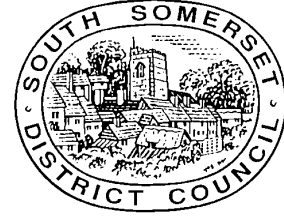


South Somerset District Council

Notice of Meeting



Area West Committee

Making a difference where it counts

Wednesday 15th February 2017

5.30 pm

Archie Gooch Pavilion (Home of Ilminster Football Club), Canal Way, Ilminster, TA19 9FE

(The Pavilion is located off Canal Way between the Rec and The Meadows Surgery)

(Disabled access and a hearing loop are available at this meeting venue)



The following members are requested to attend this meeting:

Jason Baker
Marcus Barrett
Mike Best
Amanda Broom
Dave Bulmer
Carol Goodall

Val Keitch
Jenny Kenton
Paul Maxwell
Sue Osborne
Ric Pallister
Garry Shortland

Angie Singleton
Andrew Turpin
Linda Vjeh
Martin Wale

Consideration of planning applications will commence no earlier than 6.45pm

For further information on the items to be discussed, please contact the Democratic Services Officer on 01935 462055 or democracy@southsomerset.gov.uk

This Agenda was issued on Monday 6 February 2017.

Ian Clarke, Assistant Director (Legal & Corporate Services)

This information is also available on our website
www.southsomerset.gov.uk and via the mod.gov app



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”. The council’s Executive Forward Plan can be viewed online for details of executive/key decisions which 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 three minutes on agenda items; and
- see agenda reports

Meetings of the Area West Committee are held monthly, usually at 5.30pm, on the third Wednesday of the month (except December) in village halls throughout Area West (unless specified otherwise).

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

Agendas and minutes can also be viewed via the mod.gov app (free) available for iPads and Android devices. Search for ‘mod.gov’ in the app store for your device, install, and select ‘South Somerset’ from the list of publishers, then select the committees of interest. A wi-fi signal will be required for a very short time to download an agenda but once downloaded, documents will be viewable offline.

Public participation at committees

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

Consideration of planning applications at this meeting will commence no earlier than the time stated at the front of the agenda and 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.

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 three 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.

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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Area West Committee

Wednesday 15 February 2017

Agenda

Preliminary Items

- 1. To approve as a correct record the Minutes of the Previous Meeting held on 18th January 2017**
- 2. Apologies for Absence**
- 3. Declarations of Interest**

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), 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.

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. 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.

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, 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. Date and Venue for Next Meeting**

Councillors are requested to note that the next Area West Committee meeting is scheduled to be held on Wednesday 15th March 2017 at The Guildhall, Chard.

- 5. 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.

6. Chairman's Announcements

Items for Discussion

- 7. Area West Committee - Forward Plan** (Pages 6 - 8)
- 8. Citizens Advice South Somerset (CASS)** (Pages 9 - 19)
- 9. SSDC Welfare Advice Work in South Somerset** (Pages 20 - 28)
- 10. Affordable Housing Development Programme** (Pages 29 - 37)
- 11. Planning Appeals** (Pages 38 - 43)
- 12. Schedule of Planning Applications to be Determined by Committee** (Pages 44 - 45)
- 13. Planning Application: 16/03982/OUT - Land Rear of The Bell Inn, Broadway Road, Broadway, Ilminster** (Pages 46 - 60)

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.

Agenda Item 7

Area West Committee - Forward Plan

Assistant Director: Helen Rutter (Communities)
Service Manager: Zoe Harris, Area Development Lead (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>15th March 2017</i>	<i>Making It Local Executive Group</i>	<i>Reports from members on outside organisations.</i>	<i>Cllr. Martin Wale</i>
<i>15th March 2017</i>	<i>A Better Crewkerne & District (ABCD)</i>	<i>Reports from members on outside organisations.</i>	<i>Cllr. Mike Best</i>
<i>15th March 2017</i>	<i>Licensing Service</i>	<i>Update report on the Licensing Service</i>	<i>Nigel Marston, Licensing Manager</i>
<i>15th March 2017</i>	<i>S106 Obligations</i>	<i>Update report</i>	<i>Neil Waddleton, S106 Monitoring Officer</i>
<i>15th March 2017</i>	<i>Annual report on Local LICs</i>	<i>Update report</i>	<i>Zoe Harris, Area development Lead (West)</i>
<i>15th March 2017</i>	<i>Report on the One Public Estate Work</i>	<i>Report on the outline of the project</i>	<i>Nena Beric /Helen Rutter, Assistant Director (Communities)</i>
<i>19th April 2017</i>	<i>Ilminster Forum</i>	<i>Reports from members on outside organisations.</i>	<i>Cllr. Carol Goodall</i>
<i>19th April 2017</i>	<i>Local Housing Needs in Area West</i>	<i>Service Update Report</i>	<i>Kirsty Larkins, Housing & Welfare Manager</i>
<i>19th April 2017</i>	<i>Chard Regeneration</i>	<i>Update Report from the Chard Regeneration Board</i>	<i>David Julian, Economic Development Manager</i>
<i>17th May 2017</i>	<i>Arts and Entertainment Service Update Report</i>	<i>Annual Update Report</i>	<i>Adam Burgan, Arts & Entertainments Manager Pauline Burr, Arts Development Officer</i>

Meeting Date	Agenda Item	Background / Purpose	Lead Officer(s) SSDC unless stated otherwise
17 th May 2017	<i>Highways Update Report</i>	<i>To update members on the highways maintenance work carried out by the County Highway Authority.</i>	<i>Mike Fear, Assistant Highway Service Manager, Somerset County Council</i>
21 st June 2017	<i>Appointment of Representatives on Outside Bodies and Working Groups</i>	<i>To review the appointment of members to various Working Groups</i>	<i>Jo Morris, Democratic Services Officer</i>
	<i>Scheme of Delegation – Development Control – Nomination of Substitutes for Chairman and Vice Chairman</i>	<i>To review the appointment of members to various working groups and outside organisations.</i>	<i>Jo Morris, Democratic Services Officer</i>
	<i>Report on the Performance of the Streetscene Service</i>	<i>Service report on performance and priority issues in Area West</i>	<i>Chris Cooper, Streetscene Manager</i>

Agenda Item 8

Citizens Advice South Somerset (CASS)

Assistant Director: Helen Rutter
Service Manager: Helen Rutter
Lead Officer: David Crisfield; Third Sector & Partnership Co-ordinator
Angela Kerr; Chief Executive Officer, CASS
Contact Details: david.crisfield@southsomerset.gov.uk (01935 462240)
angela.kerr@southsomcab.org.uk (01935 847661)

Angela Kerr, Chief Executive of Citizens Advice South Somerset, will be attending Area West Committee to deliver her annual presentation to members on the work of CASS during 2016 and their future plans.

Citizens Advice South Somerset

A presentation for South Somerset District Council Area West Committee 2017

Angela Kerr, Chief Executive Officer



Citizens Advice South Somerset

Yeovil College
Freshers' Fair



Agenda

- CA South Somerset – Aims and Principles
- Vision and Service Charter
- How we have helped so far this year
- Comparison to previous year
- Area West – Where we help
- Area West – How we help
- Projects
- Accessing advice in Somerset
- Case Study
- Volunteers
- Ambitions for the future

Citizens Advice South Somerset



Our Aims and Principles

We aim to **provide the advice** people need for the problems they face and **improve the policies and practices** that affect people's lives.

We provide free, independent, confidential and impartial advice to everyone on their rights and responsibilities. We value diversity, promote equality and challenge discrimination.

Citizens Advice South Somerset



Vision and Service Charter

Seeking and using advice becomes an established and valued part of everyday life for the citizens of our community

We have developed a Customer Service Charter to share with all of our clients no matter where or how they contact us.

