenient access for all and that the nature and volume of expected traffic from development would not compromise highway safety and that development proposals must provide safe access to roads of adequate standard within the route hierarchy and ensure that the expected nature and volume of traffic and parked vehicles generated by the development would not compromise the safety and/or function of the local or strategic road networks in terms of both volume and type of traffic generated.

While the proposal would increase the pressure for off road parking and would also result in the loss of the parking space within the existing garage which is to be removed, there would be adequate space in front of the host dwelling and the proposed dwelling to park five vehicles off the highway.

This is considered adequate and therefore, it is not considered that the development would be detrimental to highway safety.

Impact on Ecology

A Preliminary Roost Assessment (PRA) and a bat emergence survey have been undertaken and based on the results of the survey(s) Somerset Ecology Services recommend conditions regarding lighting, works being carried out to take into consideration the protection of bats, timing of works and biodiversity enhancements to ensure that the Local Planning Authority fulfils its legal duty of strict protection of European protected species.

Provided appropriate conditions and notes to applicant are attached to the consent, the development would have no adverse impact on ecology and accords with Policy D20 of the Local Plan.

Other Matters

In respect of the comments in terms of the party wall, the agent has confirmed that there is an existing masonry party wall separating the garage of no 42 and the garage of no 40 and that this party wall is to remain between both properties. They state that *“Should strengthening work be required to assure the stability of the party wall, this will take place on*

the applicant land. To be clear, we are not intending to build any structure on the no 40's property. "

The applicant has confirmed that they have engaged with the neighbour in respect of their rights regarding the party wall.

While no further comments from the immediate neighbour or official response from the Ward Member has been received, it is considered that the proposed development would have no undue harm to the neighbour.

With regard to the comment concerned about the drainage, the property would be connected to the mains and a soakaway which would be covered at the building regulations stage.

Conclusion

The proposed dwelling would have no adverse impact on the character of the area, amenity of neighbouring residents, ecology or highway safety.

RECOMMENDATION

GRANT PERMISSION

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

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

- 3 The dwelling hereby approved shall not be occupied until the windows in the south elevation are fitted with obscure glazing. The windows shall remain obscured for all times thereafter.

Reason: To safeguard the privacy of the neighbour property in accordance with Policy D25 of Sedgemoor District Council Local Plan.

- 4 Prior to the installation of any external lighting, a "lighting design for bats" shall be submitted to and approved in writing by the local planning authority. The strategy shall show how and where external lighting will be installed (with the provision of technical specifications and operation) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bat species using their territory or resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. No external lighting other than those approved under

the lighting design for bats shall be installed without the prior written consent from the local planning authority.

Reason: In the interests of the Favourable Conservation Status of local populations of European protected species in accordance with Sedgemoor Local Plan 2011-2032 Policy D20.

5 Works will not in any circumstances commence until:

a) Construction and demolition operatives have been inducted by a licensed bat ecologist to make them aware of the possible presence of bats, their legal protection and of working practices to avoid harming bats. Written confirmation of the induction will be submitted to the Local Planning Authority by the licensed bat ecologist within one week of the toolbox talk

b) An improved cavity bat box or similar, to accommodate any discovered bat(s), will be hung on a suitable tree or building on or adjacent to the site at a minimum height of 4 metres as directed by a licensed bat ecologist. Any such box will be maintained in-situ thereafter; and

c) Works potentially affecting bats will then proceed under the supervision of the licensed bat ecologist.

Reason: A pre-commencement condition is required to ensure the strict protection of European protected species and in accordance with policy D20 of the Sedgemoor Local Plan 2011-2032.

6 Prior to first occupation of the dwelling hereby approved, the following biodiversity enhancement(s) will be installed at the site:

- 2x established shrub to be planted on site which must be high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The shrubs must also appeal to night-flying moths which are a key food source for bats. The Royal Horticultural Society guide, "RHS Perfect for Pollinators, www.rhs.org.uk/perfectforpollinators" provides a list of suitable plants both native and non-native plants
- Installation of 2x standard bird boxes purchased or built, situated on a mature tree on site or appropriately positioned on the proposed works, at a height above 3m
- At least 1x refugia piles (e.g. log piles) as a shelter for reptiles, amphibians and small mammals constructed within the boundary of the site

Once installed, the biodiversity enhancement(s) shall thereafter be retained.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 174(d) of the National Planning Policy Framework and Sedgemoor Local Plan 2011-2032 policy D20.

