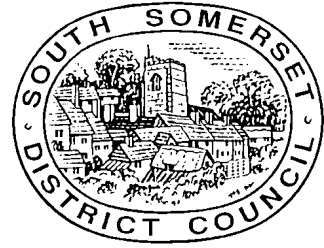


South Somerset District Council

Notice of Meeting



Area West Committee

Making a difference where it counts

Wednesday 18th November 2015

5.30 pm

Swanmead Community School

Ditton Street

Iminster

TA19 0BL (Please note there is very limited parking at the venue)

(disabled access is available at this meeting venue)



The public and press are welcome to attend.

Please note: Consideration of planning applications will commence no earlier than 7.00pm.

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Jo Morris 01935 462055**, website: www.southsomerset.gov.uk

This Agenda was issued on Tuesday 10th November 2015.

A handwritten signature in black ink that reads 'Ian Clarke'.

Ian Clarke, Assistant Director (Legal & Corporate Services)

This information is also available on our website
www.southsomerset.gov.uk



INVESTORS IN PEOPLE

Area West Committee Membership

The following members are requested to attend the meeting:

Chairman: Carol Goodall
Vice-chairman: Jenny Kenton

Jason Baker
Marcus Barrett
Mike Best
Amanda Broom
Dave Bulmer

Val Keitch
Paul Maxwell
Sue Osborne
Ric Pallister
Garry Shortland

Angie Singleton
Andrew Turpin
Linda Vijeh
Martin Wale

South Somerset District Council – Council Plan

Our focuses are: (all equal)

- Jobs – We want a strong economy which has low unemployment and thriving businesses
- Environment – We want an attractive environment to live in with increased recycling and lower energy use
- Homes – We want decent housing for our residents that matches their income
- Health and Communities – We want communities that are healthy, self-reliant and have individuals who are willing to help each other

Scrutiny Procedure Rules

Please note that decisions taken by Area Committees may be "called in" for scrutiny by the Council's Scrutiny Committee prior to implementation. This does not apply to decisions taken on planning applications.

Consideration of Planning Applications

Consideration of planning applications will commence no earlier than 7.00pm, following a break for refreshments, in the order shown on the planning applications schedule. The public and representatives of parish/town councils will be invited to speak on the individual planning applications at the time they are considered. Anyone wishing to raise matters in relation to other items on the agenda may do so at the time the item is considered.

Highways

A formal written report from the Area Highway Officer should be included on the main agenda in May and September. Alternatively, they can be contacted through Somerset County Council on 0300 123 2224.

Members Questions on reports prior to the meeting

Members of the Committee are requested to contact report authors on points of clarification prior to the Committee meeting.

Information for the Public

The Council has a well-established Area Committee system and through four Area Committees seeks to strengthen links between the Council and its local communities, allowing planning and other local issues to be decided at a local level (planning recommendations outside council policy are referred to the district wide Regulation Committee).

Decisions made by Area Committees, which include financial or policy implications are generally classed as executive decisions. Where these financial or policy decisions have a significant impact on council budgets or the local community, agendas will record these decisions as “key decisions”. Members of the public can view the council’s Executive Forward Plan, either online or at any SSDC council office, to see what executive/key decisions are scheduled to be taken in the coming months. Non-executive decisions taken by area committees include planning, and other quasi-judicial decisions.

At Area Committee meetings members of the public are able to:

- attend and make verbal or written representations, except where, for example, personal or confidential matters are being discussed;
- at the Area Committee Chairman’s discretion, members of the public are permitted to speak for up to up to 3 minutes on agenda items; and
- see agenda reports.

Meetings of the Area West Committee are held monthly at 5.30 p.m. on the 3rd Wednesday of the month in venues throughout Area West (unless specified otherwise).

Agendas and minutes of Area Committees are published on the Council’s website www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions

The Council’s Constitution is also on the web site and available for inspection in council offices.

Further information about this Committee can be obtained by contacting the agenda co-ordinator named on the front page.

Public Participation at Committees

This is a summary of the Protocol adopted by the Council and set out in Part 5 of the Council’s Constitution.

Public Question Time

The period allowed for participation in this session shall not exceed 15 minutes except with the consent of the Chairman of the Committee. Each individual speaker shall be restricted to a total of three minutes.

Planning Applications

Comments about planning applications will be dealt with at the time those applications are considered, rather than during the Public Question Time session.

Comments should be confined to additional information or issues, which have not been fully covered in the officer's report. Members of the public are asked to submit any additional documents to the planning officer at least 72 hours in advance and not to present them to the Committee on the day of the meeting. This will give the planning officer the opportunity to respond appropriately. Information from the public should not be tabled at the meeting. It should also be noted that, in the interests of fairness, the use of presentational aids (e.g. PowerPoint) by the applicant/agent or those making representations will not be permitted. However, the applicant/agent or those making representations are able to ask the Planning Officer to include photographs/images within the officer's presentation subject to them being received by the officer at least 72 hours prior to the meeting. No more than 5 photographs/images either supporting or against the application to be submitted. The Planning Officer will also need to be satisfied that the photographs are appropriate in terms of planning grounds.

At the Committee Chairman's discretion, members of the public are permitted to speak for up to 3 minutes each and where there are a number of persons wishing to speak they should be encouraged to choose one spokesperson to speak either for the applicant or on behalf of any supporters or objectors to the application. The total period allowed for such participation on each application shall not normally exceed 15 minutes.

The order of speaking on planning items will be:

- Town or Parish Council Spokesperson
- Objectors
- Supporters
- Applicant and/or Agent
- District Council Ward Member

If a member of the public wishes to speak they must inform the committee administrator before the meeting begins of their name and whether they have supporting comments or objections and who they are representing. This must be done by completing one of the public participation slips available at the meeting.

In exceptional circumstances, the Chairman of the Committee shall have discretion to vary the procedure set out to ensure fairness to all sides.

The same rules in terms of public participation will apply in respect of other agenda items where people wish to speak on that particular item.

If a Councillor has declared a Disclosable Pecuniary Interest (DPI) or a personal and prejudicial interest

In relation to Disclosable Pecuniary Interests, a Councillor is prohibited by law from participating in the discussion about the business on the agenda that relates to this interest and is also required to leave the room whilst the relevant agenda item is being discussed.

Under the new Code of Conduct adopted by this Council in July 2012, a Councillor with a personal and prejudicial interest (which is not also a DPI) will be afforded the same right as a member of the public to speak in relation to the relevant business and may also answer any questions, except that once the Councillor has addressed the Committee the Councillor will leave the room and not return until after the decision has been made.

Area West Committee

Wednesday 18 November 2015

Agenda

Preliminary Items

- 1. To approve as a correct record the Minutes of the Previous Meeting held on 21st October 2015**
- 2. Apologies for Absence**
- 3. Declarations of Interest**

In accordance with the Council's current Code of Conduct (adopted July 2012), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the agenda for this meeting. A DPI is defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012 No. 1464) and Appendix 3 of the Council's Code of Conduct. A personal interest is defined in paragraph 2.8 of the Code and a prejudicial interest is defined in paragraph 2.9.

Members are reminded that they need to declare the fact that they are also a member of a County, Town or Parish Council as a Personal Interest. As a result of the change made to the Code of Conduct by this Council at its meeting on 15th May 2014, where you are also a member of Somerset County Council and/or a Town or Parish Council within South Somerset you must declare a prejudicial interest in any business on the agenda where there is a financial benefit or gain or advantage to Somerset County Council and/or a Town or Parish Council which would be at the cost or to the financial disadvantage of South Somerset District Council. If you have a prejudicial interest you must comply with paragraphs 2.9(b) and 2.9(c) of the Code.

In the interests of complete transparency, Members of the County Council, who are not also members of this committee, are encouraged to declare any interests they may have in any matters being discussed even though they may not be under any obligation to do so under any relevant code of conduct.

Planning Applications Referred to the Regulation Committee

The following members of this Committee are also members of the Council's Regulation Committee:

Councillors Mike Best, Sue Osborne and Angie Singleton

Where planning applications are referred by this Committee to the Regulation Committee for determination, in accordance with the Council's Code of Practice on Planning, Members of the Regulation Committee can participate and vote on these items at the Area Committee and at Regulation Committee. In these cases the Council's decision-making process is not complete until the application is determined by the Regulation Committee. Members of the Regulation Committee retain an open mind and will not finalise their position until the Regulation Committee. They will also consider the matter

at Regulation Committee as Members of that Committee and not as representatives of the Area Committee.

4. Public Question Time

This is a chance to ask questions, make comments and raise matters of concern.

Parish/Town Councils may also wish to use this opportunity to ask for the District Council's support on any matter of particular concern to their Parish/Town.

Anyone wishing to raise matters in relation to items on the agenda may do so at the time the item is considered.

5. Chairman's Announcements

Items for Discussion

- 6. Area West Committee - Forward Plan** (Pages 9 - 11)
- 7. Highway Service Report for Area West** (Pages 12 - 14)
- 8. South Somerset Citizens Advice Bureau (SSCAB)** (Page 15)
- 9. Community Offices Update** (Pages 16 - 26)
- 10. Area West - Reports from Members on Outside Bodies** (Pages 27 - 28)
- 11. Planning Appeals** (Pages 29 - 45)
- 12. Schedule of Planning Applications to be Determined by Committee** (Pages 46 - 47)
- 13. Planning Application 15/03263/S73A - 7 Court Farm Close, Winsham** (Pages 48 - 54)
- 14. Planning Application 15/04232/FUL - The Coach House, Lyddons Mead, Chard** (Pages 55 - 60)
- 15. Planning Application 15/03349/DPO - Land Off Touchstone Lane, Chard** (Pages 61 - 64)
- 16. Date and Venue for Next Meeting** (Page 65)

Please note that the decisions taken by Area Committees may be called in for scrutiny by the Council's Scrutiny Committee prior to implementation.

This does not apply to decisions taken on planning applications.

Recording and photography at council meetings

Recording of council meetings is permitted, however anyone wishing to do so should let the Chairperson of the meeting know prior to the start of the meeting. The recording should be overt and clearly visible to anyone at the meeting, but non-disruptive. If someone is recording the meeting, the Chairman will make an announcement at the beginning of the meeting.

Any member of the public has the right not to be recorded. If anyone making public representation does not wish to be recorded they must let the Chairperson know.

The full 'Policy on Audio/Visual Recording and Photography at Council Meetings' can be viewed online at:

<http://modgov.southsomerset.gov.uk/documents/s3327/Policy%20on%20the%20recording%20of%20council%20meetings.pdf>

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Agenda Item 6

Area West Committee - Forward Plan

Assistant Director: Helen Rutter / Kim Close, (Communities)
Service Manager: Andrew Gillespie, Area Development Manager (West)
Agenda Co-ordinator: Jo Morris, Democratic Services Officer , Legal & Democratic Services
Contact Details: jo.morris@southsomerset.gov.uk or 01935 462055

Purpose of the Report

This report informs members of the proposed Area West Committee Forward Plan.

Recommendation

Members are asked to:-

- (1) comment upon and note the proposed Area West Committee Forward Plan as attached.
- (2) identify priorities for further reports to be added to the Area West Committee Forward Plan.

Forward Plan

The Forward Plan sets out items and issues to be discussed by the Area West Committee over the coming few months.

The Forward Plan will be reviewed and updated each month in consultation with the Chairman. It is included each month on the Area West Committee agenda and members may endorse or request amendments.

To make the best use of the Area Committee, the focus for topics should be on issues where local involvement and influence may be beneficial, and where local priorities and issues raised by the community are linked to SSDC corporate aims and objectives.

Councillors, service managers, partners and members of the public may request that an item is placed within the forward plan for a future meeting by contacting the agenda co-ordinator.

Background Papers: *None.*

Notes

- (1) Items marked in italics are not yet confirmed, due to the attendance of additional representatives.
- (2) Further details on these items, or to suggest / request an agenda item for the Area Committee, please contact the Agenda Co-ordinator; Jo Morris, 01935 462055 or e-mail jo.morris@southsomerset.gov.uk
- (3) Standing items include:
 - (a) Chairman's announcements
 - (b) Public Question Time

Meeting Date	Agenda Item	Background / Purpose	Lead Officer(s) SSDC unless stated otherwise
<i>16th December 2015</i>	<i>Blackdown Hills Area of Outstanding Natural Beauty (AONB)</i>	<i>To update members on the work of the Blackdown Hills AONB since the last report to Area West Committee.</i>	<i>Zoe Harris, Neighbourhood Development Officer (Communities) Cllr. Martin Wale</i>
<i>16th December 2015</i>	<i>Hall Improvements at Hinton St George Village Hall</i>	<i>To consider a grant request.</i>	<i>Zoe Harris, Neighbourhood Development Officer (Communities)</i>
<i>16th December 2015</i>	<i>Section 106 Obligations</i>	<i>Monitoring Report</i>	<i>Neil Waddleton, Section 106 Monitoring Officer</i>
<i>16th December 2015</i>	<i>Area West Development Plan & Budget Progress Report</i>	<i>To present an overview of projects in the Area Development Work Programme 2015/16</i>	<i>Andrew Gillespie, Area Development Manager (West)</i>
<i>20th January 2016</i>	<i>Avon & Somerset Policing Update</i>	<i>Report on activities and achievements on neighbourhood policing and partnership working to reduce crime and fear of crime.</i>	<i>Sgt. Rob Jameson</i>
<i>20th January 2016</i>	<i>Ile Youth Centre Management Committee (Ilminster)</i>	<i>Reports from members on outside organisations.</i>	<i>Cllr. Val Keitch</i>
<i>17th February 2016</i>	<i>A Better Crewkerne and District (ABCD)</i>	<i>Reports from members on outside organisations.</i>	<i>Cllr. Mike Best</i>
<i>17th February 2016</i>	<i>Affordable Housing Development Programme</i>	<i>To update members on the current position with the Affordable Housing Development Programme.</i>	<i>Colin McDonald, Corporate Strategic Housing Manager</i>
<i>17th February 2016</i>	<i>Local Housing Needs in Area West</i>	<i>Service Update Report</i>	<i>Kirsty Larkins, Housing & Welfare Manager</i>

Meeting Date	Agenda Item	Background / Purpose	Lead Officer(s) SSDC unless stated otherwise
16 th March 2016	<i>Ilminster Forum</i>	<i>Reports from members on outside organisations.</i>	<i>Cllr. Carol Goodall</i>
16 th March 2016	<i>Review of Welfare Benefits Service over the financial year 2014-15</i>	<i>Annual Update Report</i>	<i>Catherine Hansford, Welfare Benefits Team Leader</i>

Agenda Item 7

Highway Service Report for Area West

Lead Officer: Mike Fear, Assistant Highway Service Manager, Somerset County Council
Contact Details: Tel: 0845 345 9155

Purpose of the Report

The report is to inform members of the work carried out by the County Highway Authority at the halfway stage through the financial year and what schemes are remaining on the work programme for the rest of the year.

Recommendation

That members note the report.

Report

Surface Dressing

Weather this year has been fairly kind to our surface dressing programme. It commenced in June and was completed through various phases by the end of August. After this time the road temperature is too unpredictable to ensure there are no surface failures. Patching work has already been completed for next year's surface dressing programme which mainly concentrates on Class A and B roads.

Surface Dressing is the practice of applying a bitumen tack coat to the existing road surface and rolling in stone chippings. Whilst this practice is not the most PR friendly, when carried out correctly it is highly effective and can bring significant improvements to the highway infrastructure.

Verge Cutting

Grass cutting this year has been difficult due to the rapid growth of vegetation and as you can appreciate; our works are largely governed by resource. With a highway network exceeding 3500km in length, the size of the task is significant.