Citizens Advice South Somerset

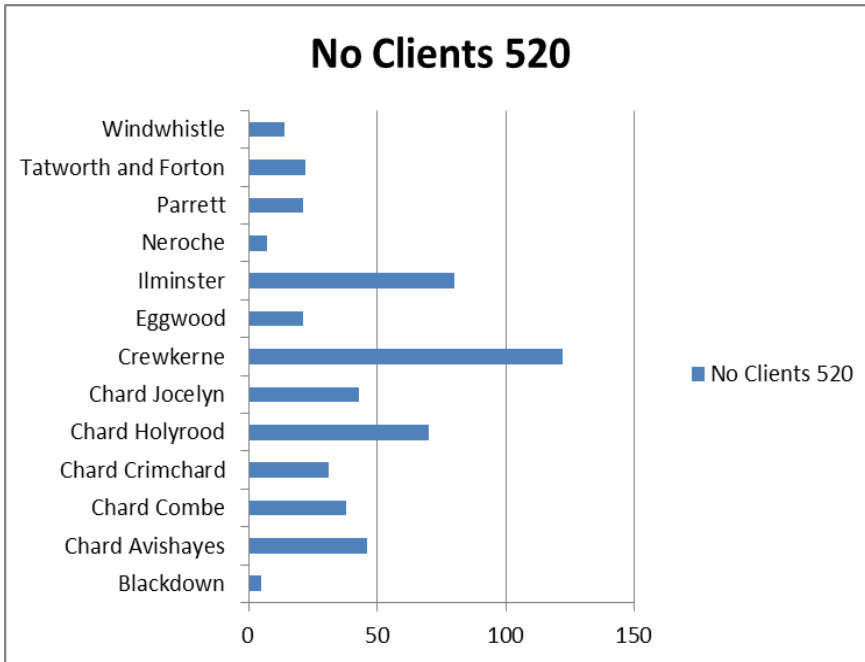


Community Awareness



Health and Wellbeing Event

Citizens Advice South Somerset



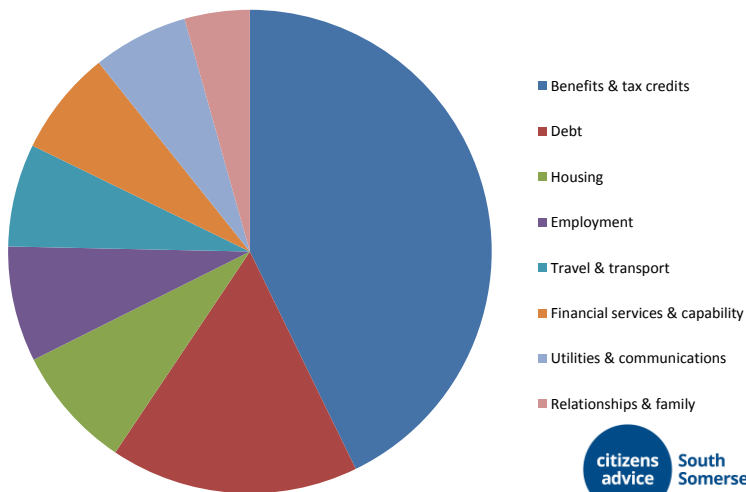
How we help – Table 1

	Benefits & tax credits	Debt	Housing	Employment
Blackdown	1	0	1	0
Chard Avishayes	23	10	6	4
Chard Combe	21	8	6	1
Chard Crimchard	10	8	4	1
Chard Holyrood	34	18	8	10
Chard Jocelyn	20	7	3	7
Crewkerne	63	24	5	8
Eggwood	11	2	1	1
Iminster	39	10	8	9
Neroche	2	2	1	0
Parrett	8	4	3	3
Tatworth and Forton	16	4	0	1
Windwhistle	7	2	3	1
Total	255	99	49	46

Citizens Advice South Somerset



Area West April – September 16



Citizens Advice South Somerset



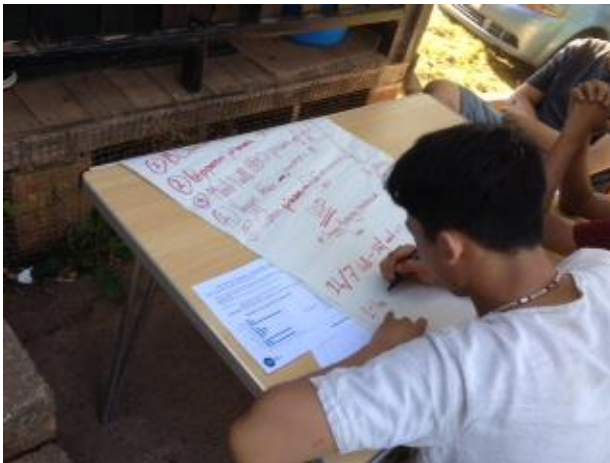
Projects

- **Local Assistance Scheme** – help for clients in crisis as a last resort
- **Energy Best Deal Extra** – Face to face advice to help clients with all of their energy problems
- **Surviving Winter** – helping older people stay warm this winter
- **Wessex Water** – helping clients access schemes to make their water bills affordable
- **Money Minded** – one to one financial capability sessions
- **Money Matters** – financial capability education for young people
- **Macmillan** – benefit support and advice for clients facing cancer diagnosis and their families

Citizens Advice South Somerset



Projects Money Matters



Money Matters
Financial
Education

Workshops at
Wadham with
Year 10 students

Citizens Advice South Somerset



Projects Grants Schemes

Local Assistance Scheme

£3,951 in grants to 13 clients (April – Sep)

NB: excludes food and fuel

Surviving Winter – 4 grants £750



Citizens Advice South Somerset

Money Matters Projects

Money Matters – Work & Leisure

Payment dates can be monthly or weekly, and at any date in the month

Your tax code dictates how much tax you pay

The tax year starts on 6th April each year

You receive your national insurance number when you are 16, and it remains with you for every job in the UK

Pension payments are voluntary

Cardiff Council City Hall Cardiff CF10 3ND		NI No. DK 35 45 77 M Tax Year beginning 2016 Tax Code 1100L Pay Date 15.08.2016 Pay Method BACS Transfer	
Payments	£. pp	Deductions	£. pp
Monthly Salary	1250.00	Income Tax	149.42
		National Insurance	137.50
		Pensions	120.00
Total Payments	1250.00	Total Deductions	406.92
		Net Pay	843.08
Year to Date Totals			
Gross pay	Pension	Taxable Pay	Tax Paid
4250.00	600.00	3750.42	747.10
		NI	687.50

Taxable Pay is the amount of your pay to date this tax year that has been subject to tax

Income tax is a compulsory payment to the government

Net pay is the total pay you actually receive after all deductions

National insurance pays for the NHS and state benefits



Citizens Advice South Somerset

Accessing Advice Services in Somerset

- **Adviceline** – working with other Somerset offices to provide initial advice by telephone
- **SAN** – Somerset Advice Network – for referrals from other agencies
- Consortium with other Somerset offices
- **E-mail** – accessed via our website for initial advice/information
- **Skype** – information assistants facilitate advice via a Skype link to the local office
- **Outreaches** – Wincanton and **Chard** every week (full advice service. **Crewkerne, Ilminster** and Ryalls Park surgery every other week. Somerton Skype service and Martock every week

Citizens Advice South Somerset



Case Study 1

Couple both working started to get into debt due to low income and zero hours contracts. We supported them over a number of years during which time they moved house, started a family and found permanent work. On-going budgeting support to cope with all of these changes has produced an outcome that their priority debts will be fully repaid within the next 6 months and has made an enormous difference to their lives.

Citizens Advice South Somerset



Increased Access

	Hours In March 16						Hours in September 16						
	M	T	W	T	F	Week Total	M	T	W	T	F	Week Total	
Yeovil	5	2	5		5	17	5	2	5		5	17	
Ryalls Park						0			1.5			1.5	
Chard			1.5			1.5				3		3	Possibility of Tuesdays
Wincanton	5					5	5					5	
Somerton						0		2				2	
Martock						0		3				3	
Imminster					1.5	1.5					1.5	1.5	
Crewkerne				1.5		1.5				1.5		1.5	
Ilchester													Development Option
Templecombe													Development Option
Langport													Development Option
Average Hours Per Week						26.5						33	Target: 38

Citizens Advice South Somerset



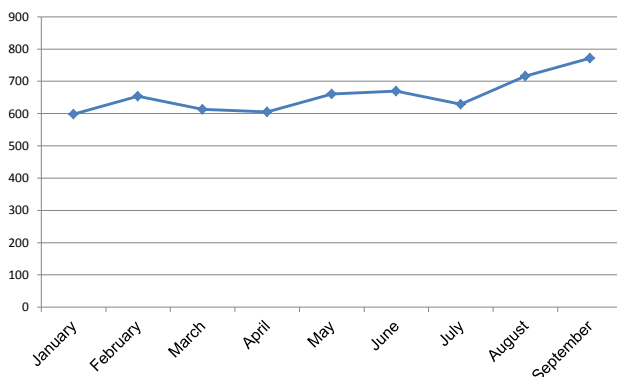
Ambitions for the Future

- Launching new services – 2nd day Chard?
- Expanding our phone provision
- Continue to invest in Skype (Somerton model) bringing advice into rural or hard to reach communities
- We are working closely with health services
- Focusing on priority groups (MHSUs), families and health conditions

Citizens Advice South Somerset



Volunteers' Weekly Hours



Citizens Advice South Somerset



Volunteers

We have 46 fully active, trained, volunteers

We are currently recruiting volunteers for the following roles:

- Volunteer Advisers
- Volunteer Receptionist
- Volunteer Administrator
- Volunteer Casework Assistant

Citizens Advice South Somerset



Volunteers

Citizens Advice Free Training for front line workers

- Introduction to using Citizens Advice resources with your clients
- How to refer clients to Citizens Advice
- Using Citizens Advice materials to help clients with money skills

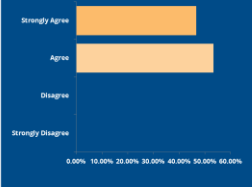
Free Half a day workshop at a time and place to suit you
Email June@citizensadvicesouthsomerset.org.uk to find out more

Citizens Advice South Somerset

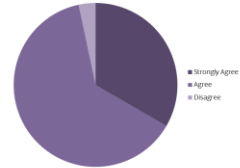


Volunteer Survey Summary

I am clear about my roles and responsibilities



I have the information, resources, materials and equipment to do my role effectively



Angela Kerr

01935 847661

www.citizensadvicesouthsomerset.org.uk

angela@citizensadvicesouthsomerset.org.uk

Citizens Advice South Somerset



Agenda Item 9

SSDC Welfare Advice Work in South Somerset

Head of Service: Kirsty Larkins, Housing and Welfare
Service Manager: Alice Knight, Careline and Welfare Manager
Lead Officer: Catherine Hansford, Welfare Advice Team Leader
Contact Details: catherine.hansford@southsomerset.gov.uk or 01935 463737

Purpose of the Report

To update and inform Members on the work of the Welfare Advice Team for the financial year 2015/16.