Schedule A

Location Plan Drg No. p2cuk/590280/800346

Existing Site & Roof Plan Drg No. 1909-S-01 Rev. A

Existing Ground Floor Plan Drg No. 05 Rev. A

Existing Elevations Drg No. 06 Rev. A

Proposed Site & Roof Plan Drg No. 1909-PL-01 Rev. B

Proposed Ground & First Floor Plans Drg No. 1909-PL-02

Proposed Elevations Drg No. 04 Rev. A

DECISION

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Agenda Item 7

Committee date 13/06/23

Case Officer: Emma Chorley

Chapel Allerton

15/23/00002/EC registered 17/04/23
Expiry Date: 11/06/2023
(Full Planning Permission)

Proposal:

Erection of agricultural storage building and solar panels (revised scheme). at Land At, Scotland Lane, Chapel Allerton, Axbridge, Somerset, BS26 for Chellaraj & Wilson



Committee decision required because

This application is referred to the Chair and Vice Chair to enable the issues raised by the Parish Council to be debated

Background

The application site is located in countryside to the south west of the hamlet of Chapel Allerton. The application site is accessed via Scotland Lane, an unclassified single track highway that extends to the south east of the application site. The site is formed of a parcel of agricultural land and permission is sought for the erection of an agricultural building and installation of solar panels.

The application follows a previously refused scheme that sought consent for the erection of agricultural building and garage, the installation of solar panels and wind turbine and the siting of static caravan.

Relevant History

Reference	Case Officer	Decision	Proposal
15/22/00004	EC	REF	Erection of an agricultural building and garage, including the installation of solar

			panels and wind turbine. Also with, the siting of static caravan.
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Supporting information supplied by the applicant

Planning Statement

Consultation Responses

Chapel Allerton Parish Council – object:-

1. The application site is approx. 3.5 acres (as stated by the applicants) and situated off Scotland Lane and in the reasonably remote part of Binham Moor. It has no direct access to a public highway as confirmed by Somerset Highways Authority in response to application 15/22/00004.

2. An application for the erection of an agricultural building and garage, including the installation of solar panels plus the siting of a static caravan was made in 2022 under application number 15/22/00004. The application was refused.

3. The Parish Council objects to the application on the following grounds:

3.1. It is inappropriate development in open countryside. The National Planning Policy Framework establishes in paragraph 84 support for the development and diversification of agricultural businesses this cannot apply to this site which is under 4 acres in total and where the applicant only intends to use a small percentage of the site for agricultural and horticultural purposes. The applicants have not submitted any business plan to show how the business on such a small site will be sustainable. This small area would not be economically viable and could not support any sustainable business of supply of hay to the local farming community as the applicants have stated.

3.2. Whilst the proposed building is said to be linked to running an agricultural business there is no evidence of any activity of any meaningful nature taking place at the time or since the last planning application.

3.3. The horticulture would result in the use of fertilizers. Following the judgement (known as Dutch N), Natural England have advised that, in light of the unfavourable condition of the Somerset Levels and Moors Ramsar, due to high levels of phosphates leaching into the local ecosystem any application that would result in additional phosphate loading in the catchment should be subject to a Habitats Regulations Assessment and if necessary, mitigation measures. No mitigation solution has been put forward to address this issue. In the absence of any such information, an unacceptable impact in the form of increased phosphate loading cannot be ruled out and as such the application is considered to be contrary to policy D20 Sedgemoor Local Plan 2011-2032.

3.4. The application includes solar panels on the roof of the shed which could be in part be used for lighting. If the application is to be approved the Council would request a condition that no external lighting is to be allowed this is to ensure that nocturnal wildlife is not to be disturbed.

3.5. The Council is concerned that with a shed of this size it could in part be converted to residential use. The Council would request that any planning consent prohibit all future domestic use. Further that there is a prohibition on the use of the field for the storage

including a static caravan. The applicants currently have stationed a touring caravan on the site.