The County Council therefore has a policy and procedures that are in place to ensure the work is carried out in the most safe, effective and economic way. In a world of ever increasing risk assessment and claim/liability scenarios, the policy must take into account the range of road classifications across the network and prioritises them accordingly.

We were only able to do one cut on all roads this year, with a later visibility cut to Class A and B road junctions only. The programme was largely completed by the end of September.

Structural Schemes Completed 2015/2016 (up to 30 October 2015)

The below table identifies significant schemes that have been completed in South Somerset. Schemes in Area West are highlighted;

Misterton	A356 School Hill and Mosterton Road	Resurfacing	Completed
Crewkerne	A356 North Street	Resurfacing	Completed
Charlton Mackrell	A37 Fosse Way	Resurfacing	Completed

Yeovil	A30 West Coker Road	Resurfacing	March 2016
Bruton	Plox/Silver Street	Resurfacing	Completed
Castle Cary	Victoria Park/Greenway Road	Resurfacing	Completed
Lopen	Lopen Head Roundabout	Resurfacing	Completed
Merriott	Hitchen	Resurfacing	Completed
Yeovil	Dampier Street	Resurfacing	Deferred
Yeovil	St John's Road/Northbrook Road	Resurfacing	Deferred
North Cadbury	Parish Hill	Resurfacing	Completed
Ilminster	Ile Court	Resurfacing	Nov. 2015
Charlton Horethorne	Clare Farm Stowell Hill	Resurfacing	Deferred
Queen Camel	Traits Lane	Resurfacing	Completed
Somerton	Somertonfield Road	Resurfacing	Completed
Huish Episcopi	Picts Hill	Resurfacing	Completed
Chard	Avishayes Road	Resurfacing	Completed
Chard	Helliars Road and Crimchard	Resurfacing	Completed
Hinton St George	Lopen Road	Passing Bays reconstruction	
Yeovil	Goldcroft	Resurfacing	Completed
Yeovil	Hendford & High Street (The Borough)	Resurfacing	Deferred
Milborne Port	A30 Sherborne Road	Resurfacing (R+R)	December 2015
Charlton Mackrell	A37 Fosse Way	Resurfacing (R+R)	Completed
Henstridge	A357 High Street & Stalbridge Road	Resurfacing (R+R)	Feb. 2016
Henstridge	A357 Templecombe Road	Resurfacing (R+R)	December 2015
Yeovil	A3088 Bunford Hollow Rbt	Resurfacing (Sections)	Completed
Ilchester	B3151 Somerton Road	Resurfacing (R+R)	Feb. 2016
Yeovil	Birchfield Road	Footways	
Yeovil	St Michaels Avenue	Footways	
Yeovil	Plantagenet Chase	Footways	
Yeovil	Roping Road	Footways	
Yeovil	Park Street	Footways	
Barton St David	Broadclose Way	Footways	Completed
Bratton Seymour	Jack Whites Gibbet	Footways	
Somerton	Walnut Drive	Footways	
Castle Cary	Milbrook Gardens	Footways	Completed
Tintinhull	St Margaret's Road & Head Street	Footways	
Ilminster	Station Road	Drainage	
Closworth	Closworth Road	Drainage	Completed
Closworth	Weston Lane	Drainage	Completed
Bratton Seymour	A371 Cattle Hill	Drainage	Completed
Alford	B3153 Cary Road and Church Lane	Drainage	Completed
Chard	A358 Old Town	Drainage	Completed
Buckland St Mary	Fair End Lane	Drainage	Completed
Muchelney	Thorney Road	Drainage	Completed
Curry Rivel	Parsonage Place	Drainage	Completed
Brympton	Thorne Coffin (Phase 1 & 2)	Drainage	Completed

Pitney	Stowey Road	Drainage	Completed
Yeovil Without	Yeovil Marsh Road	Drainage	Completed
Fivehead	Ganges Hill	Drainage	Completed
Yeovil Without	Yeovil Marsh Road (Eastern end)	Drainage	Completed
Huish Episcopi	Meadow Close	Drainage	Deferred
Chilton Cantelo	Bridgehampton Road	Drainage	Completed
Maperton	Clapton Lane	Drainage	Completed
Bruton	Park Road	Drainage	Completed
Rimpton	Pitfield Corner	Drainage	Completed
Haselbury Plucknett	Claycastle	Drainage	Completed
Crewkerne	Cathole Bridge Road	Drainage	Jan. 2016
Stoke Trister	Beech Lane	Drainage	Completed
Curry Rivel	St Andrews Close	Drainage	Completed
South Beauchamp	Lambrook Road	Drainage	Nov. 2015
Kingsbury Episcopi	East Lambrook Road (upgrade outfall)	Drainage	Completed
Long Sutton	Shute Lane	Earthworks	Deferred
Tatworth & Forton	Bounds Lane	Earthworks	Completed
Ansford	Ansford Hill	Earthworks	
East Coker	East Coker Road	Earthworks	

Winter Maintenance

The preparation for this year's winter maintenance programme has now started. Our salt supply for the upcoming season has been delivered to the depot.

Somerset County Council salts over 1400km (870 miles) of its roads in anticipation of frost, snow and ice. This is approximately 21% of the total road network in Somerset.

Local parishes will again be invited to collect their allocation of ten 20kg grit bags on 21st November.

If grit bins are being considered at new locations, can the members please confirm these positions as soon as possible as the filling of bins will soon commence. It may also be beneficial to confirm previous locations to ensure that these areas are not missed.

Background papers: None

Agenda Item 8

South Somerset Citizens Advice Bureau (SSCAB)

Assistant Directors: Kim Close / Helen Rutter, Assistant Directors - Communities
Service Manager: Kim Close, Assistant Director – Communities
Lead Officers: Kim Close; Assistant Director – Communities
David Crisfield; Third Sector & Partnerships Co-ordinator
Angela Kerr; Chief Executive Officer, SSCAB

Contact Details: kim.close@southsomerset.gov.uk (01935 462060)
david.crisfield@southsomerset.gov.uk (01935 462240)
angela.kerr@southsomcab.org.uk (01935 847661)

Angela Kerr, Chief Executive, South Somerset Citizens Advice Bureau will be attending Area West Committee to deliver a presentation to members on the work and future development of South Somerset CAB.

Agenda Item 9

Community Offices Update

Assistant Director: Kim Close, Communities
Lead Officer: Lisa Davis, Community Office Support Manager
Contact Details: lisa.davis@southsomerset.gov.uk 01935 462746

Purpose of the Report

To update Councillors on the yearly footfall/enquiry figures across the district and the results of the recent customer satisfaction survey.

Public Interest

South Somerset District Council (SSDC) has 6 community offices which enable the public to access a wide range of Council related information and other assistance. This supports the other ways of contacting SSDC, which is by phone or the website. This report gives an update of the number of customers who visit the offices and also includes results of the customer survey carried out in September 2015.

Recommendation

That Area West Committee members note the contents of this report.

Background

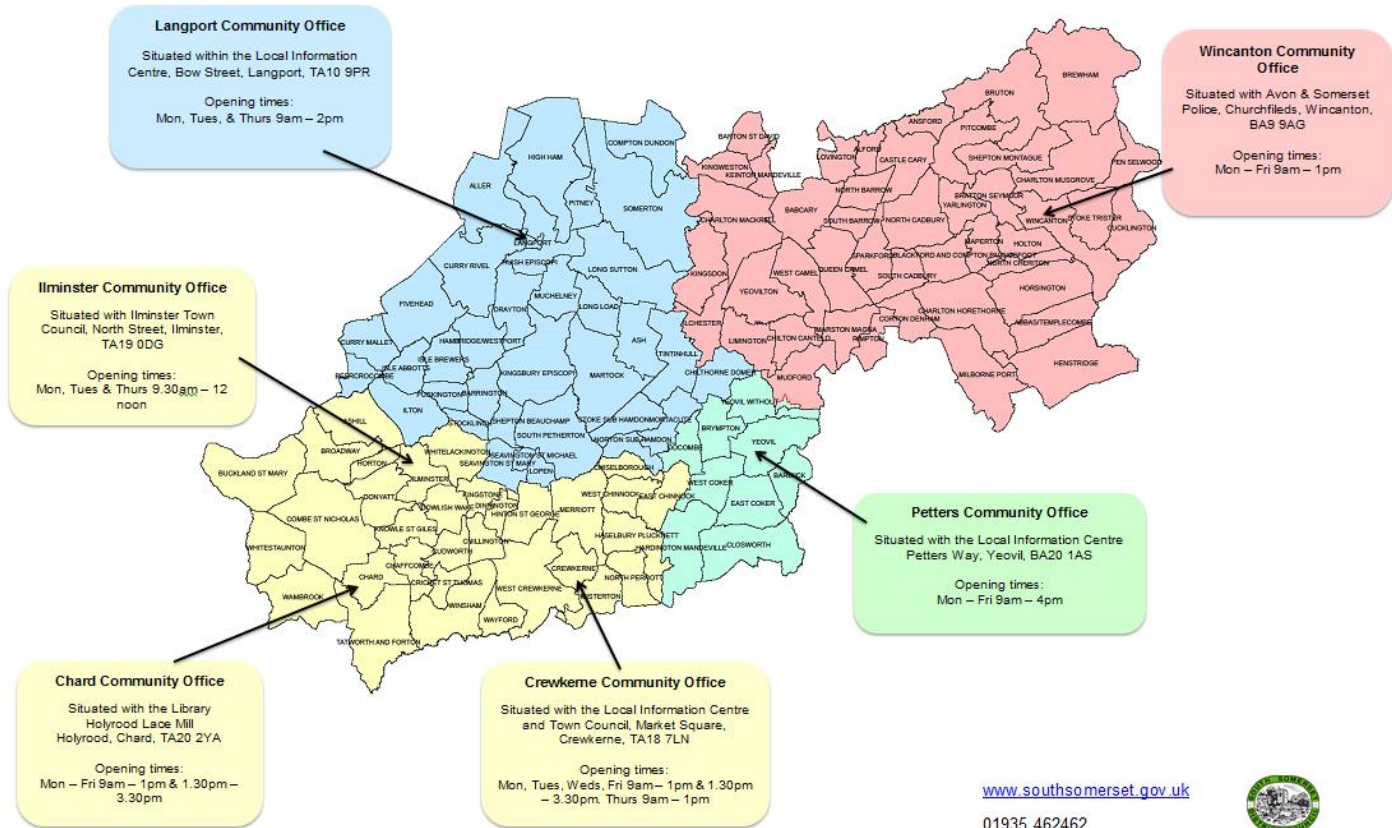
The community offices are located in Yeovil, Crewkerne, Chard, Ilminster, Langport and Wincanton and are managed by the Community Office Support Manager and Deputy Community Office Support Manager, reporting to the Assistant Director, Communities. There are 13 (9.5FTE) Community Support Assistants (CSA) across the team who provide customer access to services assistance at the 6 Community offices. They also provide administrative and project support to the Area Development teams.

The Community Offices

The main SSDC services that customers visit our offices are:

Housing and Council Tax Benefits	Receipt, verification and scanning of applications forms and evidence, general advice and guidance
Council Tax	Advice and guidance on moving in/out of area, discounts and exemptions and instalment plans, processing of payments (debit cards)
Homefinder (online social housing service)	Help with accessing the Homefinder service and weekly bidding process
Waste and Recycling	Advice on collection days, missed collection reports, ordering of new/replacement bins, payment of garden waste bins/bags
StreetScene	Report litter, fly tipping, dead animals, discarded needles, dangerous and stray dogs, dog fouling and graffiti
Community Protection	Report pest problems (rats, wasps, insects)
Horticulture	Report problems with shrub / tree / hedge maintenance
Planning/Building Control	Hand out application forms
Community Safety	Recording incidents

SSDC Community Offices



Not all offices have exactly the same facilities either due to location or number of customers.

- Cash machines are available in Petters House and Chard. Customers can make payments for council tax, parking fines, planning and building control applications.
- There is free public computer and phone access in Petters House, Chard, Crewkerne & Wincanton allowing customers to access online services through self-service or assisted self-service.
- All offices are co-located with other authorities/agencies.
- All front offices have a hearing loop.
- All offices are fully accessible, except for Ilminster where it hasn't been possible to fully adapt.

The community offices provide face to face service and enables customers to receive advice and assistance to many SSDC services, as well as the ability to signpost to other agencies where necessary. They ensure vulnerable members of the community and those who find it difficult or unable to contact the council by other means are able to fully access our services.

As well as the community offices customers are also able to access SSDC services over the phone and/or via the SSDC website. There are a number of services now available online; completing applications, various payment options, reporting issues (including missed waste and recycling collections) and registering to vote. Homefinder applications can only normally be done via the internet.

All CSAs are trained to deal with the wide range of front office enquiries and are able to cover any community office ensuring that full opening hours are maintained across the district. Generally there is only one member of staff on the front desk, but back up support is provided in the busier offices, including Chard, to help reduce customer waiting time.

The Community Support team have access to the online referral system which enables them to refer customers as appropriate to the Welfare Benefits team and outside agencies such as CAB, SSVCA. The Welfare Benefits Advisors provide support and advice to many of the visitors to the front office and work closely with the Community Support team to raise awareness of the benefits that they may be entitled to.

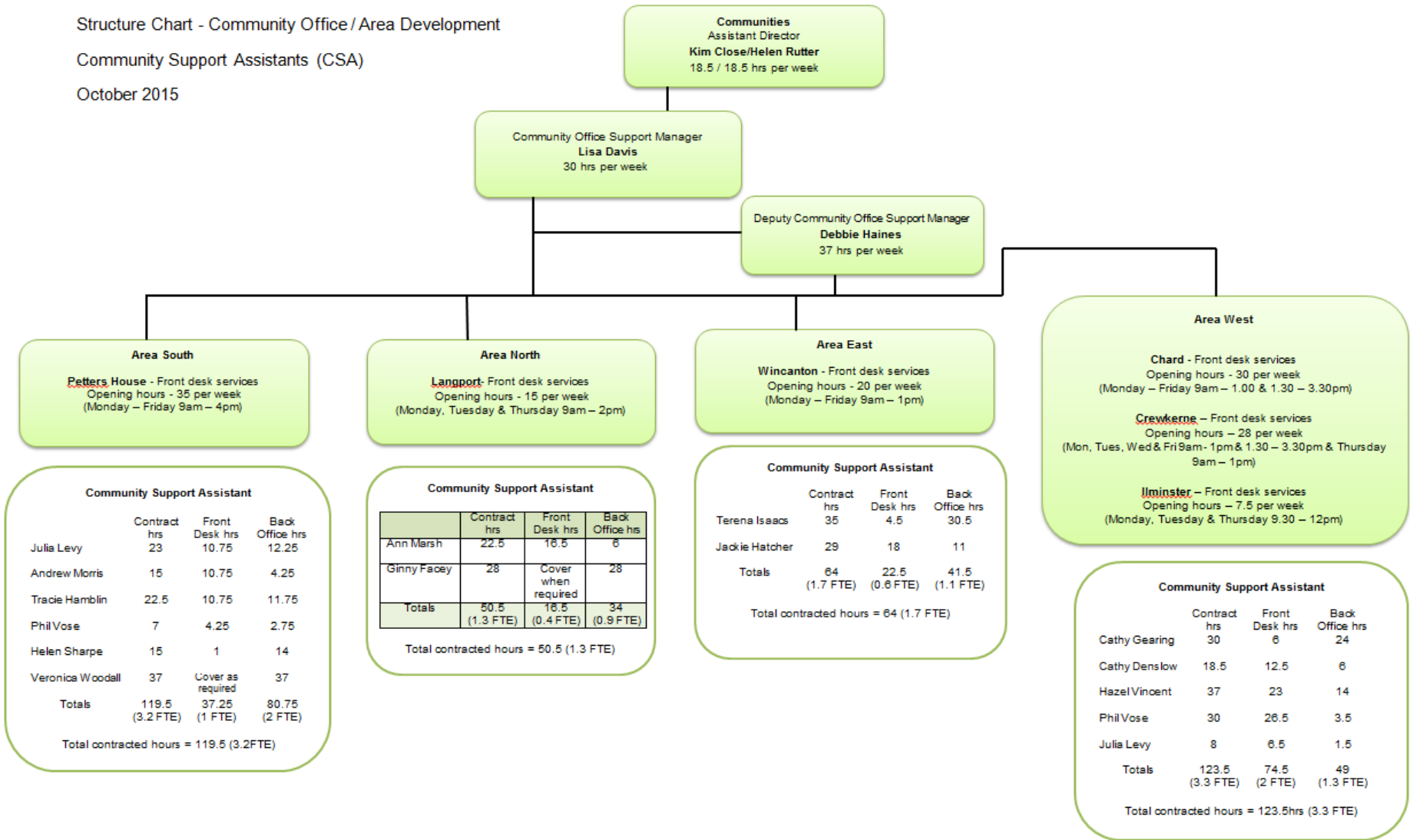
The complexity of enquiries at the front office can vary please see appendix 1 for case studies.