Public Interest

The report gives an overview of the work of the SSDC Welfare Advice Team.

Recommendation

Members are invited to:

- 1) note the report.
- 2) support in principle the continuation of the weekly Chard Advice Surgery at the Forefront Centre and consider a contribution towards the running costs for a further year (2017-18).

Service Summary

Established in 1999, the Welfare Advice Team consists of 3.1 full time equivalent staff responsible for undertaking casework for clients across the whole of South Somerset.

The Team are situated within the Housing and Welfare Service and provides free, confidential and impartial information, advice and advocacy on Welfare Benefits.

We carry out specialised case work; preparing claims, representing clients at Appeals, up to and including First-Tier and Upper Tier Tribunals.

The service is provided by telephone, appointments at Petters House, the Area Offices, local Advice Surgeries and also by home visits where appropriate.

Impact Summary

In the year 2015/16 the Welfare Advice Team delivered:

- Helped **562** clients across South Somerset
- Achieved an annual increased income of **£1,467,308**
- Lump sum payments total of **£287,591**
- Combined total of **£1,754,900** – over **15 times** the cost of the service (£114,127)

We also challenged 90 decisions at Mandatory Reconsideration or Appeal:

Mandatory Reconsiderations (MR's)

- 18 Mandatory Reconsiderations were successful
- 5 clients with unsuccessful Mandatory Reconsiderations did not wish to pursue an appeal.
- 1 Mandatory Reconsiderations remain outstanding

The unsuccessful MR's, can be progressed to appeal (First Tier tribunal) stage, if our clients agree.

Some cases that come to us are already at appeal stage.

Appeals to the Tribunals Service

- 65 decisions were challenged at First Tier Tribunal
- 50 Tribunals were successful
- 13 Tribunals unsuccessful
- 2 Tribunals remain outstanding
- 2 Tribunal decisions challenged at Upper Tier
- 1 set aside at Upper Tier (successful on the second hearing)

65% of the lump sum payments and 33% of the annual increased income was achieved by appeal work.

Please note that these figures are provisional (12/01/2017) due to some cases work remaining outstanding. We would expect these figures to show a further increase as some cases await outcomes.

It is also worth noting that of all the 90 disputed decisions, 85 were for disability benefits – 1 Attendance Allowance, 8 Disability Living Allowance, 52 Personal Independence Payment and 24 Employment and Support Allowance.

Area West:

- Helped **231** clients across the area
- Achieved an annual increased income of **£464,159**
- Lump sum payments total of **£100,881**
- Combined total of **£565,041**
- 102 clients accessed the service via the Crewkerne Advice Surgery (often with more than one appointment)
- **£261,825** annual increases and **£68,142** backpayments via Crewkerne outreach – Total of **£329,967**

Chard Outreach Pilot

In June 2016 we launched a pilot outreach Welfare Benefits Advice surgery at the Forefront Centre, Chard. The surgery runs every Thursday from 9.30 – 2.30 on an appointment basis, with time available for emergency appointments. Citizens Advice South Somerset also operate on the same day, enabling us to work closely in partnership and refer clients to the best source of advice.

In the first 6 months the pilot has been very successful, we have had 43 referrals via the surgery June – date. 7 referrals disengaged or did not require assistance, 27 cases are ongoing and 9 cases have been concluded. So far, the surgery has generated **£36,030** increase in annual incomes and **£10,762** in back payments.

10 cases involved appeal work, 4 were closed following advice as the clients did not wish to pursue further, 2 were successful and 4 remain outstanding.

Saved and Maintained Tenancies

The figures for Saved and Maintained Tenancies for 2015-16 stand at 5 and 9.

Saved Tenancies are those cases which would have resulted in the loss of the tenancy but for the intervention of the Welfare Advice Team. Maintained Tenancies are those where the Welfare Advice Team have undertaken a significant amount of work with the clients towards assisting in the successful maintenance of the tenancy.

The cost to SSDC of dealing with a homeless application is estimated at £2,630 per family. The 5 tenancies saved by the intervention of the Welfare Advice Team equates to a potential saving of £13,150. Further savings were made by the 9 Maintained Tenancies, as it is highly probable that a number of these would have progressed to the stage of loss of tenancy without early intervention, which is key in the current financial climate.

The need for support for people to retain their homes has never been greater than now given the consequences of Welfare Reform.

Ongoing Changes in Social Welfare

The 2012 Welfare Reform Act represents the biggest change to the welfare system in over 60 years. All these changes are also taking place against a backdrop of reductions in funding from central government across both the statutory and third sectors.

2013 saw the application of the Spare Room Subsidy and the Benefit Cap in addition to households with private tenancies already subject to the Local Housing Allowance.

Benefit Cap – The second stage of the benefit cap came into force in November 2016, at £20,000 for lone parents and couples, and £13,400 for single childless people. We estimate approximately 160 households in South Somerset will be affected, with some losing up to £300 per week. We are working with DWP and CASS to raise awareness and help people through the transition.

The figures for the households in South Somerset receiving extra help with housing costs through Discretionary Housing Payments (DHP) are shown below:

- 230 in 2012-13
- 487 in 2013-14
- 513 in 2014-15
- 357 in 2015-16

Universal Credit

Most of the means-tested benefits system for working-age families is now being replaced with a single payment called Universal Credit (UC).

The IFS Green Budget 2016 (1) is the first comprehensive analysis of the effects of UC since the cuts in the July 2015 budget. It found that a series of pre-emptive cuts means that introducing UC will in the long run reduce the financial benefit of the new system – including to working families.

When first proposed UC was intended to be more generous than the current system, but cuts to how much recipients can earn before their benefits start to be withdrawn have reversed this.

The long run impact of Universal Credit on incomes was found as follows:

- Among working households, 2.1 million will get less in benefits as a result of UC's introduction (an average loss of £1,600 a year) and 1.8 million will get more (£1,500 average gain). Among the 4.1 million households of working age with no-one in paid work, 1 million will get less (average loss of £2,300 a year) and 0.5 million will get more (average gain of £1,000 a year).
- Working single parents and two-earner couples are relatively likely to lose, and one-earner couples with children are relatively likely to gain. Among those currently receiving one of the benefits being replaced by UC, working single parents would be over £1,000 a year worse off on average if the long run UC system applied now, but one-earner couples with children would gain over £500 a year on average.
- Owner-occupiers and those with assets or unearned income are relatively likely to lose, but working renters are relatively likely to gain. This has the implication that UC will likely focus support more on those with long-term (rather than just temporary) low incomes, but it also weakens the incentive for some to save.

Robert Joyce, an Associate Director at the IFS and an author of the report, said: "*The long run effect of universal credit will be to reduce benefits for working families on average – a reversal of the original intention. However, the potential gains from simplifying the working-age benefit system remain mostly intact: universal credit should make the system easier to understand, ease transitions into and out of work, and largely get rid of the most extreme disincentives to work or to earn more created by the current system.*"

The roll out of Universal Credit full service was started across the majority of Area West in October 2016, with the rest of South Somerset to follow in April 2017.

This is very much a work in progress and sadly many issues have been identified, particularly impacting on vulnerable clients in rural areas. The Welfare Advice Team continue to work with the DWP at region level to monitor and feedback issues.

In the meantime, the migration of Incapacity Benefit cases to Employment and Support Allowance continues, as does the migration of Disability Living Allowance recipients to Personal Independence Payment.

Secondary Benefits

Over time a whole raft of secondary benefits have been developed and eligibility has depended on receiving Income Support, income based Jobseeker's Allowance, income related Employment and Support Allowance, Child Tax Credits and now, certain elements of Universal Credit.

These are the 'passported benefits' and provide access to free school meals, school travel, prescriptions, dental treatment and other reductions in prices for services, e.g. leisure, Careline etc.

The Social Security Advisory Committee, a statutory independent committee which advises Department of Work and Pensions (DWP) on the operation of the benefits system, has recently produced a report (2) which raises clear concerns about the loss of these passported benefits.

It points out that these benefits make significant contributions to the health and wellbeing of low income families and to preventing child poverty and social exclusion.