Somerset Ecology Services – No objection. Recommend conditions regarding hand clearance of existing vegetation, to secure a biodiversity enhancement plan and informatives reminding the applicants and any operatives of the protection afforded to bats, badgers and nesting birds

County Highways – No observations

Environmental Health – No observations/comments

Axe Brue Drainage Board – Standing Advice

Representations

No comments received

Most Relevant Policies

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF require that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policies

National Planning Policy Framework 2021

Sedgemoor Local Plan

S2 Spatial Strategy for Sedgemoor

CO1 Countryside

D1 Flood risk and surface water management

D2 Promoting high quality and inclusive design

D13 Sustainable Transport and Movement

D14 Managing the Transport Impacts of Development

D19 Landscape

D20 Biodiversity and geodiversity

Main Issues

Principle of development

The application site measures approximately 3.18 acres and lies within the countryside where, in line with national planning policy, development is appropriately controlled. Policy S2 sets out the spatial strategy for the district and directs development to the most sustainable of locations. Policy CO1 sets out that this approach reflects the environmental and landscape constraints, more limited local services and fewer opportunities for sustainable transport. The policy goes on to recognise that there can be exceptional reasons for development to be more appropriately located in the countryside and such development is supported where proposals are specifically addressed by way of exception policy or where the proposal can demonstrate a specific countryside need.

This scheme seeks to address the reasons for refusal of the previous scheme. The proposal now seeks consent for a reduced scheme of a steel portal framed agricultural building that

will measure 9m x 5m and have height to eaves of 2.5m. Solar panels are proposed to be installed to the roof to provide electricity for the tools and equipment used in connection with the agricultural activity proposed on site.

The supporting statement provides that the applicants purchased the plot in 2021 and intend to rewild 40% of the land over a five year period and to plant native trees, grasses, crops, herbs and shrubs. They intend to use the building proposed for the storage of machinery, including a tractor, trailer, back hole, hedge trimmer and topper and to then store cut grasses to be used as animal feed.

To overcome previous concerns, the building is to be sited 10m from the watercourses.

The applicants advise that they reside approximately 1 hour away. It is no longer proposed that any animals would be kept on site and on the scale and nature of the development proposed is not considered to be unacceptable subject to a detailed assessment of the site-specific constraints.

Visual Impact

The revised proposal has significantly reduced the level of built form and sees the removal of the caravan/associated paraphernalia from the scheme and the proposed agricultural building is not considered to give rise to any unacceptable visual impact. It takes the form of a modest, modern agricultural building that is not inappropriate in a countryside location. As such the changes made are considered to have sufficiently address the previous reason for refusal on visual impact. The development now proposed is sufficiently justified by the supporting statement and accordingly the proposal is considered to amount to sufficiently justified development of an appropriate scale and appearance and therefore is considered to comply adequately with the requirements of policies D2 and D19 Sedgemoor Local Plan 2011-2032.

Ecological Impacts

The application site lies within the Somerset Levels and Moors RAMSAR, however there are no livestock on the small parcel of agricultural land and the building proposed is for use as an agricultural storage building. A condition can be applied to prevent the housing of livestock within the building and given the size and scale of the operation, the applicants do not benefit from permitted development rights for further development. Therefore, and subject to a condition to prevent the housing of livestock, there are sufficient controls for the Local Planning Authority to be satisfied that the development, if permitted, would not give rise to any increase in livestock on the holding. SES have been consulted and provided comments confirming that they have no objection to the development proposed. They suggest conditions to ensure vegetation is first removed by hand and to secure a biodiversity enhancement plan. The removal of vegetation by hand is commonly applied as an informative together with the balance of recommended informatives regarding the protection of bats, badgers and nesting birds. A condition will be applied to secure a biodiversity enhancement plan and a further condition will be applied to restrict lighting on the site given the countryside location and that the site is within Band C of the bat consultation zone. The scale and nature of the proposal is such that subject to conditions it is not considered to give rise to any unacceptable impacts in terms of ecology and to sufficiently comply with the requirements of policy D20 Sedgemoor Local Plan 2011-2032.

Highway safety

Somerset County Highways have confirmed they have no observations. Given the scale and nature of the development, notwithstanding the concerns of the Parish Council, it is not considered likely to give rise to a material increase in vehicular use of the local highway network that would be considered to be to the detriment of highways safety on the rural road network. As such no conflict is identified with policy D14 Sedgemoor Local Plan 2011-2032.