The following structure chart shows the current level of staffing for each area

Structure Chart - Community Office / Area Development

Community Support Assistants (CSA)

October 2015

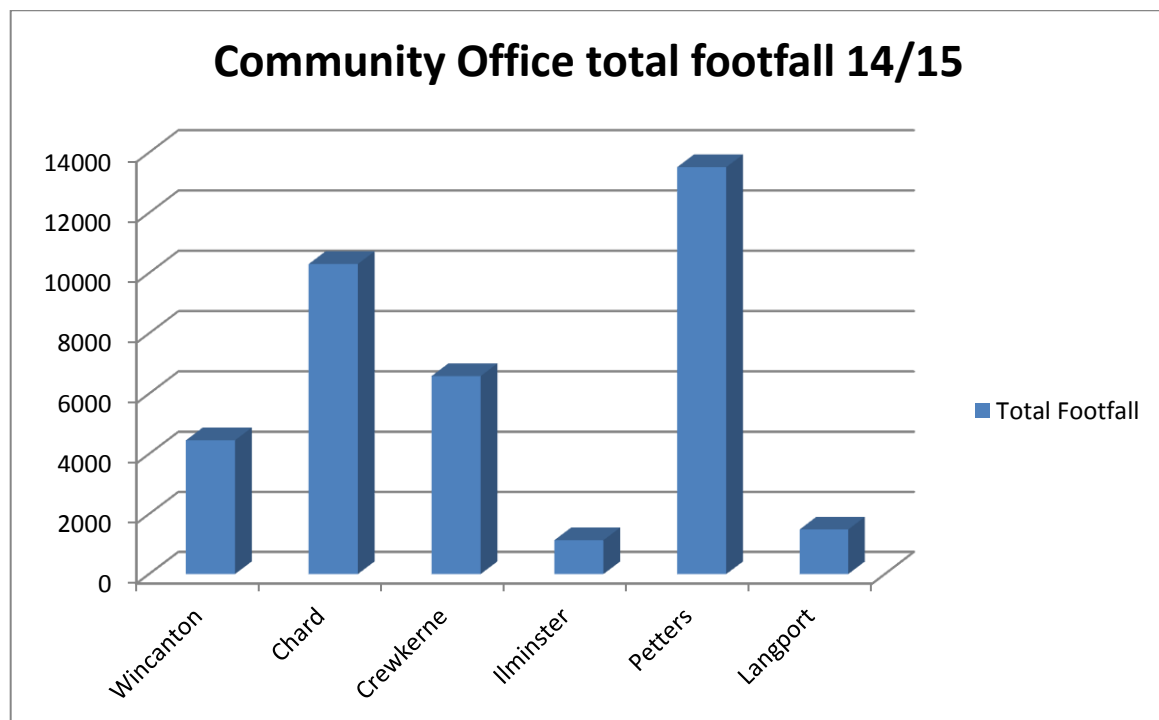


Footfall figures (Number of customers visiting the Community Offices)

Total footfall comparisons for all Community Offices from April 2012 - April 2015

All SSDC Community Offices	12-13	13-14	% change from previous year	14-15	% change in footfall 13/14 - 14/15
Benefits	18561	15345	-17%	13560	-12%
Council Tax	4270	4282	0.3%	4250	-0.7%
Housing & Homelessness	3450	2608	-24%	2306	-12%
Refuse & Recycling	1882	1411	-25%	1469	4%
*Core services total	28163	23646	-16%	21585	-9%
Other SSDC enquiries	5768	4067	-29%	4206	3%
Non SSDC enquiries	10522	8102	-23%	6832	-16%
Reception duties	8462	6189	-27%	4848	-22%
Total Footfall	52915	42004	-21%	37471	-11%

*Core services relate to Benefits, Council Tax, Housing & Homelessness and Refuse & Recycling



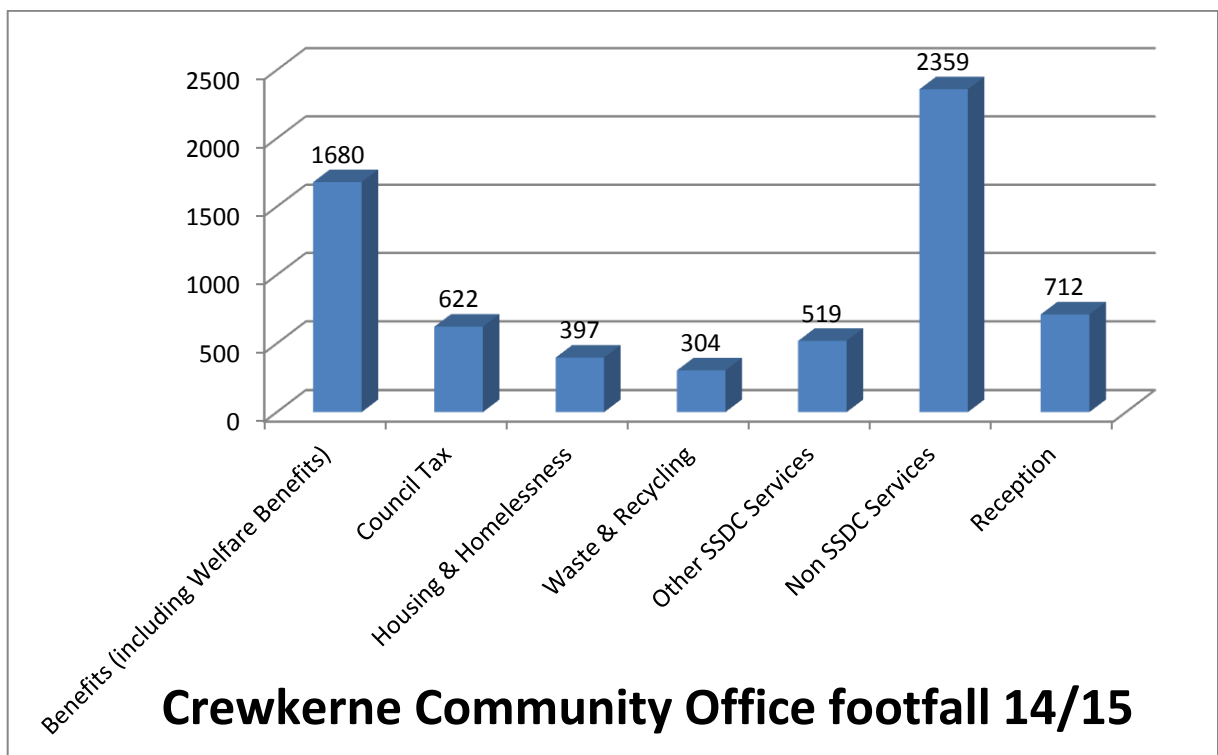
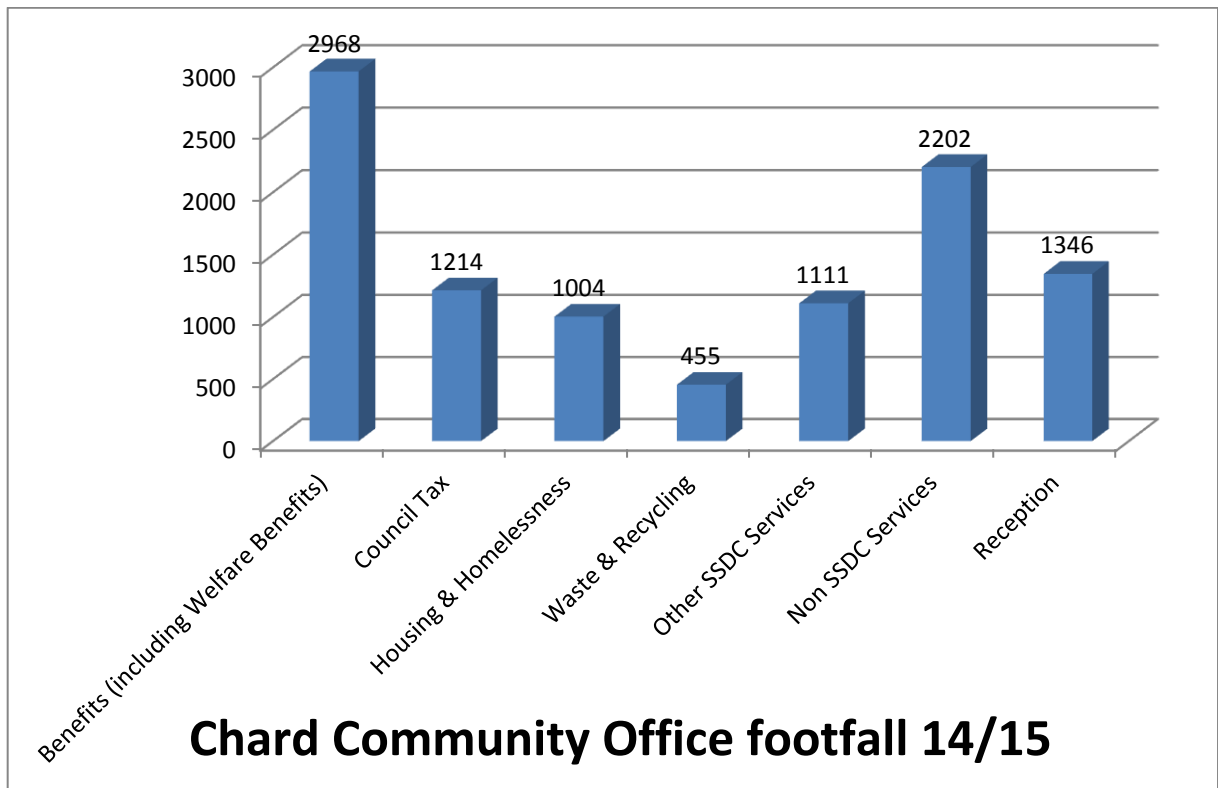
Total footfall comparisons for Area West from April 2012 - April 2015

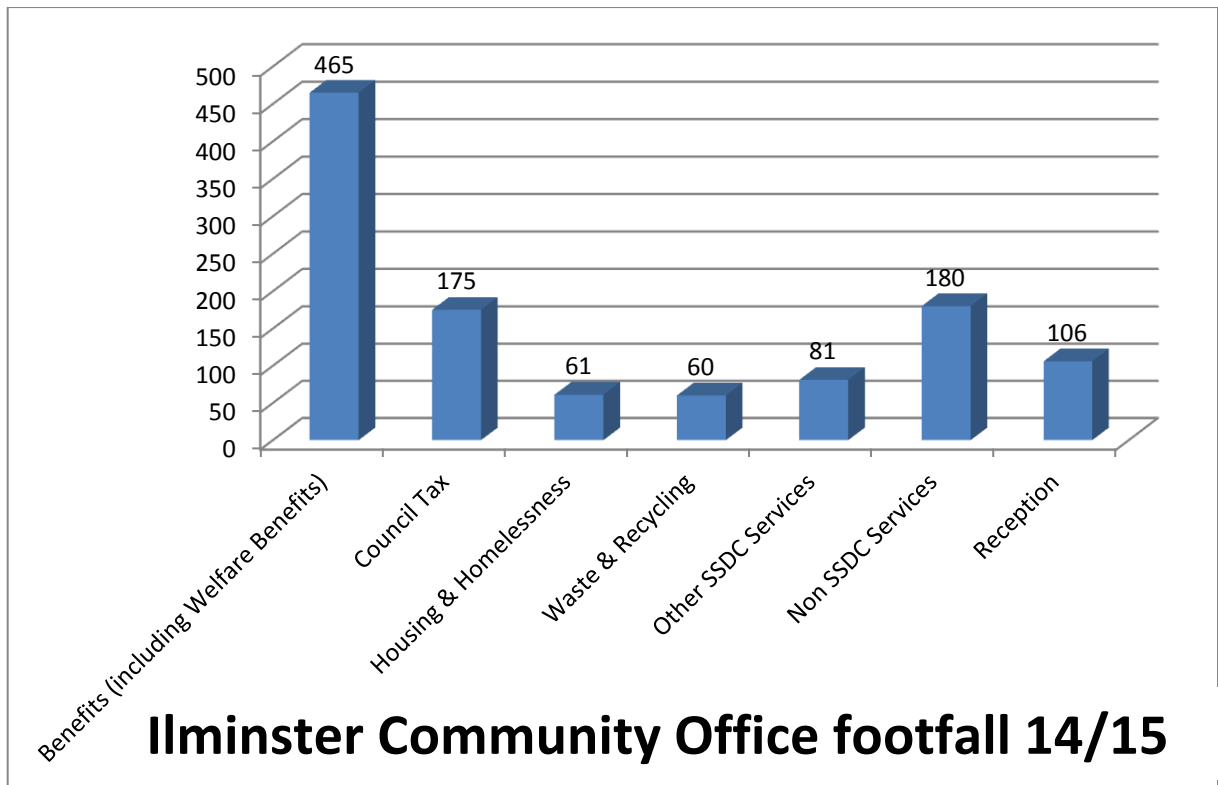
Chard	12-13	13-14	% change from previous year	14-15	% change from 13-14 to 14-15
Benefits	3418	3253	-5%	2906	-11%
Council Tax	1243	1255	1%	1214	-3%
Housing & Homelessness	1278	1112	-13%	1004	-10%
Refuse & Recycling	574	466	-19%	455	-2%
Total core services	6513	6086	-7%	5579	-8%
Other SSDC enquiries	1687	1317	-22%	1173	-11%
Non SSDC enquiries	2968	2473	-18%	2202	-11%
Reception duties	2391	1418	-41%	1346	-5%
Total Footfall	13559	11294	-17%	10300	-9%

Crewkerne	12-13	13-14	% change from previous year	14-15	% change from 13-14 to 14-15
Benefits	1362	1230	-10%	1322	7%
Council Tax	574	611	6%	622	2%
Housing & Homelessness	1088	721	-34%	397	-45%
Refuse & Recycling	325	299	-8%	304	2%
Total core services	3349	2861	-15%	2645	-8%
Other SSDC enquiries	559	633	13%	877	39%
Non SSDC enquiries	3679	2937	-20%	2359	-20%
Reception duties	1126	1089	-3%	712	-35%
Total Footfall	8713	7520	-14%	6593	-12%

Ilminster	12-13	13-14	% change from previous year	14-15	% change from 13-14 to 14-15
Benefits	493	486	-1%	462	-5%
Council Tax	195	177	-9%	175	-1%
Housing & Homelessness	61	61	0%	61	0%
Refuse & Recycling	113	78	-31%	60	-23%
Total core services	862	802	-8%	758	-5%
Other SSDC enquiries	111	102	-8%	84	-18%
Non SSDC enquiries	286	204	-29%	180	-12%
Reception duties	209	135	-35%	106	-21%
Total Footfall	1259	1108	-12%	1022	-8%

Although footfall has reduced from the previous year the decline is not as significant. It should be noted that whilst increasing numbers of the public are accessing services via the website or telephone the residual enquiries tend to be from more vulnerable people many of whom have complex enquiries which take longer to deal with.