If families lose benefits and in turn eligibility for free school meals this also impacts on the overall funding the schools receive in the 'pupil premium'.

In addition if families migrate because of the Housing Benefit caps and other loss of income arising from the reforms, then this will have significant impact sub-regionally and could exacerbate disparities of wealth in rural areas.

Unemployment

Unemployment is not so much an issue in South Somerset as underemployment - few people realise just how many in work rely on Housing Benefit to pay their rent, not to mention earnings top up's such as Working Tax Credits due to typically low wages in the area.

UK figures published in December 2013 found that the largest group in poverty are working age adults without dependent children - 4.7 million people are in this situation, the highest on record. Pensioner poverty is at its lowest level for 30 years. (3).

The Value of Welfare Advice

By ensuring the maximisation of income and helping to challenge decisions, welfare rights services ensure that national government covers such housing costs instead of the council by way of the homelessness route and/or loss in rent collection.

The Low Commission, in May 2014, published a major follow up work on the economic value of social welfare advice (4) and presents compelling evidence from different sources that social welfare advice saves public services money. So apart from putting money in the pockets of those who need it, there is also widespread added value from our work.

Looking at all work to date on Cost Benefits Analysis (CBA) and Social Return on Investment data, the report finds that this not only pays for itself, but it also makes a significant contribution to families/ households, to local area economics, and also contributes to significant public savings.

Different studies done in the UK, US, Canada and Australia have all demonstrated similar findings that for every pound or dollar invested, there's a multiple of 10 in the savings produced by, for example, keeping people their homes with jobs and incomes intact rather than having to utilise expensive crisis and emergency services. The review shows that advice across different categories of law result in positive outcomes for clients and their households. (5)

Commenting on the findings Lord Colin Low said:

"This research, carried out independently, demonstrates with hard economics the true value of social welfare advice. It can no longer be argued that funding social welfare advice is too much of a burden on the state. Early and necessary interventions from advice and legal support prevent problems and expense further down the line"

Partnership Work

Co-ordinated joined up working with other agencies is now more important than ever with the emphasis on making advice more accessible in rural areas and taking service out across the district. We are striving to maintain and improve ways where we can complement each other's services, focusing on each agencies strong points, exploring new technologies and access routes and better referral systems.

We are also working in conjunction with other advice agencies on Social Policy issues. The agencies we work with, such as the National Association of Welfare Rights Advisers and Citizens Advice Bureaux campaign on a national level, which we feed into, as well as highlighting individual cases via the local MP's.

Our partner agencies include Citizens Advice South Somerset South Somerset , Age UK, Yarlington Housing Group, South Somerset Mind, Village Agents and many more.

Case Studies and Feedback

Miss Brown was 61 years old, single with learning difficulties. She also had long term physical health issues including diabetes, arthritis, back pain and depression. She worked full time until about twenty years when she had to stop due to an acquired brain injury following an accident at work.

Miss Brown had lived in a small town in Somerset and knew people there but because of the spare room subsidy, she had a shortfall in her rent she could not meet. She was moved to Yeovil however, did not know anyone and was away from her remaining supportive family.

Miss Brown is now living in Yarlington Supported Housing due to her care needs with an additional care package from Social Services. The supported housing enabled her to access a cooked meal and the three carers attending each day provide prompting to wash, dress, change her clothes and eat appropriate food.

She was in receipt of Employment and Support Allowance (ESA) in the Support Group and Disability Living Allowance (DLA).

The DWP wrote to Miss Brown to inform her that her DLA was ending and that she would be required to claim Personal Independence Payment (PIP). As she could not read she asked for help from the Housing Support co-ordinator who assisted to make the claim and completed the form.

Unfortunately, at the same time, the DWP decided to renew her ESA.

Both ESA and PIP require face to face medical assessments as part of the decision making process. Miss Brown attended both medical assessments alone. She did not understand the questions and asked for the interview to be stopped but her requests were ignored.

Both benefits deemed that Miss Brown had no difficulties. She failed to qualify for PIP and deemed "fit for work" for ESA, scoring no points at all for either assessment.

Miss Brown asked for both decisions to be looked at again with the assistance from the Financial Responsibility Team at Yarlington Housing Association.

Unfortunately the decisions remained unchanged so Miss Brown had to go through the appeal process. It was at this stage that her case was referred to us.

Appeals were lodged with the Tribunals Service for both PIP and ESA. We met with Miss Brown to discuss her health problems and disability.

Unfortunately the services involved with Miss Brown's care were not consulted by the DWP or healthcare professional carrying out the assessments so they had no knowledge of the extent of her problems. We sought to gather information from all involved to present what life was really like for Miss Brown and the amount of help she needed just to get by on a day to day basis.

Using our knowledge of the benefit legislation and case law, we wrote a submission highlighting the areas we thought the tribunal should consider during the hearing.

The case was duly heard and the tribunal decided that Miss Brown has a "severely limited ability to carry out activities of Daily Living" and awarded 36 points as well as a "severely limited ability to carry out mobility activities" and awarded 14 points, resulting in enhanced awards for both mobility and daily living components of PIP and an additional £139.75 per week plus the severe disability premium of £61.85 per week.

At the time of writing, Miss Brown is still awaiting a date for her ESA appeal.

She is suffering significant distress as a result of the whole process and needs a great deal of support from us as representatives and advocates.

The advice we provide helps our clients get back on their feet again and encourages them to be pro-active as we try to empower and avoid over dependence.

This local face to face responsive support has become more essential as more and more services are rolled out digitally or through central processing centres.

This is highlighted in the feedback we receive from our clients:

“Andy has helped myself and wife numerous times and has helped us through some awful times. We don’t know what we would have done without him.”

“Excellent service, friendly, kind and professional. Thank you for help, kindness and follow up calls.”

“Excellent service. Helen has been very helpful and caring throughout the process.”

“Very happy with outcome, Nadine was very patient and very helpful”

“Thank you so much, you are wonderful. What an excellent service - you are officially a star”

“Excellent service! Wouldn't have been able to do this without Catherine's help, she is a credit to the service”

“Andy couldn't have been more helpful or supportive. Without the help I wouldn't have known what I was entitled to or how to claim it”

“Catherine was unbelievably helpful, chasing things up for me which I was unable to do due to the state of my mental health”

“Excellent service. Helen has been very helpful and caring throughout the process.”

Corporate Priority Implications

Council Plan 2016 - 2021:

Homes: Minimise homelessness and rough sleeping.

Health and Communities: Support residents through national benefit changes including universal credit.

Equality and Diversity Implications

The work within the Welfare Advice Team brings us into daily contact with vulnerable clients, people with disabilities and non-English speaking communities.

Financial Implications

The rental cost of running the weekly advice surgery at Chard is £3,000 per year. Members are invited to consider a contribution towards the running costs for a further year (2017-18), the balance of which will be met from the Housing and welfare budget.

Carbon Emissions & Climate Change Implications

None

Background papers;

- (1) The (changing) effects of universal credit' from the IFS Green Budget 2016, edited by Carl Emmerson, Paul Johnson and Robert Joyce
 - (2) *Universal Credit: the impact on passported benefits*, Report by the Social Security Advisory Committee, DWP, March 2012
 - (3) Somerset Community Legal Service Partnership: County Court Project
 - (4) *Annual Monitoring Poverty and Social Exclusion 2013* published by the Joseph Rowntree Foundation and written by the New Policy Institute (08/12/2013)
 - (5) *Social Welfare Advice services – A Review* by Graham Cookson, an economist at the University of Surrey
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Agenda Item 10

Affordable Housing Development Programme

Head of Service: Colin McDonald, Corporate Strategic Housing Manager
Lead Officer: Colin McDonald, Corporate Strategic Housing Manager
Contact Details: colin.mcdonald@southsomerset.gov.uk or (01935) 462331

Purpose of the Report

The purpose of this report is to update members on the outturn position of the Affordable Housing Development Programme for 2015/16 in relation to Area West and future prospects.

Recommendation

The Committee are asked to note the outturn position of the Affordable Housing Development Programme for 2015/16 and the prospects for the future.

Public Interest

This report covers the provision of affordable housing in Area West over the last complete financial year and anticipates the likely delivery of more affordable homes being constructed in the future. It will be of interest to members of the public concerned about the provision of social housing for those in need in their local area and of particular interest to any member of the public who is seeking to be rehoused themselves or has a friend or relative registered for housing with the Council and its Housing Association partners.

“Affordable” housing in this report broadly refers to homes that meet the formal definition that appears in national planning policy guidance (the ‘National Planning Policy Framework’). In plain English terms it means housing made available to people who cannot otherwise afford housing (owner occupied/mortgage or rented) available on the open market. Typically this includes rented housing (where the rent is below the prevailing market rate for a private sector rented property of similar size and quality) and shared ownership (where the household purchases a share of the property that they can afford and pays rent, also at a below market rate, on the remainder). The Housing & Planning Act 2016 formally defines the new Starter Homes as also being a form of ‘affordable housing’.