Other Matters

The Parish Council have maintained an objection of the revised scheme and requested conditions to prohibit the siting of caravans on the site and to prevent the change of use and conversion of the building to a dwelling in the future. Whilst the reasons for objection are considered to have been addressed within the body of this report, with regards to the proposed condition wording, it is not considered that the nature of the proposal results in such condition wording being necessary and as such, such conditions would fail to meet the conditions tests. The revised proposal does not seek consent for the siting of the caravan or for any residential use of the site, which would require consent in its own right.

Summary

The revised proposal for a more modest and sufficiently justified scheme is considered to adequately address the previous reason for refusal and as such the proposed development is, subject to conditions, recommended for approval.

RECOMMENDATION

GRANT PERMISSION

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

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

- 3 No external lighting shall be erected or installed on the building hereby permitted or within the application site unless prior written consent is sought from the Local Planning Authority.

Reason: In the interests of visual amenity, to protect the dark skies of the countryside and in the interests of the Favourable Conservation Status of local populations of European Protected Species in accordance with policies D2, D20 and D24 of Sedgemoor Local Plan 2011-2032

- 4 The building hereby permitted shall not be used for the housing of livestock without the prior written consent of the Local Planning Authority

Reason: to prevent unacceptable impacts as a result of increased phosphate loading associated with housing livestock and to prevent unacceptable impact on the amenity of neighbouring residents in accordance with policies D20, D24 and D25 Sedgemoor Local Plan 2011-2032

5

A Biodiversity Enhancement Plan (BEP) shall be submitted to and approved in writing by the Local Planning Authority prior to first use. The BEP shall include measures to ensure that no net loss to biodiversity occurs as a result of the development should include measures to enhance the site for horseshoe bats (such as the creation of species rich grassland around field margins). The BEP should also include a landscape masterplan which identifies the areas of planting proposed, a planting schedule and specification of seed mixes/species of stock and general implementation.

Reason: To ensure that development sites are appropriately landscaped to provide enhancement of the environment, mitigation for vegetation that is to be removed, to ensure biodiversity is maintained and that planting schemes are established and managed into the future, in accordance with policy D20 Sedgemoor Local Plan 2011-2032.

Schedule A

Location Plan Drg No. 01

Proposed Block Plan Drg No. CPS/141/AB25

Proposed Agricultural Shed Drg No. CPS/141/AB24

DECISION

Committee date 13/06/23

Case Officer: Amelia Elvé

Cheddar

17/23/00028/AGE registered 14/04/23
Expiry Date: 08/06/2023 16:00:15
(Full Planning Permission)

Proposal:

Erection of agricultural building with associated works on site of existing polytunnel (to be demolished). at Land Off, Silver Street, Cheddar, Somerset for Mr & Mrs Young



Committee decision required because

This application is referred to the area committee at the request of the Chair and/or Vice Chair to enable the issues raised by the Parish/Town/City Council and/or elected member/s to be debated

Background

The application site is to the east of an unadopted road, and currently accommodates an agricultural building and a polytunnel.

The application seeks consent for the erection of an agricultural building, on the site of the existing polytunnel. The building is proposed to have a ridge height of 4.6m, an varying eaves heights of 3.85 to the north elevation and 3.2m to the south elevation. The footprint would measure approx. 20m x 9.0m and constructed from fibre cement roof sheets and Yorkshire boarding over concrete panel walls.

Relevant History

17/12/00056- Erection of a polytunnel – **Refused**

17/13/00025 – Erection of a polytunnel – **Granted**

17/20/00074 – Erection of an agricultural building with associated works – **Granted**

17/22/00006 – Erection of glamping cabin with associated works and the demolition of existing polytunnel – **Refused**

17/23/00003 - Erection of glamping cabin with associated works and the demolition of

existing polytunnel - **Refused**

Supporting information supplied by the applicant

Location Plan with Existing Plans & Elevations Drg No. Young-23-82-01

Proposed Plans & Elevations Drg No. Young-23-82-02

Consultation Responses

Cheddar Parish Council – Object

Cheddar PC object to this application on the grounds that it is an overdevelopment of the plot with a loss of agricultural land and there is no indication of a foul drainage system.