The highest proportion of work undertaken by the CSAs in Chard and Iminster front offices related to benefit enquiries. This is receiving and processing benefit applications forms, evidence and other enquiries.

Staff processed around 400 application forms and over 2,000 of receipted items of evidence at Chard, 170 application forms and 700 receipted items of evidence in Crewkerne and 60 application forms and 300 receipted items of evidence in Iminster.

6531 transactions were completed via the Cash machine in the Chard office.

Chard provides a reception desk for Somerset County Council Social Services, the Registrar and visitors to the building / Stringfellow meeting room.

The Citizens Advice Bureau (CAB) also provides a drop in service at Chard office, fortnightly on a Wednesday.

Although there is no public computer in Iminster, advisors are still able to assist customers with completing on-line forms.

Crewkerne Community Office received a high proportion of non SSDC related services – this is because the office is situated with the Local Information Centre and Town Council and therefore picks up local related issues ie Tourism enquiries, Town Council enquiries and Somerset County Council enquiries and issues. Please note that Crewkerne Town Council also make an annual financial contribute to the running of this office.

The Area West offices received 48% of total enquiries through the district during 2014/15.

Customer Survey

A customer satisfaction survey is carried out every year and was compiled in September 2015 in all of the community offices and 467 responses were received.

Customer age group analysis

16-29	27%
30-44	26%
45-59	22%
60-74	18%
75+	7%

The team once again received a 99% satisfaction score of Good or Very Good relating to the overall service received.

Out of 458 responses 449 customers rated the waiting time before being seen as Good (95) or Very Good (354).

Out of 455 responses 448 customers rated the knowledge of the staff as Good (81) or Very Good (367)

98% of customers said that the CSA had been able to provide the information or help that was needed with the other 2% of customers being referred to another agency.

Comments received from customers on help provided:

“Excellent, brilliant, superb”
“Very helpful and nice to speak to”
“Very helpful”
“Very helpful, friendly”

Customers were also asked why they had chosen to call at the office rather than using another office, phone us or use our website.

79% of customers said the offices was near to their home with 6% saying they found it easier to communicate face to face due to speech, hearing or language problems.

Comments received from customers on why the use the offices:

“I am not confident using a computer or do not know how to access the website on my phone”
“Couldn’t get through to Yeovil by phone”
“Misunderstanding, easier to understand in Person”
“Find it easier to communicate face to face”
“Prefer to deal face to face when providing evidence”

The results for Chard show that 4% of customers completing the survey would find it very difficult to get to another office, 10% are not confident or do not have access to a pc or website access on a phone and find it easier to communicate face to face due to speech, hearing or language problems.

The results for Crewkerne show that 9% are not confident or do not have access to a pc or website access on a phone and find it easier to communicate face to face due to speech, hearing or language problems.

The results for Ilminster show 7% find it easier to communicate face to face due to speech, hearing or language problems.

This highlights the importance of local offices for the more vulnerable residents who are unable or find it difficult to contact SSDC online or by phone or who would be unable to access a central office. 100% of customers received the information or help that they needed whilst visiting Ilminster and Crewkerne, and 98% in Chard. The remaining 2% of customers were referred to another agency.

Financial Implications

None arising directly from this report.

Council Plan Implications

Focus on Health and Communities. Continue to provide Welfare Benefits support and advice to tackle poverty for our vulnerable residents.

Carbon Emissions & Climate Change Implications

Reduce carbon emissions by increasing awareness of local offices and use of alternative methods of contact i.e. online transactions

Equality and Diversity Implications

All front desk services are accessible, except our Ilminster office, which can only be improved if suitable premises can be found.

Background Papers: None

Appendix 1 - Enquiry examples

Example 1

A non-English speaking lady come to the office and was accompanied by a friend to translate, despite this there were still language barriers.

The lady in question had previously failed to pay her Council Tax and therefore received a summons which had been passed to Ross & Roberts (SSDC debt collectors). The lady had then at this point fulfilled her repayments and the account was cleared.

The lady then received another bill from Ross & Roberts for the same amount and was confused and very upset. Having compared the bills, everything was identical except for a variance on the surname.

I tried to explain to her friend how the error had occurred and reassured them both that nothing was owed but because of the language barrier it was quite difficult for them to understand.

I contacted Council Tax who confirmed the error and said they would get in touch with Ross & Roberts.

I also checked current liability to ensure everything was up to date.

This whole process took about half an hour to resolve but I did manage to reassure the lady that it would be dealt with and she went away happy.

Example 2

A recently widowed lady brought in details of her husband's small private pension. She was hard of hearing and found it difficult to use the phone.

She asked if I could ring and pass on the details, including her email address and mobile phone and explain to them that any communication would have to be done via email or text message if they needed any more information.

Whilst she was in the office I was able to request Single Person Discount with Council Tax, plus knowing that she was in receipt of benefits I explained that she may be able to get help with the funeral costs. I printed and helped her fill in the application form from the Gov.uk website, including a note explaining that she was hard of hearing and could only deal with communication via email or text message.

I also assisted with her moving – ie. arranging for her garden bin to be removed, processing the move on our systems and reminding her to take final readings on electricity and gas meters etc.

She was very grateful for all the assistance given, saying that she felt comfortable coming in the office.

Agenda Item 10

Area West – Reports from Members on Outside Bodies

Strategic Director: Rina Singh, Place and Performance
Assistant Directors: Helen Rutter / Kim Close, Communities
Service Manager: Andrew Gillespie, Area Development Manager (West)
Lead Officer: Andrew Gillespie, Area Development Manager (West)
Contact Details: andrew.gillespie@southsomerset.gov.uk or (01460) 260426

Purpose of the Report

To introduce reports from members appointed to outside bodies in Area West.

Public Interest

Each year Area West Committee appoints local Councillors to serve on outside bodies (local organisations) in Area West. During the year Councillors make a report on the achievements of those organisations and other relevant issues.

Background

To replace “Reports from members on outside organisations” as a generic standing agenda item it was agreed at the August 2012 meeting to include specific reports about each organisation in the Committee’s forward plan.

Members were appointed to serve on nine outside bodies at the June 2015 meeting.

Reports

Reports can be verbal or written. There is no standard format, but if possible they include an explanation of the organisations aims, their recent activities, achievements and any issues of concern.

This month the member reports are:

Crewkerne & District Museum – Cllr Marcus Barrett
Chard & District Museum – Cllr Amanda Broom

Recommendation

That the reports are noted.

Financial Implications

None.

Council Plan Implications

Focus Four: Health and Communities – We want communities that are healthy, self reliant and have individuals who are willing to help each other.

Background Papers: None

Annual Report to Area West Committee on Chard & District Museum

This has been an exciting year for Chard & District Museum with the 45th Anniversary Open Day, which coincided with Chard Festival Weekend. Money raised on this day exceeded £600 and saw significant visitor numbers. In addition to this day, the Museum has held an Open Day on the morning of Chard Carnival, and is planning a Christmas Concert in the barn on Friday 27th November.

Facebook, publicity and photographic exhibitions have been key successes, though, more plans to raise footfall are already in place for next year. Holyrood Academy have been approached regarding an increased involvement with students in the Sixth Form, the focus being displays, projects, and a trial for this is due to take place over the Museum's closed period.

There is a sad tinge to the end of this year, with Chairman David Ricketts handing over the reins to Vince Lean, a huge thank you to all the work that David has done, and undoubtedly Vince will continue with this. Financially, the latest figures to the beginning of October show income below budget, and unable to increase due to the winter closure. However, other grants and donations have been double the budgeted amount which puts the museum hopefully back on an even keel.

The other point of note is the new Business Rates Discretionary Rate Relief Policy which was approved in November 2014 by SSDC, the outcome of this is a 10% discretionary business rate on Chard Museum. This translates into approximately £1,084 which is likely to impact on next years income.

Cllr Amanda Broom

Agenda Item 11

Planning Appeals

Assistant Director: Martin Woods (Economy)
Service Manager: David Norris, Development Manager
Lead Officer: David Norris, Development Manager
Contact Details: david.norris@southsomerset.gov.uk or 01935 462382

Purpose of the Report

To inform members of the appeals that have been lodged, decided upon or withdrawn.

Recommendation

That the report be noted.

Background

The Area Chairmen have asked that a monthly report relating to the number of appeals received, decided upon or withdrawn be submitted to the Committee.

Report Detail

Appeals Dismissed

15/01917/FUL – Leigh Lodge, Forton, Chard, TA20 4HW (Officer Decision)
Demolition of existing conservatory and erection of two storey extension (revised application to 14/01789/FUL) (GR 335240/106110).

Appeals Allowed

Appeal Decision: Allowed subject to conditions
13/04848/FUL – Land Os 1074 Crosskeys, Ashill, Ilminster, Somerset, TA19 9LE (Committee Decision)
Change of use of land to private gypsy caravan consisting of 6 No. pitches, associated developments and creation of new access (Revised Application). (GR 334181/116766)

Appeal Decision: Enforcement notice quashed and planning permission (13/04848/FUL) allowed subject to conditions
14/00235/USE - Land Os 1074 Crosskeys, Ashill. Ilminster, Somerset, TA19 9LE
Change of use of land to private gypsy caravan site consisting of 6 No. pitches, associated developments and creation of new access (Revised Application). (GR 334181/116766)

The Inspector's decision letters are shown on the following pages.

Background Papers: None

Appeal Decision

Site visit made on 5 October 2015

by Gareth W Thomas BSc(Hons) MSc(Dist) PgDip MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 October 2015

Appeal Ref: APP/R3325/D/15/3100553

Leigh Lodge, Cow Down Road, Winsham, Chard TA20 4HW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Mills against the decision of South Somerset District Council.
 - The application Ref 15/01917/FUL, dated 28 April 2015, was refused by notice dated 15 June 2015.
 - The development is described as '*Proposed demolition of existing conservatory and erection of two storey extension*'.
-

Decision

1. The appeal is dismissed.

Procedural matters

2. The appellants initially gave notice that they would seek an award of costs against the Council but that further details would be presented. However no further details were submitted within the date specified by the Planning Inspectorate. Accordingly, this appeal proceeds on the basis that an application for the award of costs has not been duly made.

Main Issues

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the host dwelling and area.

Reasons

4. The appeal site is located on a prominent hillside some 2km west of the village of Winsham. The property backs on to one of the former principal (west) entrances to Leigh House, a Grade II* Listed Building. The appeal property itself is served by a separate access further up the hill along Cow Down Road. The garden boundary fronting Cow Down Road is defined by a stone wall of recent construction that meets an existing altogether older red facing brick wall and gated pillars that once formed the western entrance to Leigh House.
5. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the *Act*) requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its

setting, to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest. Having my attention drawn to the presence of the listed building, I am required to consider whether the appeal proposal might also affect the setting of this listed building and I deal with this matter first.

6. Leigh House is set in its own grounds just under 0.5 km to the north-east of the appeal site. However no evidence is provided by either party that there are concerns relating to the likely extent of impact arising from the proposed development upon the setting of the listed building. From my site visit, I noted that Leigh House is now accessed from Whatley Lane further to the east; the former west access drive now serves other development primarily. The intervening area between Leigh House and the appeal site contains a small number of recently built houses and modern agricultural buildings. An extensive area of deciduous woodland also reduces any sense of physical relationship that might once have existed between the lodge and the listed house. I am satisfied, given that the location of Leigh Lodge is sufficiently distant from Leigh House, that the matter of potential impact upon the setting of the listed building does not arise.
7. Moreover, the Council did not raise this particular matter in its decision. It did however, refer to the special character that the appeal property itself possesses but did not explain what that special character entailed. No evidence of a historic or architectural nature has been presented. From my observations, the property occupies a prominent hillside location and, from public viewpoints, is seen in relative isolation in this rolling landscape. Its special character is derived from its symmetrical plan form, attractive and varied steeply pitched roof lines, highly detailed chimney stacks and decorative bargeboards, with walls constructed of knapped flint, which is characteristic of the area, natural stone and decorative clay tiles.
8. The proposal would introduce a two storey extension to the rear, replacing a modern single storey conservatory. The extension would incorporate similar design features including a steeply pitched roof, a relatively narrow gable, traditional bay window and matching window styles. The proposed materials include the use of knapped flint stone, natural stone quoins and window surrounds and natural decorative clay tiles.
9. The Council believes that the proposal is overly large and would dominate the lodge building and be significantly detrimental to the special character that it possesses. Although it has no objection to the principle of a two storey extension, having recently granted planning permission for a smaller extension, the Council believes that the appeal proposal will no longer appear as a subservient element to the lodge building but rather will appear as an elongated feature out of keeping with the architectural character of the appeal property.
10. Despite careful attention to the use of local materials and other positive elements of its design, the proposal would result in an almost doubling of the width of the existing property and its size and massing would appear as an incongruous addition to the property. Although I accept that the rear of the property is partially screened from Cow Down Road by the presence of the garage structure located behind the roadside wall and existing vegetation,

nevertheless as I have explained, Leigh House occupies a prominent position in the landscape and glimpses of the rear of the property is available from the road as it drops down the hill. Moreover its architectural style also makes a very positive contribution to the character and appearance of the area. Despite the slight lowering of the ridge line so that it sits below the existing main ridge of the house, the extension would represent a dominating feature that would materially harm the character of the host property and in turn the character and appearance of the area.

11. Thus, the proposal would be in substantial conflict with South Somerset Local Plan Policy EQ2, which amongst other things requires extensions to reinforce local distinctiveness and respect local context, thereby helping in turn to preserve and enhance the character and appearance of the District. The proposal would also fail to comply with the requirements for good design as set out in the National Planning Policy Framework

Conclusions

12. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

Gareth W Thomas

INSPECTOR

Appeal Decisions

Hearing held and site visit made on 15 September 2015

by Tim Belcher FCII, LLB (Hons), Solicitor (Non Practising)

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 October 2015

Appeal A Ref: APP/R3325/C/15/3003924 to 3003934

Land at OS 1074, Crosskeys, Ashill, Somerset

- The appeal is made under Section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 (the 1990 Act).
 - The appeal is made by Aney Brazil, Sally Brazil, Mark Brazil, Dolly Brazil, Mathew Brazil, Bonnie Brazil, James Ayres, Michelle Ayres, David Tucker, Lisa Tucker, David Brazil and Denise Brazil, (the Appellants) against an Enforcement Notice issued by South Somerset District Council (the Council) on 15 January 2015.
 - The Council's reference is 14/00235/USE.
 - The breach of planning control as alleged in the Enforcement Notice is without planning permission, the operational development and change of use of the land from agricultural to residential by the siting of seven residential mobile homes and other domestic items on the land and the laying out of an internal access road on the land.
 - The requirements of the Enforcement Notice are: (i) Cease the residential use of the land. (ii) Remove from the land all of the unauthorised mobile homes and all other ancillary structures, domestic goods, services and materials associated with such services and all other materials or items associated with the residential use. (iii) Remove the internal access road within the site and restore the land to its former condition. (iv) Restore the whole area of land to its former state as agricultural land.
 - The period for compliance with the requirements is six months.
 - The appeal is proceeding on the grounds set out in Section 174(2) (a) and (g) of the 1990 Act.
-

Appeal B Ref: APP/R3325/W/14/3005480

Cad Road, Ilton, Somerset, TA19

- The appeal is made under Section 78 of the 1990 Act against a refusal to grant planning permission.
 - The appeal is made by the Appellants against the decision of the Council.
 - The application Ref 13/04848/FUL, dated 16 April 2013, was refused by notice dated 28 August 2014.
 - The development proposed is the change of use of land to a private gypsy caravan site consisting of six pitches, associated development and the creation of a new access.
-

Decision – Appeal A

1. The Enforcement Notice is corrected by the deletion of the words in paragraph 3 and the substitution of the words, "Without planning permission the change of use of the land to a private gypsy caravan site consisting of six pitches". Subject to this correction the appeal is allowed and the Enforcement Notice is quashed and planning permission is granted on the application deemed to have been made under Section 177(5) of the 1990 Act for the development already carried out, namely the change of use of the land at Palm Drive, Cad Road, Ilton, Ilminster, TA19 as shown on the plan attached to the Enforcement

Notice, to a private gypsy caravan site consisting of six pitches subject to the conditions specified in the Schedule of Conditions below.