This report covers the level of public subsidy secured (which is necessary in order to keep rents at below market rates), sets out where affordable housing has been completed and describes schemes that are either already underway or are expected to be built in the near future. Other than the reference to the rural lettings policy, it does not cover the letting of the rented housing or the sale of the shared ownership and discounted market homes; in short, it is concerned with the commissioning and delivery stages only.

Background

The overall programme is usually achieved through mixed funding (Social Housing Grant [administered by the Homes and Communities Agency - HCA], Local Authority Land, Local Authority Capital, Housing Association reserves and planning obligations obtained under s106 of the Town and Country Planning Act 1990) and the careful balancing of several factors. This includes the level of need in an area; the potential for other opportunities in the same settlement; the overall geographical spread; the spread of capacity and risk among our preferred Housing Association partners and the subsidy cost per unit.

A previous report was made to the Area West Committee on 17th February 2016 which considered the outturn for the previous financial year (2014/15) and the provisional outturn for the then current

financial year (2015/16). Since then an annual update report on the programme has been provided to the District Executive on 1st September 2016. The report to the District Executive gives more detail in terms of the longer term perspective and the provision of affordable housing across the entire district.

In recent years a significant element of the affordable housing delivery programme has been produced through planning obligations within larger sites being brought forward by private sector developers. However the delivery of these is tied to wider economics, not least the developer's view of prevailing market conditions and the speed at which they estimate completed properties will sell at acceptable prices. Typically the required affordable housing is agreed at the outset of larger sites, but delivered as the site progresses over a number of years.

The Housing and Planning Act 2016 has placed a new duty on local authorities to promote Starter Homes. As currently framed a Starter Home is effectively a discounted market product where the discount is at least 20% off the market price, repayable if resold within an unspecified time period and only available to first time buyers under the age of 40. There is also an overall price cap of £250,000 outside London. Other detail, such as the length of time that must pass before a purchaser is obliged to repay the discount in full, or in part, is to be set by regulations which the Secretary of State is yet to lay before Parliament.

Rural Housing

In November 2010 the Portfolio Holder approved the first Rural Housing Action Plan, which set out the mechanisms available to the Council in providing more affordable housing in rural locations. A revised Rural Housing Action Plan was approved by the Portfolio Holder in June 2013. During 2016 a new draft plan was produced and consulted on. This most recent revision takes into account revised policies in the now adopted Local Plan and the imposition by central Government of a higher threshold below which affordable housing obligations cannot be imposed. The new plan was approved in October 2016 and includes an initial action plan setting out a range of tasks specific to a number of parishes, including some in Area West, where affordable housing is being considered. In September 2016 the District Executive replenished the rural contingency fund, allocating £500,000 to enable the bringing forward of new schemes.

The Committee may recall the adoption of a rural lettings policy, which can be found on the Councils public website on the following link:

https://www.southsomerset.gov.uk/media/724294/rural_lettings_policy_-_south_somerset.pdf

The majority of parishes in the Area are covered by this policy, either directly or indirectly (by falling into the 'doughnut ring' of a neighbouring parish) so that very local connections can be taken into account in the allocation of homes when they become vacant. The exceptions are Chard, Crewkerne and Ilminster as these exceed 3,000 in population. Chaffcombe and Cricket St Thomas are also excluded from the policy as there are no general needs dwellings in Housing Association ownership in either of these parishes and in addition they do not immediately border a parish which does qualify in its own right and therefore do not appear in the 'doughnut ring' for a neighbouring parish.

2015/16 outturn

During 2015/16, 32 new affordable homes were delivered across four sites (three in Chard) by three Housing Associations utilising just over £900,000 in public subsidy, the bulk of which (£3/4m) came from the Homes and Communities Agency. Three of these were previously reported to the Committee, in February 2016, as already completed (by that date).

A detailed breakdown is provided at Appendix A.

Twenty three homes for rent and three for shared ownership were delivered in Chard. Eleven of these, including all three shared ownership, were the final phase of the affordable housing delivered through

a planning obligation in April 2015, almost two years ago now but just at the start of the last complete financial year. These were the most recent homes to be delivered without direct public subsidy in Area West.

The other two schemes in Chard were both delivered by Stonewater, being the conversion of Chard Working Men's Club (providing five new flats) and the construction of ten new homes at Rosebank, Millfield. This brings the total of new homes delivered in Chard by Stonewater (including the former Raglan) to 68 (over four different sites) since June 2013, in response to the previous request to Housing Association partners to find sites for additional homes in Chard.

The other scheme to complete last financial year (and previously reported) was the rural exceptions scheme built by Hastoe at Horton.

2016/17 + Programme

At the time of submitting this report we are in the unusual position of all previous schemes having been completed and all proposed, pipeline schemes being precisely that, pipeline (with inherent dangers of further stalling or non-completion) rather than commenced. There has, however, been an allocation of Council funding to enable Magna Housing to purchase a specific single dwelling in Chard. If this purchase is completed by the end of next month it will represent the only additional affordable home delivered in Area West this financial year.

At the time of submitting this report there are no Housing Associations under contract with a private developer to deliver the affordable housing element due under planning obligation on any qualifying site in Area West. There are, however, three housing association led schemes in Area West which have been allocated over £ 1 ½ million in grant from the Council and just under £ ½ million in grant from the HCA. These are detailed at Appendix B. All three are subject to planning permission and none are likely to begin to deliver completed homes until the calendar year 2018. If all three schemes proceed successfully there will be a total of at least a further 66 homes, delivered by three different housing associations in three different settlements.

In October 2015 the District Executive exhausted the rural contingency reserve by allocating £396,661 to Yarlington to fund the first 17 dwellings on a site in Misterton in the expectation that this would be underwriting whilst Yarlington bid to the HCA to complete the site. This allocation included 11 for social rent [as funded by the District Council], effectively replacing the 10 lost from the Betterment site under viability. However since the last report Yarlington are yet to submit a planning application for the site, despite having the funding allocation confirmed over 15 months ago.

Stonewater have responded to our overtures to all Housing Association partners to find sites in Crewkerne, given that this is now the settlement in the district with the greatest gap between expressed demand and new delivery, mainly thanks to the continued stalling of the key site. In September 2016 the District Executive allocated just over £1 million to bring forward 40 new dwellings with a major scheme at North Street in Crewkerne, This allocation was made on the same basis as the Yarlington allocation for Misterton – the caveats being that alternative funding is sought from the HCA and subject to planning permission.

Planning permission was already in place but the site had not been developed by the private sector. Stonewater have submitted a revised planning application, increasing the size of the substantive site and the number of dwellings that can be achieved, which at the time of submitting this report is yet to be determined.

Members may recall the Knightstone scheme for the creation of nine new dwellings for rent at Jarman Way. Difficulties with land costs on this site, together with the reduction in borrowing ability from

revised outcome rents caused a funding shortfall and the Portfolio Holder has been asked to allocate a further £80,000 in grant from the Council in order to bring this scheme forward.

In addition to the three schemes mentioned above, all of which currently have funding allocations from the Council, other sites may come forward over the same period and further bids could be made to the HCA. One such possible bid is for the creation of new houses by Stonewater on land assembled at the rear of chard working mens club at some stage in the future.

There could also be further gains in the coming years from planning obligation sites, although none of these are reported here as we cannot be certain about timing and also because there could be future viability issues which result in the level of affordable housing being reduced on certain sites

Yarlington disposals

When considering disposals as part of their current funding agreement with the HCA, typically Housing Associations have identified isolated properties or those with a relatively high call on future maintenance costs as potential for meeting their disposal obligations. This increases the chances of an individual property being considered for disposal being in a rural area, especially where the ‘SAP’ (energy efficiency) rating is further reduced by a lack of access to mains gas.

For Yarlington there is a greater chance that such properties will be in South Somerset as the majority of their stock was ‘inherited’ from the Council at the time of the Large Scale Voluntary transfer (LSVT) with most of the remainder being built or acquired over the past sixteen years to contemporary standards.

It follows that such disposals are more likely to be affected by the October 2012 decision by District Executive to delegate consent to the Portfolio Holder in consultation with the relevant ward member/s. Of the Yarlington disposals to have taken place to date, only one property was HCA funded (gained through mortgage rescue). The majority (90%) have been in rural locations. The table below provides a more detailed breakdown.

Period	Total number of dwellings proposed for disposal by Yarlington	Of which, in Area West
June 2012 – January 2017 <i>[entire period]</i>	52	17
April 2015 – March 2016 <i>[last financial year]</i>	8	0
April 2016 – January 2017 <i>[this year to date]</i>	31	16

As can be seen from the table, the relative proportion of properties set aside for disposal by Yarlington in Area West has grown this financial year. This is partly because of the relative random nature of such vacancies arising, the only previous case was in 2014. The biggest contributing factor has been two proposals covering eight and (initially) four dwellings in Horton and Donyatt, both of which are primarily triggered by the poor design of the original scheme. However even if one were to exclude these exceptional cases, the overall number of proposed disposals and the proportion of these in Area West has grown since the start of this financial year. It remains the case that there are no examples of a proposed disposal being withdrawn as the result of consultation with the housing authority.