Natural England – No objection

Representations

None received

Most Relevant Policies

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF require that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Framework July 2021

Section 12 – Achieving well-designed places

Section 15 – Conserving and enhancing the natural environment

Sedgemoor Local Plan (2011-2032)

CO1: Countryside

D2: Promoting High Quality and Inclusive Design

D19: Landscape

D20: Biodiversity and Geodiversity

D23: Bat Consultation Zones

D25: Protecting Residential Amenity

Cheddar Neighbourhood Plan

Main Issues

Principle of Development

The application site lies outside of the Development Boundary and is therefore considered as a countryside location. Proposals in such places are generally resisted unless it would relate to a specific locational requirement or a type of development that requires a rural location, as set out in policies S2 and CO1 of the Local Plan.

The proposal is for an agricultural building, to replace an existing polytunnel that is used for agricultural purposes. Within the supporting documentation the requirement of the proposed building has been set out and this is considered to be an acceptable location for such a development as it relates to agriculture. The justification sets out that the applicant seeks to expand the sheep flock and the area of land that is farmed by the applicant has more than doubled. The existing polytunnel is used to house shepe, however it is not fit for purpose as it lacks ventilation and exposes the livestock to extremes of temperature. The proposed building would provide a more comfortable accomodation for the Ivisestock and wuld also allow for the ry storage of agricultural equipment and additional fodder.

As such, the principle of the application complies with policy CO1 & S2 of the Local Plan.

Visual Amenity & Landscape

Policy D2 seeks to achieve high quality, sustainable and inclusive design which responds positively to and reflects the local characteristics of the site and identity of the surrounding area and be of a design solution that makes the most efficient use of land through appropriate densities, whilst recognising the need for positive treatment of the spaces around and between the building.

Policy D19 of the Local Plan supports development within the setting of AONBs if potential harm can be *negated through appropriate and acceptable* mitigation measures. The policy seeks to protect and enhance the natural environment wherever possible and seeks to ensure that schemes incorporate mitigation and compensation measures.

The proposed building will have an appearance that is typical of utilitarian agricultural buildings and is not considered to be out of keeping or inappropriate in respect of the proximity to the AONB. The AONB is sited approx 170m to the west and approx 200m to the east of the application site. There are some public rights of way in the area of the site, however the closest of these is approx 150m to the south. The distance, combined with the extensive vegetation that surrounds much of the surrounding right of way network is considered adequate to ensure that the setting of these paths is not detrimentally impacted by the proposal. In terms of wider views of the site, particularly from the AONB, the proposed building has a reduced length than the poly tunnel that it is replacing, and will be finished with materials that blend in with the landscape and are more sympathetic than the existing polytunnel.

As such, the proposal complies with policies D2 and D19 of the Local Plan.

Residential Amenity

Policy D2 states that development should ‘respect the amenity value of the occupiers of nearby buildings or the wider area’ and new development should deliver buildings that are “enjoyable to use”. This is further supported by Policy D25 which states that ‘Particular consideration will be given to the extent that the proposal could result in unacceptable impacts’. This includes consideration of loss of privacy, overlooking, visual dominance, loss of light, noise/disturbance, odour, fumes, vibration and living conditions of future occupants.

The closest dwelling is sited approx. 37m from the proposed building, with an existing agricultural building sited between. It is considered that due the distance and existing building, the proposal would not have a detrimental impact on the amenities of any residents and as such, complies with policies D2 and D25 of the Local Plan.

Ecological Issues

Policy D20 of the Local Plan seeks for proposals to contribute to maintaining and where appropriate enhancing biodiversity and geodiversity. The application site lies within a Bat Consultation Zone and policy D23 of the Local Plan seeks to secure relevant mitigation

measures that could protect relevant species from the impacts of development.

The proposal will involve the demolition of an existing polytunnel, which due to the nature of the existing structure, is not considered to have a detrimental impact on any ecological matters. As such the application is considered to comply with policies D20 and D23 of the Local Plan.

Waste Disposal

The Parish Council have raised a concern relating to a “foul drainage system”. The proposal is to accommodate sheep and the agent has provided further details of how the waste produced from the animals will be managed. The information submitted is considered to be acceptable.

Conclusion

The proposal is of an acceptable design and appearance that would have no adverse impact of the character of the existing building or the locality, residential amenity, ecological issues and landscape. As such the proposal complies with policies CO1, D2, D19, D20, D23 and D25 of the Sedgemoor Local Plan 2011-2032.

RECOMMENDATION

GRANT PERMISSION

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

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

Schedule A

Location Plan with Existing Plans & Elevations Drg No. Young-23-82-01

Proposed Plans & Elevations Drg No. Young-23-82-02

DECISION