Decision – Appeal B

2. The appeal is allowed and planning permission is granted for the change of use of land to a private gypsy caravan site consisting of six pitches, associated development and the creation of a new access at Palm Drive, Cad Road, Ilton, Ilminster, TA19 in accordance with the terms of the application, Ref 13/04848/FUL, dated 16 April 2013, subject to the conditions specified in the Schedule of Conditions below.

Procedural Matters

3. Whilst the addresses for the site differs in the headings above both appeals relate to the same land, namely land now known as Palm Drive, Cad Road, Ilton, Ilminster, TA19. I will refer to the appeal site as "Palm Drive" in my Appeal Decisions.
4. The Council and the Appellants confirmed that the Enforcement Notice relates to the same development as that proposed by the Section 78 Appeal. I have therefore considered the development to which the Section 174 Appeal relates as being part of the development proposed by the Section 78 Appeal.
5. With the permission of the owners and the agreement of the Appellants I viewed the exterior of Rowland's Farmhouse and Rowland's Mill on an unaccompanied basis.
6. As agreed by the Appellants and the representatives of Mr and Mrs Speke I also viewed:
 - a) The public gypsy caravan site at Gravel Lane near Ilton on an unaccompanied basis.
 - b) The gate piers, gates and metal railings at the entrance to Jordans from the public highway on an unaccompanied basis.
7. The Appellants explained that no mobile homes have been stationed at "Palm Drive" as alleged in the Enforcement Notice just touring caravans. At the time of my site visit there were nine touring caravans stationed at "Palm Drive". Further, there were about nine structures of various sizes used in connection with the residential use of "Palm Drive".
8. The Council issued a Stop Notice on 16 April 2015. I am advised that all work at "Palm Drive" ceased following the service of the Stop Notice.
9. The Appellants claim that they are gypsies or travellers as defined in Annex 1 to Planning Policy For Traveller Sites (PPTS). There were no oral representations made at the Hearing the Appellants were not gypsies or travellers. Further, the Council agreed the Appellants' gypsy or traveller status in the Statement of Common Ground¹. There is no evidence before me that the Appellants are not gypsies or travellers. Further, if permission were given on the basis that "Palm Drive" is only to be occupied by gypsies or travellers then the Council would be able to enforce that condition where it is expedient so to do.

¹ Paragraph 19 of Document 4

Relevant Background Matters

10. "Palm Drive" is within the open countryside. Prior of the development which has been carried out by the Appellants "Palm Drive" comprised a field typical of the surrounding area which was used for animal grazing.

Main Issues for the Section 78 Appeal and Ground (a) of the Section 174 Appeal

11. I consider the main issues in this case are:

- a) The impact of the proposal on the listed gateway, Rowland's Farmhouse and Rowland's Mill.
- b) The impact of the proposal on the character and appearance of the area.

Policy

12. The Development Plan for the area includes the Policies SD1, HG7, Paragraph 10.50, EQ2 and EQ3 of the South Somerset Local Plan (the Local Plan).

13. I was also referred to policies/advice in:

- a) PPTS.
- b) National Planning Policy Framework (NPPF).

14. Further still, I was referred:

- a) In general terms to "A Better Quality of Life, A Strategy for Sustainable Development in the UK".
- b) The letter dated 27 March 2015 from Brandon Lewis to the Planning Inspectorate ("the Brandon Lewis Letter").

At the Hearing I handed out a document entitled "Policy Referred to During the Appeal"² which details the policies and advice in PPTS and NPPF that I had been referred to.

Reasons

Impact on Heritage Assets

15. Local Plan Policy EQ3 explains that all new development proposals relating to the historic environment will be expected to safeguard the setting of heritage assets.

16. I am also aware of my duties under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the setting of the listed buildings.

17. The listed gateway comprises a pair of Ham-stone decorative piers with short lengths of cast iron railings set in a stone base. There is a cattle grid between the piers and a pedestrian gate within the railings to the east of the piers. The entrance through the piers in onto a driveway which leads to Rowland's Farmhouse and Rowland's Mill.

² Document 6

18. The entrance gateway is a Grade II listed building. Rowland's Farmhouse and Rowland's Mill are both Grade II* listed buildings. Details relating to these buildings are set out in their listing descriptions in the Somerset Historic Environment Record³.
19. The listed gateway is set back from the carriageway of Cad Road (a former turnpike road) behind a wide grassed verge. "Palm Drive" is on the opposite side of Cad Road to the listed gateway as is the existing entrance to "Palm Drive". From the listed gateway there are clear and unobstructed views in to "Palm Drive" and the following items can be clearly seen:
- a) Part of the internal roadway.
 - b) The upper parts of two caravans.
 - c) The upper parts of a partially constructed amenity building.
 - d) The upper parts of two sheds.
 - e) Part of the recently erected timber fence around Plot 1.
 - f) Part of a container and part of a tradesman's vehicle within Plot 1.
20. I have had regard to the definition of the "setting of a heritage asset" as set out in the NPPF. It is clear from my site visit that the setting of the listed gateway includes "Palm Drive". To a lesser extent, because the listed gateway provides the only realistic access to Rowland's Farmhouse and Rowland's Mill "Palm Drive" is also part of the setting of those listed buildings.
21. The Appellants' agent explained that the listed gateway:
- a) Comprise a pair of finely dressed, locally sourced Hamstone piers with coeval cast iron railings.
 - b) Mark the access to the important historic sites at Rowland's Farmhouse and Rowland's Mill.
 - c) Is an essential indicator of both the location and high status of Rowland's Farmhouse and Rowland's Mill.
 - d) Is a fine example of craftsmanship and design.
22. I agree with the Appellants' assessment of the listed gateway and its importance.
23. The impact of the current entrance to "Palm Drive" has a significant and harmful impact on the setting of the listed gateway because:
- a) It impacts on the sense of arrival at the entrance to Rowland's Farmhouse and Rowland's Mill.
 - b) It competes for the attention of passers-by, especially those travelling on foot or by bike who would have more time to take in the surroundings of the listed gateway.
 - c) What is seen through the existing access to "Palm Drive" is completely at odds with the elegance and craftsmanship of the listed gateway.

³ Document 5

24. The NPPF explains that:

- a) The significance of the heritage assets can be harmed by development within its setting.
- b) Where development will lead to less than substantial harm to the significance of a heritage asset the harm should be weighed against the public benefits of the proposal.
- c) Decision makers should look for the opportunities for new development within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve the elements of the setting and make a positive contribution to, or better reveal, the significance of the heritage asset should be treated favourably.

25. The proposal seeks to:

- a) Close the existing access in to "Palm Drive".
- b) Plant up the gap created by the existing entrance to "Palm Drive" so as to match the hedgerow on either side of that entrance.
- c) Reinstate the wide grass verge over which access to "Palm Drive" is currently achieved.

26. There is a dispute about the length of time that it would take to establish an hedgerow within the gap created by the existing entrance in such a way that it would effectively screen the development within "Palm Drive" that can currently be seen. It is clear from the site visit and the proposed internal layout that there is sufficient land within the control of the Appellants to plant a hedgerow which would, in time, reflect the existing hedgerow and which would effectively screen the development within "Palm Drive". I have no doubt that this may take several years to achieve but I have no doubt that when the proposed hedgerow becomes established it will effectively screen the development at "Palm Drive" when viewed from or near the listed gateway.

27. It is proposed to introduce a new access to "Palm Drive" at a point about 65m to the west of the existing access. That access would be slightly wider than the existing access. I am of the view that the proposed access would have no impact on the setting of the listed gateway and other heritage assets referred to above because:

- a) Of the distance between the new access and the listed gateway.
- b) The new access is not in that part of the widened Cad Road (with its wide grassed verges) which creates the sense of arrival at the historic entrance and listed gateway to the Rowland's Farmhouse and Rowland's Mill.

28. I am aware that there are many other listed buildings in the area but I do not consider that the proposal to be within the setting of any of these.

29. I conclude that:

- a) Moving the entrance to "Palm Drive" will safeguard and preserve the setting of the listed gateway, Rowland's Farmhouse and Rowland's Mill.

- b) Reinstating the grass verge where the existing access to "Palm Drive" currently is would make a positive contribution to, and better reveal, the significance of the listed gateway.
- c) The proposal accords with the relevant part of the Local Plan.

Character and Appearance

- 30. Local Plan Policy EQ2 applies to all development. It explains that development will be designed to achieve a high quality which preserves South Somerset's local distinctiveness and / or enhances the character and appearance of the district. Development proposals would be considered against a list of matters specified in Policy EQ2.
- 31. Local Plan Policy HG7 relates specifically to gypsies and travellers and sets out the criteria to guide the location of gypsy caravan sites. The relevant criterion in this case is that the development of gypsy caravan sites should not have a significant adverse impact on the landscape character and visual amenity of the area.
- 32. PPTS explains that:
 - a) Decision makers should very strictly limit new traveller sites in open countryside.
 - b) Sites should be well planned or soft landscaped in such a way to positively enhance the environment and increase its openness.
 - c) Opportunities for healthy lifestyles should be promoted by ensuring adequate landscaping and play areas for children.
- 33. The Brandon Lewis Letter explains that the impact of development on the landscape can be an important material consideration.
- 34. The proposal does not positively enhance the environment in as much as it would replace an agricultural field with a six-pitch gypsy caravan site but nonetheless it meets other criterion set out in PPTS.
- 35. "Palm Drive" is well screened by roadside hedging from Cad Road and Butts Lane. I have explained the situation regarding the existing access to "Palm Drive" and I have no doubt that the current use of "Palm Drive" has an unacceptable impact on the character and appearance of the area when viewed from the existing access point. However, the harm caused by views into "Palm Drive" will eventually be eliminated by the proposed planting within the entrance. When this is achieved there would be no adverse impact on the character or appearance of the landscape from that public vantage point.
- 36. There is no evidence before me to suggest that the unauthorised works carried out at "Palm Drive" have:
 - a) Resulted in the raising of land levels within the site.
 - b) Damaged the roadside hedge.
- 37. Having seen the size of the individual plots at "Palm Drive" I have no doubt that there is sufficient room to enable significant areas of soft landscaping to be carried out. Further, there is no reason why the use of "Palm Drive" as a gypsy caravan site would result in damage to such planting.

38. I have noted the proposed positions of the static homes and amenity buildings as shown on the application plans. Apart from the proposed access and the time taken for the screening to become established in the gap created by the existing access I consider that these structures will largely be screened by new landscaping from public views along Cad Road or Butts Lane.
39. I am also aware that the screening of "Palm Drive" afforded by the roadside hedge along Cad Road is not as comprehensive when the leaves on the trees and hedges have gone. I accept that but even then the trees and hedgerows are effective in breaking up the outline of those structures. I was also advised that when the photographs in Mr Harris's evidence were taken the roadside hedge was much lower than it currently is and the Appellants intend to retain the hedge at a height which would effectively screen the mobile homes and the amenity buildings.
40. All the existing external lighting within "Palm Drive" is currently placed at a low level and I do not consider that this low level lighting results in any significant adverse impact when viewed from outside the site.
41. I have given considerable thought to the impact of opening up views into "Palm Drive" from the proposed access point. If the layout plan is adhered to and the indicative landscape planting is carried out then views of caravans, amenity blocks, vehicles and general activity will, over time, be significantly reduced.
42. It is obvious that the activity generated by the use will be far greater than that which existed when "Palm Drive" was agricultural grazing land. However, I do not consider that this location is tranquil and quiet. The road carries a steady flow of fast moving noisy traffic and on the afternoon of my site visit there were a lot of helicopters flying overhead. The Appellants' agent explained prior to going to "Palm Drive" that helicopter activity in this area was not unusual.
43. I therefore conclude, for the reasons explained above, that the proposed development of the private gypsy caravan site at "Palm Drive" if carried out in accordance with the application plans would not have a significant adverse impact on the landscape character and visual amenity of the area. Accordingly, there would be no conflict with the relevant Local Plan policy.

Other Matters

44. PPTS explains that when assessing sites in rural areas decision makers should ensure that the scale of such sites does not dominate the nearest settled community.
45. It was suggested that the gypsy caravan site at "Palm Drive" will dominate the nearest settled community. However, there is simply no evidence before me to support that assertion. "Palm Drive" is in open countryside. There are a scattering of houses along Cad Road but I do not consider that these comprise a settled community. In my judgement the nearest settled communities are at Ilton, Ashill and Broadway.
46. The appeal proposal would provide six pitches for a family group who traditionally have lived and travelled together. The Council's Housing Officers have expressed the view that the Appellants should, if possible, be housed on the same site. Amongst other things, the members of the family groups work together and offer support for members of the other family groups thus creating a cohesive related community.

47. Currently there is no secure boundary treatment around the proposed children's play area within "Palm Drive". I was informed that this was because the Stop Notice prevented that work being carried out. The Appellants confirmed that they were not going to allow children to use the play area until it was made completely safe.
48. I noted at my site visit to the Gravel Lane gypsy caravan site that there appeared to be land available for further pitches. However, the Statement of Common Ground explains that there are no vacant pitches at that site. Further, I was advised that there is no extant planning permission or proposal for the expansion of that site.
49. Concerns were raised about:
- a) The numbers of people that would occupy "Palm Drive". The agent for the Appellants explained that the use would be limited to the named individuals and their dependents.
 - b) The sewage disposal system installed at "Palm Drive". Again, the Appellants' agent explained that a package treatment works had been installed at "Palm Drive" and the works were acceptable to the Council's Environmental Health Officer and the Environmental Agency. Further, the Appellants were willing to accept a condition that would allow the Council, as the Local Planning Authority, to assess the acceptability of the package treatment works.
50. There is no evidence before me that "Palm Drive" has ever flooded. I am aware that Cad Road has and that residents of houses along that road have been stranded. The Appellants' agent explained that they would be willing to agree and implement a Flood Emergency Plan. In the event that it became probable that "Palm Drive" would flood the Appellants would be able to move off "Palm Drive" in their touring caravans until that risk had gone.
51. Cad Road:
- a) Is unlit.
 - b) Does not benefit from a footway.
 - c) Is busy and carries large vehicles that travel to and from nearby business parks.
 - d) Is not a suitable place for children to play.
52. However, the Highway Authority raised no objection to the proposed use of "Palm Drive" on highway safety grounds subject to the visibility splays being provided and maintained. As mentioned already "Palm Drive" would also contain a reasonably sized play area for the children living on site to use and, in my assessment, there would be no reason for young children to use Cad Road on an unaccompanied basis.
53. The imposition of a gypsy occupation condition would not require a daily check as suggested by some interested parties. I would be no different to the imposition of other occupancy conditions. If it became apparent that "Palm Drive" was not being occupied in accordance with the occupancy condition the Council have the necessary powers of ensure that such conditions are complied with where it is expedient so to do.