New needs assessment (SHMA)

As a first phase of the new strategic housing market assessment (SHMA) the five Somerset housing & planning authorities commissioned consultants to undertake a comprehensive update of the extent of functional housing and economic market areas in Somerset. In November 2015 consultants ORS Ltd reported back. Although there were changes to the position of Mendip and Sedgemoor, the report confirmed that there is a functioning South Somerset sub-regional housing market which remains influential on segments of West Dorset, but otherwise for all practical purposes can be treated as co-terminus with the district.

Four of the five districts commissioned the full assessment of the reviewed and reconfirmed sub-regional areas in the light of revised national guidance. This assessment has been undertaken by Justin Gardiner Consulting and was procured through Sedgemoor District Council who required an earlier, interim, Sedgemoor specific report in order to meet deadlines for the cycle of their own Local Plan review. The final full report, covering all four districts, was endorsed by our Local Development Scheme Board on 17th November 2016 and can be found on our website: https://www.southsomerset.gov.uk/media/862544/somerset_final_shma_oct2016_revised.pdf

Assuming an annual net relet supply (i.e. after taking transfers into account) of 659 homes a year arising from within the existing social housing stock, the SHMA projects a need to create, on average, a supply of 206 new housing association homes per annum across the district between 2014 and 2039. Assuming that all the new homes created are of the right size and in the right location, that would eradicate the backlog of need, as currently expressed by the higher bands on the Homefinder register, and address the expected arising need over the remainder of the assessment period.

Overall, the analysis identifies that around 24% of households have an income that would be insufficient to afford social rent without some form of subsidy such as Housing Benefit or Universal Credit. Around 10% of affordable housing sought should be of an intermediate tenure (e.g. shared ownership) and the remainder being social or affordable rented housing. The analysis identified a particular need (around 80%) for social rented housing; although it is recognised that with the inclusion of uncapped housing benefit, many of these households would potentially be able to access an affordable rented product.

The SHMA identifies a role for starter homes, as currently defined in the 2016 Act, but largely as an alternative (presumably preferred) tenure for a cohort of people currently able to afford private rented accommodation (and therefore not in the group in need of affordable housing). The 2016 Act redefines 'affordable housing' to include starter homes but the SHMA suggests that they will not contribute towards meeting the affordable housing need. For South Somerset, based on prevailing earnings, the SHMA shows that to meet the needs otherwise met by traditional of affordable housing, starter homes need to have a 47% discount.

Whilst it would not be reasonable to attempt to renegotiate the type and level of affordable housing secured through existing s106 Agreements (except when triggered by some other material change), we are now able to draw on the SHMA analysis to seek a greater proportion of rented property, particularly for social rent, as part of the planning obligations to be secured on new permissions, subject, as always, to viability.

Financial Implications

The funding shown against each scheme in the appendices has been allocated by the District Executive or the Portfolio Holder as described in the main text of the report above, but does not include the contingency funds held back for other allocations. Please also note that there is up to £37,000 allocated to Magna Housing for the acquisition of a specific property in Chard which does not appear in either of the appendices. The main contingency funding has traditionally been held back to

meet operational requirements, such as “Bought not Builts” for larger families, mortgage rescue and disabled adaptations specifically designed for clients where opportunities do not exist in the current stock.

Carbon Emissions & Climate Change Implications

Previously all affordable housing in receipt of public subsidy, whether through the HCA or from the Council, had to achieve the minimum code three rating within the Code for Sustainable Homes. The HCA has since dropped this requirement and work has been undertaken to understand the precise differences between code three and current building regulations (which have improved). Whilst the Council may be able to seek slightly higher standards than those achieved through building regulations where it is the sole funder of schemes, this is rarely the case as usually there is some HCA grant sought at some stage.

Equality and Diversity Implications

All affordable housing let by Housing Association partners in South Somerset is allocated through Homefinder Somerset, the county-wide Choice Based Lettings system. Homefinder Somerset has been adopted by all five local housing authorities in the County and is fully compliant with the relevant legislation, chiefly the Housing Act 1996, which sets out the prescribed groups to whom ‘reasonable preference’ must be shown.

Implications for Corporate Priorities

The Affordable Housing development programme clearly provides a major plank under “Homes” and in particular meets the stated aim:

“To work with partners to enable the provision of housing that meets the future and existing needs of residents and employers.”

Privacy Impact Assessment

This report does not directly impact on any data held of a personal nature.

Background Papers: Adoption of a Balanced Rural Lettings Policy - District Executive – 1st April 2015
Area West Affordable Housing Development Programme - Area West Committee – 17th February 2016
Affordable Housing Development Programme: Chard Working Men’s Club, Executive Bulletins numbers 688 & 689, 26th February & 4th March 2016
Affordable Housing Development Programme - District Executive – 1st September 2016
Approval of the Rural Housing Action Plan 2016/18 (Portfolio Holder report) - Executive Bulletins no.s 690 & 691, 7th & 14th October 2016
Strategic Housing Market Assessment for Mendip, Sedgemoor, South Somerset and Taunton Deane - Final Report - October 2016
Affordable Housing Development Programme: Bought not Built Property, Chard (Portfolio Holder report) - Executive Bulletins nos 696 & 697, 18th & 25th November 2016

Appendix A: Combined HCA & SSDC Programme 2015/16 outturn

	HA	Scheme Name	Social Rent	Affordable Rent	Shared Ownership/ Intermediate	Net Gain New Homes	Total Homes for NI 155 purposes	Total Grant	Level of grant from SSDC	SSDC land allocation value	Level of grant from HCA	Planning Obligation	Anticipated completion
Chard	Stonewater	Rosebank, Millfield Road	0	10	0	10	10	£335,786	£98,000	£0	£237,786		Mar-16
	Stonewater	Working Men's Club*	0	5	0	5	5	£373,119	£6,544	£0	£366,575		Nov-15
	Yarlinton	Mitchell Gardens**	8	0	3	11	11	£0	£0	£0	£0	✓	Apr-15
Rural (population below 3,000)	Hastoe	Shave Lane, Horton	0	6	0	6	6	£192,000	£48,000	£0	£144,000		Nov-15
		Totals	8	21	3	32	32	£900,905	£152,544	£0	£748,361	11	

*Chard Working Mens Club included empty property grant not shown here

**Completions at Mitchell gardens straddle financial years

Appendix B: Proposed Combined HCA & SSDC Programme 2017/18+

	HA	Scheme Name*	Social Rent	Affordable Rent	Shared Ownership/ Intermediate	Net Gain New Homes	Total Homes for NI 155 purposes	Total Grant	Level of grant from SSDC	SSDC land allocation value	Level of grant from HCA	Planning Obligation	Anticipated completion
Chard	Knightstone	Jarman Way*	0	9	0	9	9	£605,000	£200,000**	£0***	£405,000		2018
Crewkerne	Stonewater	North Street*	0	28	12	40	40	£1,040,000	£1,040,000	£0	£0		2018
Rural (population below 3,000)	Yarlington	Misterton*	11	0	6	17	17	£396,661	£396,661	£0	£0		2018
		Totals	11	37	18	66	66	£2,041,661	£1,636,661	£0	£405,000	0	
* Subject to planning permission ** subject to formal confirmation of additional £ 80,000 *** Involves transfer of SSDC land but not at a reduced price													

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 Received

16/02017/FUL – 3 Crossways, South Chard, Chard, Somerset, TA20 2PG (Officer Decision)
The carrying out of engineering works for the construction of off road parking to include the erection of retaining wall with steps for access.

Appeals Allowed

16/01364/S73A – Plots 1-5, Langdons Way, Tatworth, Chard, TA20 2TH (Officer Decision)
The development of land carried out without complying with conditions subject to which a previous planning permission was granted.

Background Papers

Appeal decision notice attached.

Appeal Decision

Site visit made on 19 December 2016

by **JP Roberts BSc(Hons), LLB(Hons), MRTPI**

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

Decision date: 2nd February 2017

Appeal Ref: **APP/R3325/W/16/3155578**

Plots 1-5, Langdons Way, Tatworth, Chard TA20 2TH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73A of the Town and Country Planning Act 1990 for the development of land carried out without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Sam Lowings (Bikebins.com Ltd) against the decision of South Somerset District Council.
 - The application Ref 16/01364/S73A, dated 21 March 2016, was refused by notice dated 8 July 2016.
 - The application sought planning permission for the erection of 6 No. dwellinghouses with garages and associated parking without complying with a condition attached to planning permission Ref 13/03067/FUL, dated 11 February 2014.
 - The condition in dispute is No 9 which states that:
The proposed dwellings hereby permitted shall not be occupied until traffic calming measures have been implemented to reduce the speed of traffic. Details of this are to be approved in writing by the Local Authority. Such works shall then be fully constructed in accordance with the approved details, to an agreed specification before the development is first brought into use.
 - The reason given for the condition is:
In the interests of highway safety and to accord with Policy ST5 of the South Somerset Local Plan.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of 6 No. dwellinghouses with garages and associated parking at Plots 1-5, Langdons Way, Tatworth, Chard TA20 2TH in accordance with the application Ref 16/01364/S73A, dated 21 March 2016 without complying with condition No 9 set out in planning permission No 13/03067/FUL, dated 11 February 2014 by the South Somerset District Council, but otherwise subject to the conditions set out in the Annex to this decision.