54. I have noted the concerns that the planning system creates a form of discrimination against the settled community in the sense that it would be highly unlikely that open market residential development would be permitted at "Palm Drive". As explained above there are national and local policies for the provision of gypsy caravan sites and in my judgement this proposal meets those policy requirements.
55. I have had regard to other matters raised by local residents many of which were discussed at the Hearing and/or addressed in the Council's Committee Report. None of these weigh against the proposal.

Conditions

56. At the Hearing the Appellants' agent confirmed their agreement to all of the conditions suggested by the Council. The reasons for those conditions were explained in the documentation presented by the Council. I consider that those conditions are reasonable and necessary. I have made certain minor amendments to the wording of some of the conditions to reflect the evidence presented at the Hearing.
57. The occupation of "Palm Drive" would be limited to the named individuals and their resident dependents. This will ensure that the numbers of gypsies or travellers at "Palm Drive" are controlled and that the sewage treatment plant is able to cope with the number of occupiers and thus avoid any potential pollution of the nearby watercourse. Further, a condition is imposed which in effect requires "Palm Drive" to be restored to its undeveloped state if the use ceases.

Overall Conclusions – Appeal A

58. It is clear from the representations, and from my inspection of "Palm Drive", that the description of the development in the Enforcement Notice is incorrect in that the use of the land comprises a private gypsy caravan site of six pitches. All the operational development carried out at "Palm Drive" is part and parcel of that change of use. The Appellants and the Council agreed at the Hearing that it was open to me to correct the allegation in the Enforcement Notice. I am satisfied that no injustice will be caused by this and I will therefore correct the Enforcement Notice as explained above, in order to clarify the terms of the deemed application under Section 177(5) of the 1990 Act.
59. For the reasons given above I conclude that the appeal should succeed on Ground (a) and I will grant planning permission in accordance with the application deemed to have been made under Section 177(5) of the 1990 Act, which will now relate to the corrected allegation. In these circumstances the appeal under the Ground (g) does not need to be considered.

Overall Conclusions – Appeal B

60. For the reasons given above I conclude that the appeal should be allowed.

Tim Belcher

Inspector

Schedule of Conditions

1. The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1: Glossary of Planning Policy for Traveller Sites.
2. The use hereby permitted shall be carried on only by the following: Aney Brazil, Sally Brazil, Mark Brazil, Dolly Brazil, Mathew Brazil, Bonnie Brazil, David Brazil, Denise Brazil, James Ayres, Michelle Ayres, David Tucker and Lisa Tucker and their resident dependants.
3. When the site ceases to be occupied by those named in Condition 2 above, the use hereby permitted shall cease and all caravans, buildings, structures, fences, materials, vehicles and equipment brought on to the land, or works undertaken to it in connection with the use, shall be removed and the site restored to its condition before the development took place.
4. There shall be no more than six pitches on the site. On each pitch no more than two caravans shall be stationed at any time, of which only one caravan shall be a static caravan.
5. No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.
6. No commercial activities shall take place on the site including the storage of materials.
7. No buildings or structures shall be constructed on the site other than those allowed by this permission.
8. No external lighting shall be installed within the site other than that agreed pursuant to Condition 13 below.
9. The parking and turning areas agreed pursuant to Condition 13 below shall be kept available for such uses at all times during the duration of the development.
10. In respect of the new vehicular access, there shall be no obstruction to visibility greater than 0.9m above the adjoining road level in advance of a line drawn 2.4m back from the carriageway edge on the centre line of the access and extending to a point on the nearside carriageway edge 215m to the west and 120m to the east of the access. Such visibility shall be fully provided within two months of the date of this Appeal Decision and shall be maintained at all times thereafter.
11. The existing access to the site shall be abandoned and its use permanently ceased within two months of the date of this Appeal Decision.
12. The development hereby permitted shall be carried out in accordance with the following approved plans: 01219/1A REV8 – Block Plan; 01219/2 REV1 – Site Location Plan; 01219/3 REV 2 – Amenity Block; 01219/4 REV 3 - Access & Visibility; 01219/6B Rev 4 – Access Visibility to the East; 01219/6A Rev 4 – Access Visibility to the East.
13. The use hereby permitted shall cease and all caravans, structures, equipment and materials brought on to the site shall be removed within 28

days of the date of failure to meet any one of the requirements set out below:

- a) Within 1 month of the date of these Appeal Decisions schemes for:
- (i) Foul and surface water drainage of the site,
 - (ii) External lighting on the boundary and within the site,
 - (iii) Parking and turning areas within the site,
 - (iv) The consolidation of the surface of the proposed vehicular access to the site,
 - (v) Tree, hedge and shrub planting within the site and to close up the existing vehicular access to the site and to reinstate the grass verge in front of the existing access, and
 - (vi) Flood Emergency Plan.

hereafter referred to as "the Site Development Schemes" shall have been submitted for the written approval of the Local Planning Authority and the Site Development Schemes shall include timetables for their implementation.

- b) Within 11 months of the date of these Appeal Decisions the Site Development Schemes shall have been approved by the Local Planning Authority or, if the Local Planning Authority refuses to approve the Site Development Schemes, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.
- c) If an appeal is made in pursuance of (b) above, that appeal shall have been finally determined and the submitted Site Development Schemes shall have been approved by the Secretary of State.
- d) The approved Site Development Schemes shall have been carried out and completed in accordance with the approved timetables.
14. At the same time as the Site Development Schemes required in Condition 13 (v) above are submitted to the Local Planning Authority there shall be submitted a schedule of maintenance for a period of five years of the proposed planting commencing at the completion of the final phase of implementation as required by that Condition; the schedule to make provision for the replacement, in the same position, of any tree, hedge or shrub that is removed, uprooted or destroyed or dies or, in the opinion of the Local Planning Authority, becomes seriously damaged or defective, with another of the same species and size as that originally planted. The maintenance shall be carried out in accordance with the approved schedule.

APPEARANCES

FOR THE APPELLANTS

Dr Angus Murdoch	Director of Murdoch Planning Limited
Rhodri Crandon	Tirlun Design Associates Limited
Nichola Burley	Heritage Vision Limited
David Brazil	Appellant
Aney Brazil	Appellant
Sally Brazil	Appellant
Denise Brazil	Appellant
Maggie Smith-Bendell	Romani Gypsy Liaison Officer

FOR SOUTH SOMERSET DISTRICT COUNCIL

David Norris	Planning Manager
Adron Duckworth	Conservation Manager

INTERESTED PERSONS

Pauline Ellis	Local Resident
Jane Simmonds-Short	Interested Party
Henry Best	Local Branch of the Campaign to Protect Rural England
Linda Vijeh	County and District Councillor
Peter & Joan Speke They instructed:	Rowland's Farm
David Jones	Senior Partner at Evans & Jones Limited
Michael Heaton	Michael Heaton Heritage Consultant
Paul Harris	Director of MHP Design Limited

DOCUMENTS

- Document 1 – Map showing the boundary between Landscape Areas 143 and 140 taken from Natural England website – presented to the Hearing by Mr Harris.
- Document 2 – English Heritage – Historic Environment Good Practice Advice in Planning – Note 3 – The Setting of Heritage Assets – paragraph 10 - presented to the Hearing by Ms Burley.
- Document 3 – Natural England’s National Character Area 143 - Mid Somerset Hills presented to the Hearing by Mr Crandon.
- Document 4 – Statement of Common Ground.
- Document 5 – Listing Descriptions for the listed gateway, Rowland’s Farmhouse and Rowland’s Mill.
- Document 6 – “Policy Referred to During the Appeal”.

PHOTOGRAPHS

- 1 to 4 Broadlands North West Planting, Bridgend, South Wales presented to the Hearing by Mr Crandon.
- 5 to 7 Photographs of entrance gates to Jordans & map showing their location - presented to the Hearing by Ms Burley.

Agenda Item 12

Schedule of Planning Applications to be Determined by Committee

Strategic Director: Rina Singh, Place and Performance
 Assistant Director: Martin Woods, Economy
 Service Manager: David Norris, Development Manager
 Contact Details: david.norris@southsomerset.gov.uk or 01935 462382

Purpose of the Report

The schedule of planning applications sets out the applications to be determined by Area West Committee at this meeting.

Recommendation

Members are asked to note the schedule of planning applications.

Planning Applications will be considered no earlier than 7.00 pm.

Members of the public who wish to speak about a particular planning item are recommended to arrive for 6.50 pm.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
13	WINDWHISTLE	15/03263/S73A	Application to vary condition 02 (approved plans) of 14/05486/FUL for the addition of 4 No. radius oak braces to side elevation. (GR 337625/106141)	7 Court Farm Close Winsham Chard	Mrs Christine Hughes
14	CHARD JOCELYN	15/04232/FUL	Change of use of The Coach House at Easthill 35 Crewkerne Road Chard from ancillary residential accommodation to independent dwelling (GR 333292/108770)	The Coach House Lyddons Mead Chard	Mr G Shortland
15	CHARD COMBE	15/03349/DPO	Application to remove affordable housing obligation from S106 agreement dated 18th March 2015 between South Somerset District Council and Rosemary Jane Pring	Land Off Touchstone Lane Chard	Summerfield Homes (SW) Ltd

			and Rosaling Claire Rayland and Summerfield SD3 Limited. (GR 331599/109073)		
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Further information about planning applications is shown below and at the beginning of the main agenda document.

The Committee will consider the applications set out in the schedule. The Planning Officer will give further information at the meeting and, where appropriate, advise members of letters received as a result of consultations since the agenda had been prepared.

Referral to the Regulation Committee

The inclusion of two stars (**) as part of the Development Manager's recommendation indicates that the application will need to be referred to the District Council's Regulation Committee if the Area Committee is unwilling to accept that recommendation.

The Lead Planning Officer, at the Committee, in consultation with the Chairman and Solicitor, will also be able to recommend that an application should be referred to District Council's Regulation Committee even if it has not been two starred on the Agenda.

Human Rights Act Statement

The Human Rights Act 1998 makes it unlawful, subject to certain expectations, for a public authority to act in a way which is incompatible with a Convention Right. However when a planning decision is to be made there is further provision that a public authority must take into account the public interest. Existing planning law has for many years demanded a balancing exercise between private rights and public interest and this authority's decision making takes into account this balance. If there are exceptional circumstances which demand more careful and sensitive consideration of Human Rights issues then these will be referred to in the relevant report.

Agenda Item 13

Officer Report On Planning Application: 15/03263/S73A

Proposal:	Application to vary condition 02 (approved plans) of 14/05486/FUL for the addition of 4 No. radius oak braces to side elevation. (GR 337625/106141)
Site Address:	7 Court Farm Close Winsham Chard
Parish:	Winsham
WINDWHISTLE Ward (SSDC Member)	Cllr S Osborne
Recommending Case Officer:	Mike Hicks Tel: 01935 462015 Email: mike.hicks@southsomerset.gov.uk.
Target date:	23rd September 2015
Applicant:	Mrs Christine Hughes
Agent: (no agent if blank)	Mr Maurice Taylor 166 East Street Winterbourne Kingston Blandford Forum Dorset DT11 9BQ
Application Type:	Other Householder - not a Change of Use

UPDATE TO COMMITTEE REPORT CONSIDERED BY THE AREA WEST COMMITTEE IN OCTOBER

Following consideration of the report below, members resolved to defer the decision to allow the following additional information to be provided by officers:

- Details of the powerpoint slides shown to the planning committee in consideration of the previous application 14/05486/FUL.
- A definitive legal opinion as to the lawfulness of the carport as built under the previous permission.

LEGAL OPINION

The legal opinion has concluded that the permission must be interpreted on face value in terms of the documents contained within the permission. The planning permission in condition 02 clearly states plan 510/14/B (the 1:20 plan) which shows the overhang. On the basis of this approved plan, the overhang is approved and the carport as built is lawful. The period to challenge the decision under Judicial Review has expired.

CONSIDERATIONS

Having regard to the above legal opinion, it is considered that the only aspect of the current proposal that can be considered is the proposed braces to the side elevation of the carport. The amendment to the description of the proposal which was made during consideration of the application to include 'external alterations' has been removed from the description.

RECOMMENDATION

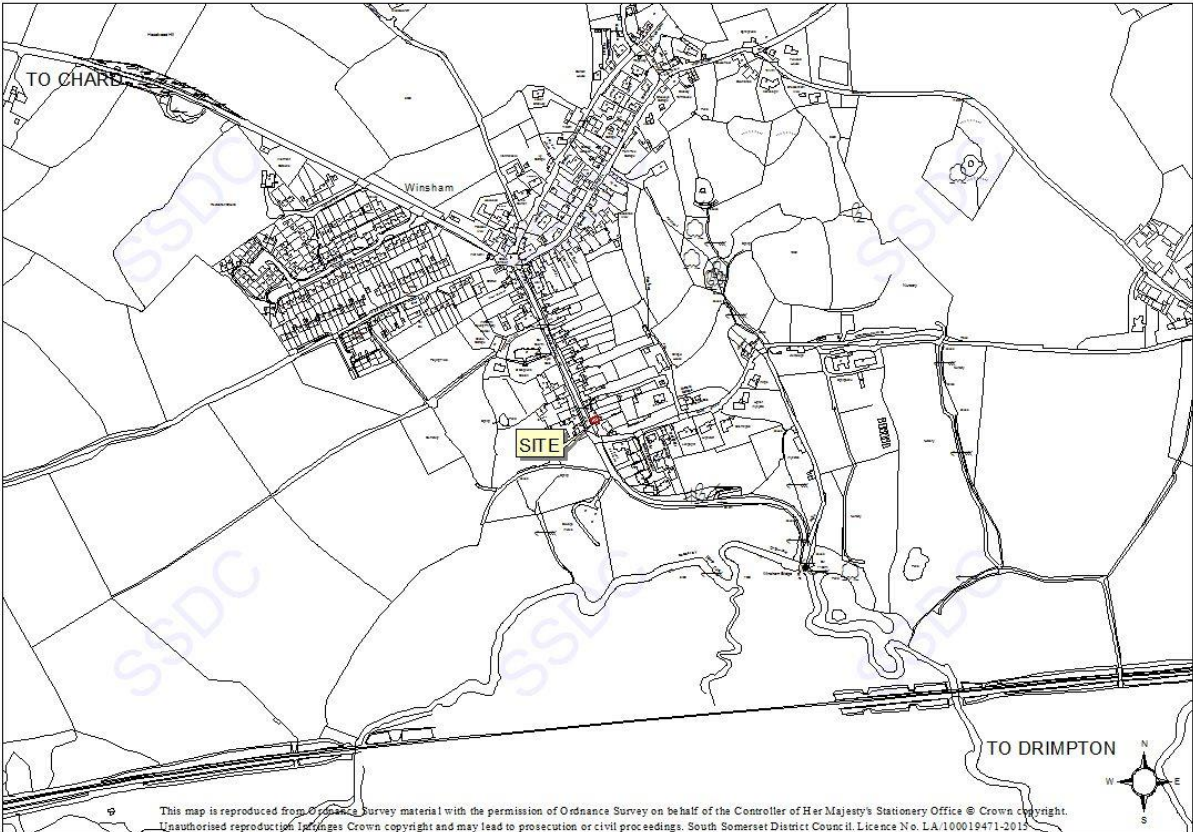
The report considered by the committee in October is included below. For the reasons set out in the October committee report, the proposed timber braces are considered to be acceptable. It is therefore recommended that permission is granted for the timber braces subject to the conditions stated in the previous recommendation.