Procedural matter

2. The development has been partly carried out, and the condition in dispute has been breached. I shall therefore deal with the proposal as one made under Section 73A of the Act, for development already carried out.

Main Issue

3. The effect of removing or varying the condition on highway safety.

Reasons

4. The permission related to the erection of 6 houses, subsequent to which permission was granted for Plot 6 to be used as gardens for other plots, thereby providing only 5 dwellings. Two of the approved dwellings have been completed.
5. The Council, along with the Highway Authority, wishes to see traffic calming measures instituted because the visibility obtainable from the drives to the houses is said to be insufficient for drivers to emerge onto Langdons Way in a safe manner where vehicle speeds exceed 20 mph. The appellant says that the Highway Authority has failed to respond to communications from the appellant about traffic calming measures, or to offer appropriate advice. This is denied by the Highway Authority, but in any event, even if it were the case, I cannot infer that it demonstrates a lack of commitment on the Highway Authority's part to achieving the measures subject of the condition in dispute.
6. The site lies on the inside of a bend in Langdons Way, on the brow of a hill. The incline and the restricted forward visibility discourages speeding, and on my visit I noted that there were parked vehicles to the north of the appeal site which obstructed visibility of southbound traffic.
7. The appellant has carried out speed surveys over different days and at different times using a radar gun following instruction from a qualified highway engineer, who later processed and evaluated the results. He confirms that the recordings were undertaken in accordance with TA 22/81 *Vehicle Speed Measurement on All Purpose Roads*. The survey results showed that the two-way 85th percentile speed of traffic passing the appeal site was 20.59 mph. The highest 85th percentile figure was for mid-evening southbound traffic of 22.91 mph.
8. The appellant also recorded the speeds of traffic along Fore Street where a speed hump has been installed and found that the 85th percentile speeds were very similar to those recorded outside the appeal site.
9. I have regard to the email from Mr Doug Allen, the local Community Speed Watch (CSW) Co-Coordinator, who was of the view that speeds along Langdons Way were unlikely to exceed 20-25 mph. He also referred to a CSW speed survey undertaken "a few years ago" which recorded average speeds at 21 mph. However, I have no details of where or exactly when that survey was carried out, and this limits its usefulness. I attach greater weight to Mr Allen's own views in the light of his considerable experience with policing and in his capacity as a volunteer Speedwatch Coordinator, which are backed by the district councillor with experience of the site who supports the removal of the condition. Both Mr Allen's opinion and the speed survey to which he refers reinforce the appellant's own evidence.
10. Neither the Council nor the Highway Authority have provided any speed evidence. Whilst the appellant's speed survey was not undertaken by a qualified professional, I consider that this is an insufficient reason to cast doubt on the findings. I therefore consider that the survey indicates that speeds are sufficiently close to the desired speeds which the Council would wish to achieve to ensure that the accesses would be safe. In this regard, I have taken into account the advice in paragraph 10.5.9 of Manual for Streets 2, which says that based on research referred to in the Manual, unless there is local evidence to

the contrary, a reduction in visibility below recommended levels will not necessarily lead to a significant problem.

11. I have taken into account the views of local residents who wish to see the traffic calming measures installed, but on the basis of the evidence before me, there is insufficient justification to do so.
12. I therefore conclude on the main issue that the removal of the condition would not result in material harm to highway safety, or conflict with South Somerset Local Plan Policy TA5 which deals with transport and development.

Conditions

13. The guidance in the Planning Practice Guidance makes clear that decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged. The Council has provided me with a list of suggested conditions which appear to have been adapted to take into account the changed circumstances since the previous grant of permission. As I have no information before me about the status of the other conditions imposed on the original planning permission, I shall impose all those that I consider remain relevant. In the event that some have in fact been discharged, that is a matter which can be addressed by the parties.

Conclusion

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

JP Roberts

INSPECTOR

ANNEX

- 1) Notwithstanding the time limits given to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission (being granted under section 73A of the Act in respect of development already carried out) shall have effect from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No.'s; 3640-01, 3640-02, 3640-03, 3640-04, 3640-05, 3640-06, 3640-07, 3640-08, 3540-09, 3640-10 and 3640-11 received 18 July 2013; and 3640-24 received 29 January 2014.
- 3) All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping, as detailed on plans and written submission dated 24 September 2014, shall be carried out in the first planting and seeding season following the occupation of either of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
- 4) The development hereby approved shall be carried out in accordance with the details approved by letters 22nd September 2014 and 12 November 2015, in relation to conditions 3, 4, 5, 6, 7, 8, 10, 11, 12, 13 and 21 of decision letter dated 11 February 2014 Ref. 13/03067/FUL, unless otherwise agreed in writing by the Local Planning Authority. Such details, where specified in the aforementioned conditions, shall be completed before the dwellings hereby permitted are first brought into use and permanently retained and maintained thereafter unless otherwise agreed in writing.
- 5) All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All hedges and hedgerows on and immediately adjoining the site shall be protected from damage for the duration of works on the site to the satisfaction of the Local Planning Authority in accordance with the recommendations in British Standard 5837 1991. Any part(s) of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following completion of the approved development shall be replaced as soon as is reasonably practicable and, in any event, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed in writing with the Local Planning Authority.
- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no garages, sheds or outbuildings shall be erected.
- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and

- re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.
- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed in the dwellings hereby permitted, or other external alteration made without the prior express grant of planning permission.
 - 9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwellings hereby permitted without the prior express grant of planning permission.
 - 10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) no means of access, either pedestrian or vehicular, of any kind shall be formed onto the lane/footpath to the west of Plot 1 or to any designated public right of way adjoining or part the application site without the express grant of planning permission by the Local Planning Authority.

Agenda Item 12

Schedule of Planning Applications to be Determined by Committee

Director: Martin Woods (Service Delivery)
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 6.45 pm.

Members of the public who wish to speak about a particular planning item are recommended to arrive for 6.35 pm.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
13	NEROCHE	16/03982/OUT	Outline application for residential development (for up to 10 No. dwellings) with associated vehicular access arrangements, relocation of parking for Norbeth and The Bell Inn (Revised Application).	Land Rear Of The Bell Inn Broadway Road Broadway Ilminster Somerset	G Pavier & M Baird

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

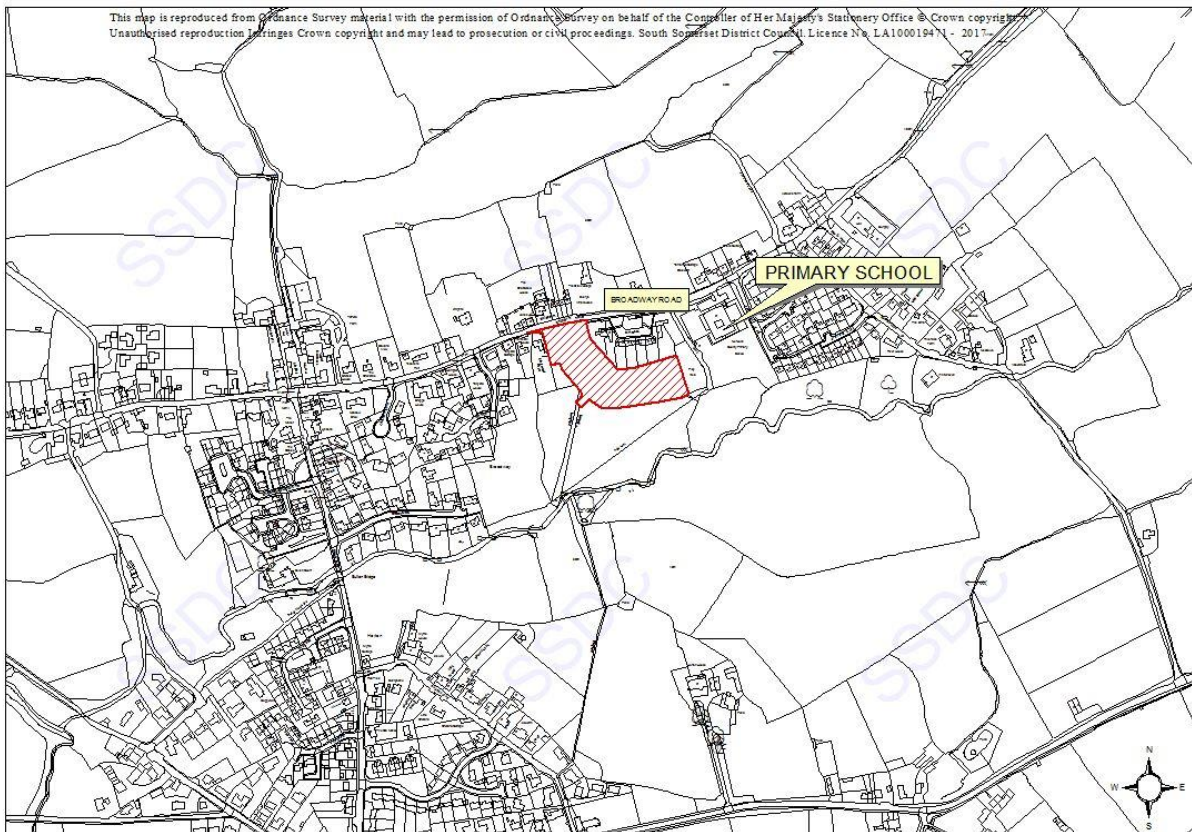
Officer Report On Planning Application: 16/03982/OUT