COMMITTEE REPORT- OCTOBER 2015

REASON FOR REFERRAL TO COMMITTEE

To allow the committee to consider the cumulative impact of the proposed timber braces. Permission granted by committee on the basis of the original plans which are no proposed to be amended.

SITE DESCRIPTION AND PROPOSAL





The site is located in a modern cul-de-sac in Winsham. The existing dwelling straddles the Conservation Area boundary with the carport being located outside it. The existing property has a natural stone finish to most of the front elevation with rendered finish to the side elevations and to the garage.

The carport was permitted under planning reference 14/05486/FUL and has been completed on site. This application seeks consent under Section 73 of the Town and Country Planning Act (1990) to make minor amendments to the carport. These amendments are as follows:

Installation of timber braces to the side elevation of the carport. The braces would be attached to the supporting pillars of the carport and to the junction of the car port and the garage.

Extension of the roof of the carport 350 mm beyond the front elevation of the property (retrospective).

Creation of an overhang to the roof on the side elevation, approximately 375mm from the side of the support pillar of the carport (retrospective).

The previous permission was approved with two sets of plans, one at 1:100 showing the overall elevations and a more detailed plan showing the design of the roof at 1:20 scale. The overhang to the side elevation and extension of the roof beyond the front elevation of the dwelling are not shown on the 1:100 plan but are shown on the 1:20 plan. This is an inconsistency in the previous permission. This application seeks to regularise the inconsistency so that the two plans match one another.

RELEVANT HISTORY

14/05486/FUL- Alterations to existing dormer window, formation of additional dormer window to front elevation and the erection of car port. (GR 337625/106141)- Application Permitted.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that the decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

For the purposes of determining current applications the Local Planning Authority considers that the relevant policy framework is provided by the National Planning Policy Framework and the South Somerset Local Plan 2015. The Local Plan was adopted by South Somerset District Council in March 2015.

In relation to Conservation Areas, Section 72 of the Listed Building and Conservation Areas Act places a statutory requirement on local planning authorities to 'have special regard to the desirability of preserving or enhancing the character and appearance' of the conservation area.

The National Planning Policy Framework (NPPF) is a material consideration. The following chapters are of most relevance:

National Planning Policy Framework
Chapter 7 - Requiring Good Design
Chapter 12- Conserving and enhancing the Historic Environment

Local Plan (2006-2028)
The following Local plan policies are considered to be relevant:
SD1- Sustainable development
EQ2- General Development
EQ3- Historic Environment

National Planning Practice Guidance:
The following sections have the most relevance:

- Determining an application.
- Conserving and enhancing the historic environment
- Design

CONSULTATIONS

WINSHAM PARISH COUNCIL - The Parish Council has been informed that SSDC is in receipt of a complaint alleging breaches of planning control regarding construction of the carport to which this application refers.

We are not able to comment on this new application to make additions to the carport whilst there is doubt that it has been constructed according to the granting of permission for application 14/05486/FUL.

We would expect SSDC to determine the complaint before considering the new application and give the Parish Council the opportunity to review this particular application in the context of any decisions made.

COUNTY HIGHWAYS - No observations

SSDC Highway Consultant- No issues- no objections.

REPRESENTATIONS

As a result of consultations being carried out letters of objection have been received from 5 adjoining properties. The following objections are made:

Visual amenity:

- The overhangs to the roof are detrimental to the character of the Conservation area. The structure is not subservient to the main dwellinghouse and is obtrusive within the streetscene etc.
- The proposed wooden braces will add to the visual impact of the garage.

Residential amenity:

- The carport does not meet the 45 degree principle measured from the adjoining neighbour and therefore has an adverse impact on residential amenity.
- The proposed window will overlook the roof of No. 7 Court Farm Close and should therefore be fitted with frosted glass.

Other matters:

- Has the applicant provided technical information to justify the additional braces. The need for the braces is not substantiated.
- The fitting of the braces will contravene the planning conditions of the previous permission which removes permitted development rights for alterations, including enclosing the sides of the car port.
- The existing structure is in breach of planning control.

CONSIDERATIONS

There have been several objections to the proposal, most of which relate to the impact on the visual amenity and the residential amenity of the proposals.

Highway Safety/residential amenity:

These matters are not being considered under this application as the application is purely for the specific amendments included within the application rather than the general planning merits of the car port as was considered under the original planning approval.

Visual Amenity and Setting of Conservation Area

The proposed braces to the side elevation are considered to be acceptable. The car port is open sided and would remain an open sided structure with the timber braces in place. The braces would be of a relatively simple design and would not increase the overall size or bulk of the structure or its visual prominence to an unacceptable degree. Whilst the carport is close to the boundary of the Conservation Area the proposed timber braces are considered to be insignificant in terms of the impact on its setting. The setting of the Conservation Area would therefore be preserved.

As part of this application, updated plans have been received at 1:100 scale in order to illustrate accurately the overhang to the side elevation of the roof and the forward projection of the carport as these details were not illustrated on the original plans for this application or on the 1:100 plans that were approved under the previous application. The description of the

proposal has been amended to reflect this situation.

Given that the previous consent was issued with conflicting plans, the lawfulness of these aspects as constructed can be open to debate. Nevertheless, the purpose of the Section 73 procedure is to seek consent to regularise aspects of a development that have already been carried out as well as proposed alterations.

The Close is characterised by minor variations in the building line and many variations in the building line of individual properties. For example there is a monopitch porch to the front of No. 8, the property adjacent to the subject site and other similar forward projections within the road. The projection of the carport roof forward of the front elevation of the dwelling by 400mm is considered to be minimal, has an acceptable impact on the appearance of the streetscene and fits in with the established character outlined above. Having regard to the above, the proposed front projection and roof overhang to the side of the carport would preserve the setting of the Conservation Area.

Conclusion:

The proposal by reason of its scale and materials respects the character of the area and preserves the setting of the adjacent Conservation Area in accordance with Local Plan Policies EQ2 and EQ3.

RECOMMENDATION

Permission be granted subject to conditions:-

01. The proposal, by reason of scale, location, design and materials does not adversely affect visual amenity and preserves the setting of the Conservation Area in accordance with the aims and objectives of policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and Chapter 12 of the National Policy Planning Framework (2012).

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be carried out in accordance with the approved plans Drawings No 510/14/A date stamped 29th September 2015; 510/14/B only.

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

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

Reason: To accord with the provisions of section 91(1) of the Town and Country Planning Act 1990.

03. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) no alterations, including enclosing the two open sides, shall be made to the car port hereby approved without the express grant of planning permission

Reason: To preserve the setting of the conservation area in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028).

04. The carport hereby permitted shall be kept clear of obstruction and shall not be used other than for the parking of vehicle in connection with the attached dwelling

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

Agenda Item 14

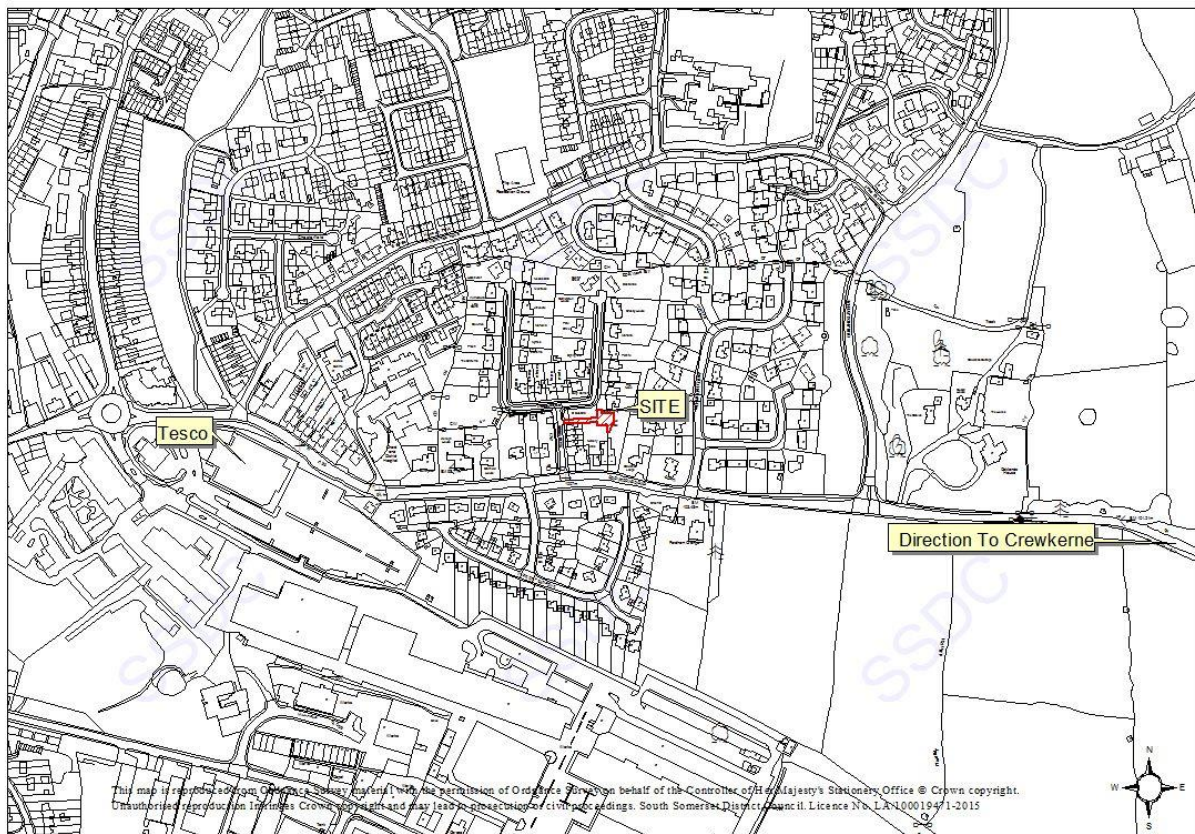
Officer Report On Planning Application: 15/04232/FUL

Proposal:	Change of use of The Coach House at Easthill 35 Crewkerne Road Chard from ancillary residential accommodation to independent dwelling (GR 333292/108770)
Site Address:	The Coach House Lyddons Mead Chard
Parish:	Chard
JOCELYN (CHARD) Ward (SSDC Member)	Cllr D M Bulmer
Recommending Case Officer:	Mike Hicks Tel: 01935 462015 Email: mike.hicks@southsomerset.gov.uk.
Target date:	23rd November 2015
Applicant:	Mr G Shortland
Agent: (no agent if blank)	Mr PAUL ROWE CAPARO 11 Mervyn Ball Close CHARD Somerset TA20 1EJ
Application Type:	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The applicant is a Chard Ward Member.

SITE DESCRIPTION AND PROPOSAL





The application site consists of a detached two storey building within the rear garden of No. 35 Crewkerne Road which is a semi-detached dwelling. The subject building currently contains self-contained living accommodation comprising of a bedroom within the roof and kitchen, lounge and utility to the ground floor. The accommodation has previously been used as residential accommodation ancillary to the residential use of No. 35. The attached dwelling No. 33 is subdivided into 7 flats.

Vehicular access to No. 35 and to the subject building is located from an unclassified highway (Simons Mews) located approximately 35 to the west of the subject building. The access drive consists of a tarmac surface and also provides vehicular access to the attached dwelling, No. 33. There is an area of tar macadam hardstanding to the south of the access driveway which appears to be used as parking in connection with some of the other residential uses (for example flats 1-7 within No. 33 Crewkerne Rd).

The application seeks consent for the change of use of the ancillary accommodation to a separate dwelling.

There are no external alterations proposed to the proposed dwelling. An area of private amenity space is proposed adjoining the eastern (side) elevation of the proposed dwelling.

Two parking spaces are proposed for the proposed dwelling and four are proposed to be retained for No. 35.

HISTORY

99/00001/FUL- Alterations and conversion of former coach house into an annexe/holiday let- Permitted with conditions.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that the decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

For the purposes of determining current applications the Local Planning Authority considers that the relevant policy framework is provided by the National Planning Policy Framework and the South Somerset Local Plan 2015. The Local Plan was adopted by South Somerset District Council in March 2015.

The National Planning Policy Framework (NPPF) is a material consideration.

The following chapters are of most relevance:

Chapter 1 - Ensuring a competitive economy

Chapter 4 - Promoting sustainable transport

Chapter 6 - Delivering a wide choice of high quality homes

Chapter 7 - Requiring good design

Local Plan (2006-2028)

The following Local plan policies are considered to be relevant:

SD1- Sustainable development

SS1- Settlement Strategy

EQ2- General development

TA5- Transport impact of new development

TA6- Parking Standards

National Planning Practice Guidance:

The following sections have the most relevance:

- Determining an application

Other Policy Considerations

Somerset County Council Parking Strategy (March 2012)

CONSULTATIONS

TOWN COUNCIL - Recommend approval

COUNTY HIGHWAY AUTHORITY - Standing advice applies

SSDC Highway Consultant - No significant issues. Ensure on-site parking provision seeks to comply with SPS optimum standards

REPRESENTATIONS

None received.

CONSIDERATIONS

Principle of development:

The proposed development would be located within Chard. Policy SS1 of the Local Plan classifies Chard as a primary market town. As such residential development is acceptable in

principle subject to compliance with the other relevant development plan policies. These considerations are set out below:

Character and Appearance:

The proposal would be acceptable in terms of the impact on the character and appearance of the area. There are no proposed alterations to the existing building. Alterations within the site would include appropriate boundary treatment to provide private amenity space for the proposed dwelling and to subdivide the remainder of the garden of No. 35 with the proposed parking and turning area.

A limited amount of building work would be required to provide the four parking spaces for No. 35 which includes the removal of a small section of retaining wall alongside the shared boundary with the dwelling to the north known as Southernhay.

Having regard to the above considerations, the proposed change of use to a dwelling would have an acceptable impact on the character and appearance of the area.

Residential Amenity:

The principal issue relates to the impact on the main dwelling, No. 35 and on the dwelling to the north known as Southerhay. There is sufficient separation space between No. 35 and the proposed dwelling to ensure that the change of use would not have an undue impact on the amenities of these existing occupiers. It is further noted that there are no windows proposed to the south elevation of the proposed dwelling. There is an existing window to the side elevation of the proposed dwelling that currently serves a landing. The window would be located approximately 6 metres from the boundary with No. 35. This section of adjoining garden is to the rear of No. 35 where occupiers would be entitled to expect a reasonable degree of privacy, although it is located towards the end of the garden of No. 35. It is further understood that the window is required for fire escape purposes. Having regard to the above it is considered to be necessary and reasonable to ensure that the window is obscure glazed. Given the distance from the adjoining boundary of approximately 6 metres, it is considered acceptable that the window can be opened provided that the hinges are located on the side of the window closest to No. 35 to restrict overlooking towards these adjoining occupiers. This detail can be secured via a planning condition.

There are existing rooflights orientated towards the adjoining dwelling to the north, Southernhay. However given that they are approximately 12 metres from the shared boundary alongside the front garden of the adjoining dwelling it is considered that there would be no undue impact on the amenities of these adjoining occupiers.

The proposal may result in an increase in vehicles entering the site from the point of access adjoining the rear garden of No. 1 Simons Mews. However, the increase in movements over and above the existing lawful use would be minimal or equal to the existing use. As such there would be no adverse impact on the amenities of the occupants of No. 1 Simons Mews due to noise and disturbance from vehicles entering and exiting the site.

In the event of the proposal being approved, a householder could install additional rooflights or dormer windows to the dwelling without planning permission. Given that the site is relatively constrained in terms of the relationship to adjoining gardens, on balance it is considered necessary and reasonable to restrict these permitted development rights so that any such development in the future would require planning permission.

Highway Safety:

The proposal is considered to be acceptable in relation to highway safety. The proposed residential unit is likely to generate a similar number of vehicular movements to the use of the building as ancillary accommodation. The access to the site is considered to be acceptable and incorporates appropriate visibility splays.

The parking facilities within the site would accord with the requirements of the Somerset Parking Strategy (2012). Having regard to the above, the proposal is acceptable in relation to highway safety and parking.

RECOMMENDATION:

Grant permission subject to conditions.

01. The proposed dwelling is located within a sustainable location which is considered to be appropriate for housing development. The proposal would have an acceptable impact on the character and appearance of the area, would not harm residential amenity of highway safety. As such the proposed dwelling would accord with Local Plan Policies SS1, EQ2, TA5 and TA6 of the South Somerset local Plan (2006-2028) and the relevant sections of the National Planning Policy Framework (2012).

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

02. Other than as required by conditions the development hereby permitted shall be carried out in accordance with the following approved plans: SCOUSP1; unnumbered elevations titled 'The Coach House at Easthill 35 Crewkerne Road' only.

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

03. The parking space illustrated on the site location plan No. SCOUSP1 shall be made available for the parking of vehicles prior to the first occupation of the dwelling hereby approved. The said parking spaces shall not be used other than for the parking of vehicles in connection with the development hereby approved and the said spaces and access thereto shall thereafter be kept clear of obstruction in perpetuity.

Reason: To ensure sufficient parking provision and in the interests of highway safety to accord with policies TA5 and TA6 of the South Somerset Local Plan (2006-2028).

04. Prior to the development hereby approved being first brought into use the first floor window in the east elevation shall be fitted with obscure glass and shall be openable in accordance with details that shall be submitted to an approved in writing by the Local Planning Authority. The window shall be permanently retained and maintained in this fashion thereafter.

Reason: In the interests of residential amenity to comply with policy EQ2 of the South Somerset Local Plan (2006-2028).

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no development under Class B or C (additions and other alterations to the roof) of the General Permitted Development Order 2015 without the prior express grant of planning permission.

Reason: In the interests of visual and residential amenity in accordance with policy EQ2 of South Somerset Local Plan (2006-2028).

06. Prior to the first occupation of the dwelling hereby permitted, alterations to the boundary treatment of the site shall be carried out and completed in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of residential amenity to comply with policy EQ2 of the South Somerset Local Plan (2006-2028).

Agenda Item 15

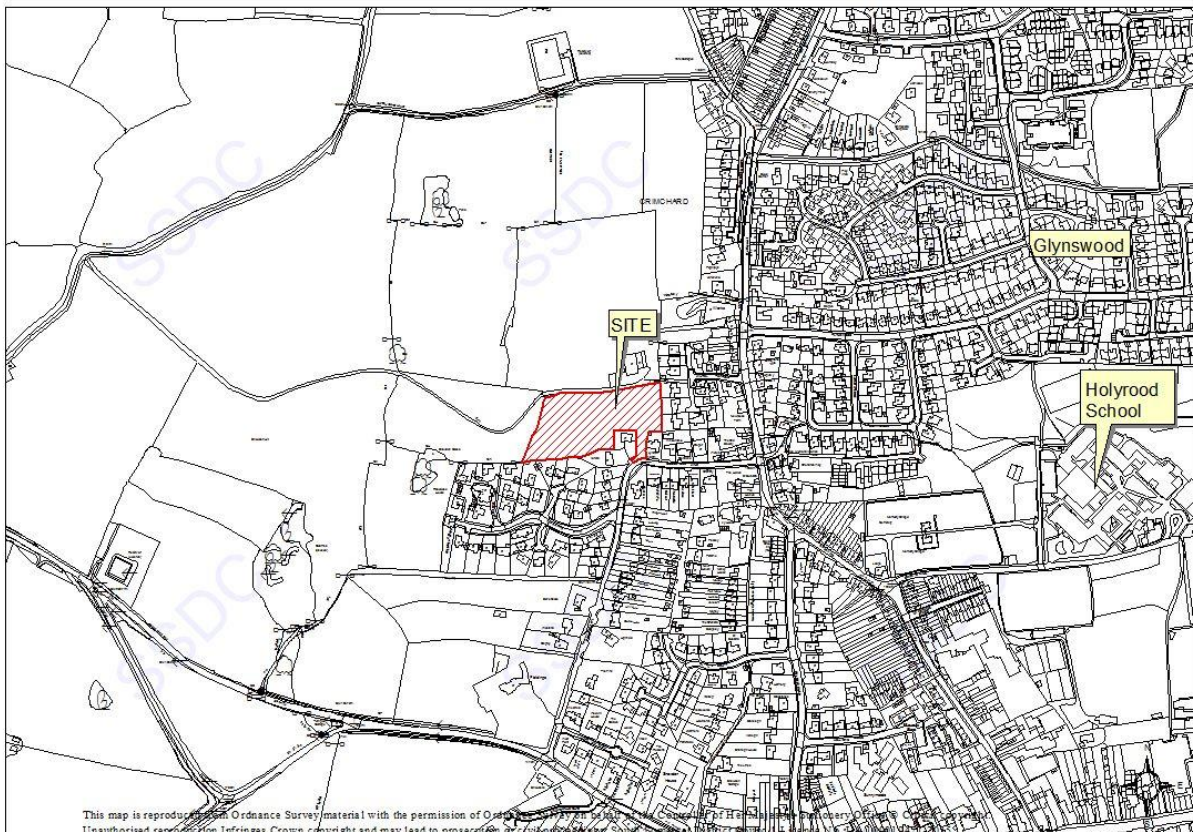
Officer Report On Planning Application: 15/03349/DPO

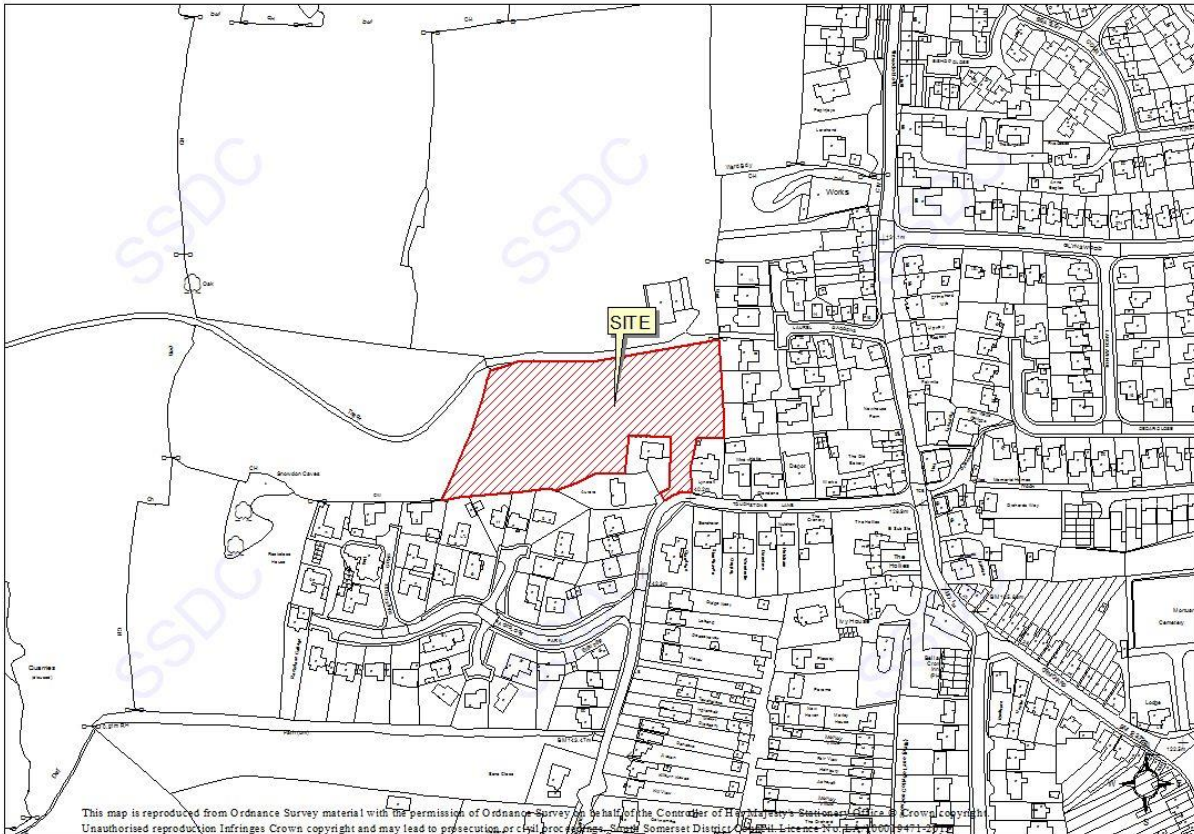
Proposal:	Application to remove affordable housing obligation from S106 agreement dated 18th March 2015 between South Somerset District Council and Rosemary Jane Pring and Rosaling Claire Rayland and Summerfield SD3 Limited. (GR 331599/109073)
Site Address:	Land Off Touchstone Lane Chard
Parish:	Chard
COMBE (CHARD) Ward (SSDC Member)	Cllr A Broom
Recommending Case Officer:	Andrew Gunn Tel: (01935) 462192 Email: andrew.gunn@southsomerset.gov.uk
Target date:	4th September 2015
Applicant:	Summerfield Homes (SW) Ltd
Agent: (no agent if blank)	Lydia Grainger WYG Hawkridge House, Cheslston Business Park, Wellington, Somerset, TA21 8YA
Application Type:	Non PS1 and PS2 return applications

REASON(S) FOR REFERRAL TO COMMITTEE

This application is referred to Committee as the proposal seeks to reduce the number of affordable homes which were considered by Members when approving the original application (13/01942/FUL).

SITE DESCRIPTION AND PROPOSAL





The site is located on the far western side of Chard, off Touchstone Lane. It extends to 0.98 hectares. The site slopes significantly from west to east and is bounded on its southern and eastern sides by residential properties. An agricultural access exists to the north which serves an agricultural building and land. A further agricultural access point exists to the south east onto Touchstone Lane.

The original planning approval granted consent for the erection of 24 dwellings, 8 of which were affordable homes. This application seeks consent to omit the 8 affordable homes agreed as part of the section 106 obligation. The other obligations totalling £104,849.58 towards off site facilities will remain in place.

The application is supported by a viability appraisal which has been assessed by the District Valuer. A copy of the confidential DV report has been sent out to members under separate cover. If Members wish to discuss the confidential report, the Committee will need to pass a resolution to go into Confidential Session.

HISTORY

Application No: 13/01942/FUL - Demolish existing buildings and the erection of 24 no. dwellings with associated works to include formation of new access (Approved).

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise,

Relevant Development Plan Documents

South Somerset Local Plan (adopted April 2006)

SD1 - Sustainable Development

SS1 - Settlement Strategy

EQ2 - General Development

HG3 - Affordable Housing

National Planning Policy Framework (NPPF)

Core Planning Principles

Chapter 4 - Promoting sustainable transport

Chapter 6 - Delivering a wide choice of high quality homes

Chapter 7 - Requiring good design

Chapter 11 - Conserving and enhancing the natural environment.

CONSULTATIONS

Town Council: Recommend refusal on the grounds of the loss of affordable housing, dependent on the District Valuer's viability report.

Officer comment: It is understood from discussions with the Ward member that the Town Council would accept the recommendation of the District Valuer.

CONSIDERATIONS

The sole issue in this case is whether or not the provision of 8 affordable homes as part of the development would make the scheme unviable. The application is made under section 106BA of the Town and Country Planning Act 1990. This was inserted by the 'Growth and Infrastructure Act 2013' and provided a new application procedure to review affordable housing obligations on the grounds of viability. There is an associated appeal procedure under a new section 106BC.

The appropriate viability test is whether the evidence indicates that the current cost of building out and selling the entire site (at today's prices in the current market), is sufficient to enable a willing developer to make a competitive return.

Government advice suggests that local planning authorities may wish to consider making time-limited modifications whereby, if the development is not completed within a specified time (generally 3 years), the original affordable housing obligation will apply to those parts of the scheme which have not been commenced. Developers would therefore be incentivised to build out as much of their scheme as possible within 3 years. There is provision for a further section 106BA application to modify the obligation.

The applicant's appraisal has set out the various quantified inputs ie 1) revenue generated from the dwellings 2) Land acquisition costs 3) Construction costs 4) professional fees 5) Disposal costs 6) Finance 7) Profit and 8) Land Value. The appraisal outlines that the site is not viable with the current level of 8 affordable units to be provided on site. The residual value of the site is insufficient to deliver a competitive return to both the landowner and the developer. The assessment considered how the viability of the scheme may be improved if the affordable housing is reduced to a point whereby the developer and landowner could secure a competitive return. This assessment concluded that the scheme is not viable unless the affordable housing element is reduced to nil.

The District Valuer was instructed to carry out an appraisal of the applicant's viability

appraisal. The DV's conclusion is that the scheme is not viable with 8 affordable homes but a small surplus would be achieved with 4 affordable units, split as 1 intermediate and 3 social rented units. The DV makes the point that given the S106 was fairly recent and market conditions have not materially changed in the intervening time, the scheme was not financially viable at the time the S106 was agreed. However, no time limit is imposed by the government in terms of when an applicant can apply to vary the affordable housing provision nor was there any indication that there may be a viability issue at the time the S106 was signed. In this case, Summerfield have stated that there are additional ground costs as a result of site investigations undertaken following the grant of planning permission. Therefore, the costs associated with development of the site have risen since the approval.

The DV was in general agreement with all of the applicant's costings apart from the level of developer profit. The DV advises that 17.5% profit on open market and 6% on affordable units is reasonable whereas the developer is seeking 20% and 6% respectively. Therefore, based on the DV's recommendation, the Council could not support the application to reduce the affordable housing provision to nil.

Further information was then submitted by the applicant to the DV in light of Yarlington reappraising their offer to the developer. Affordable housing providers are reviewing their offers to developers following the announcement during the last Budget that the level of rent will be decreased by 1% each year over the next 4 years. As a result, the DV reassessed the case and concluded that the scheme would be viable with 3 rented units. Again, the Council would not support the loss of all 8 affordable units.

Following a meeting with the applicant to discuss this issue, the developer made it clear that they did not want to pursue an appeal. Summerfield proposed to retain 3 of the approved affordable units as low cost homes. This will enable 3 affordable units to be provided on site, in addition to the market housing. The DV has reassessed the case on this basis and concludes that a modest surplus is shown. The viability position therefore supports the proposition of 3 low cost units. On this basis, it is considered that the Section 106 Agreement is modified for 3 low cost homes, and be time limited for 3 years.

RECOMMENDATION

Agree to vary the Section 106 Agreement to reduce the provision of affordable housing on site from 8 units to 3 low cost homes. This variation shall be time limited for a period of 3 years from the date of the decision.

01. It has been satisfactorily demonstrated that the requirement for 8 affordable homes as part of this development would unreasonably affect the viability of the approved scheme in the current market. Moreover, it has been demonstrated that the provision of 3 low cost homes would provide a small surplus and the s106 shall be varied accordingly.

Agenda Item 16

Date and Venue for Next Meeting

The next scheduled meeting of the Committee will be held on Wednesday 16th December 2015 in the Council Chamber, Council Offices, Brympton Way, Yeovil, commencing at 5.30pm.