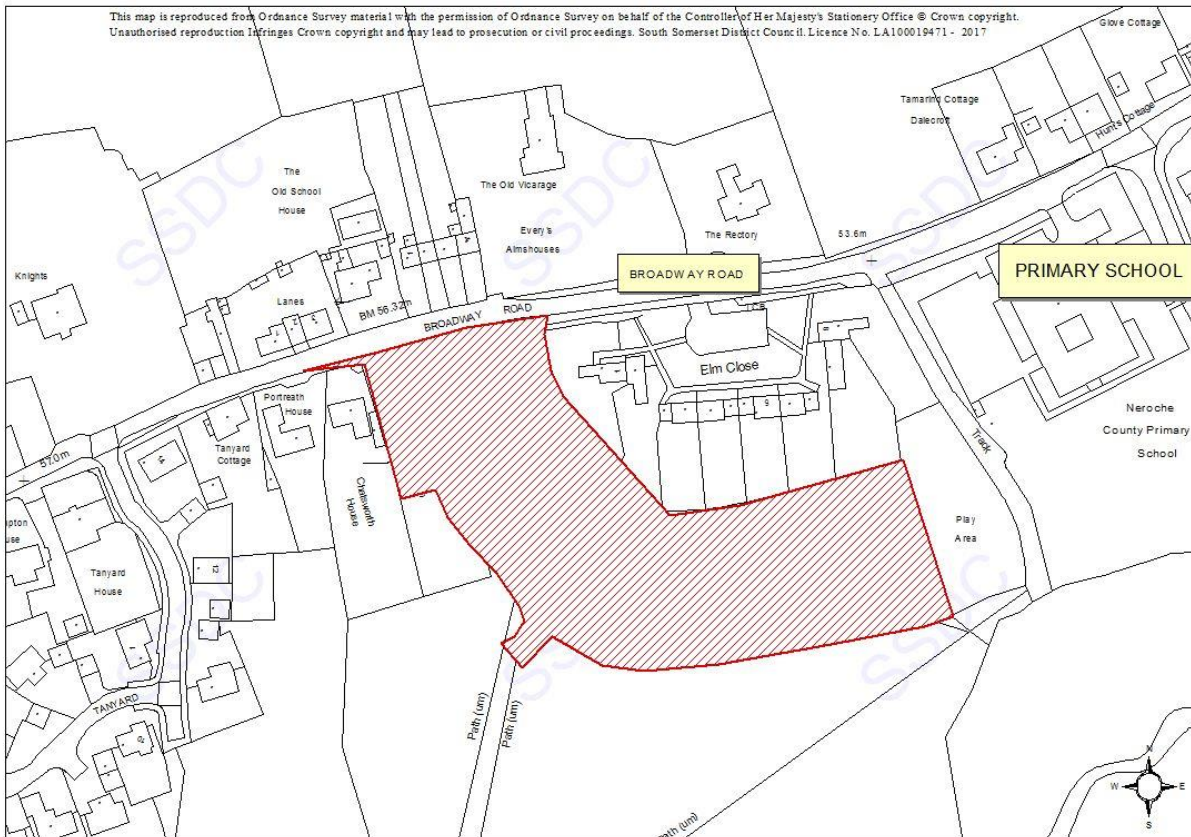
Proposal :	Outline application for residential development (for up to 10 No. dwellings) with associated vehicular access arrangements, relocation of parking for Norbeth and The Bell Inn (Revised Application).
Site Address:	Land Rear Of The Bell Inn Broadway Road Broadway
Parish:	Broadway
NEROCHE Ward (SSDC Member)	Cllr L P Vijeh
Recommending Case Officer:	Mike Hicks Tel: 01935 462015 Email: mike.hicks@southsomerset.gov.uk.
Target date :	16th December 2016
Applicant :	G Pavier & M Baird
Agent: (no agent if blank)	Shaun Travers Boon Brown Architects Motivo Alvington Yeovil Somerset BA20 2FG
Application Type :	Major Dwlg's 10 or more or site 0.5ha+

REASON FOR REFERRAL TO COMMITTEE

In order for the views of local residents to be given due consideration

SITE DESCRIPTION AND PROPOSAL





This is an outline application for residential development comprising of up to 10 dwellings, associated parking, landscaping and construction of access. The outline is to agree the principle of development and access only, all other matters are reserved.

The site comprises of an undeveloped field situated to the south of The Bell Inn public house within the village of Broadway. Vehicular access would be gained from Broadway Road to the north of the site via a new estate road to be constructed in-between the Bell Inn public house and an adjoining detached dwelling, 'Norbeth'.

The southern site boundary is formed by the River Ding and beyond this there is open countryside. There is an adjoining paddock located to the west of the site that has recently received outline and reserved matters permission for up to 16 dwellings. There is existing development to the north of the site fronting Broadway Road and a primary school to the north east.

The application follows a previous refusal of outline permission within the same site, although with a smaller site area.

HISTORY

15/04866/OUT: Outline application for residential development (for up to 25 No. dwellings) with associated vehicular access arrangements, relocation of parking for Norbeth and The Bell Inn- Refused- Appeal lodged.

Adjacent site:

16/03261/REM -Application for residential development of 16 dwellings, associated parking, landscaping and formation of access(reserved matters of 14/03636/OUT).

14/03636/OUT- Outline application for a residential development comprising of up to 16 No. dwellings,

associated parking, landscaping and construction of access - Allowed on appeal under reference 3063738.

POLICY

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

For the purposes of determining current applications the local planning authority considers that the adopted development plan comprises the policies of the South Somerset Local Plan 2006-2028 (adopted March 2015).

Policies of the South Somerset Local Plan (2006-2028)

Relevant Development Plan Documents:

South Somerset Local Plan (2006-2028):

SS1 - Settlement Strategy - identifies Broadway as a Rural Settlement

SS2- Development in rural settlements

SS4 - District Wide Housing Provision

SS5 - Delivering New Housing Growth

SD1 - Sustainable Development

HG3 - Provision of affordable housing

TA5 - Transport Impact of New development

TA6 - Parking Standards

EQ2 - General development

EQ3 - Historic Environment

EQ4 - Biodiversity

National Planning Policy Framework

Part 4 - Promoting sustainable transport

Part 6 - Delivering a wide choice of high quality homes

Part 7 - Requiring good design

Part 11 - Conserving and enhancing the natural environment

Part 12 - Conserving and enhancing the historic environment

ENVIRONMENTAL IMPACT ASSESSMENT

None required

CONSULTATIONS

Broadway Parish Council:-

This proposal was considered at a meeting of Broadway Parish Council held on 5 October 2016 and the changes which have been made to a first application for the development of 26 houses on this site were noted. However the Parish Council still objects to the revised proposal for the following material planning reasons:

Access

The proposed access to service any number of houses on this site is considered to be of an inadequate and inferior design. Please find attached photographs which show the proposed width of the access, between the Bell Inn accommodation and the neighbouring property 'Norbeth,' and indicates the first white line as being approximately the width of the opening. I am also forwarding a photograph of the access into Standerwick Orchard, the last significant development in Broadway, which illustrates not only its suitability but reflects coherence with the style of access which have been created into earlier

Broadway estates (photographs of Lamparts Way & Carlan Stepps as examples). It is significant that earlier accesses, some of which date back over 40 years, appear much more fit for purpose especially in the present day when the volume of vehicles has increased so dramatically. It is therefore felt that it would be completely unacceptable for such a narrow configuration to be approved. A request has been made to Somerset Highways for a site meeting with the Parish Council in order to discuss this matter and therefore it is requested that no planning decision should be made until this meeting has been held.

Impact on the environment and amenity of the area

There are concerns regarding the cumulative impact of this proposed development along with the other already proposed development in the Parish. Broadway Parish is considered to be lacking in amenities to support any more significant housing development and has an ongoing problem with sewage and surface water flooding which, to date, has failed to be addressed (photographs attached). The photographs selected show clearly the inability of the drains to cope especially as the photographs were taken on a bright, fine day at least 24hrs after heavy rain on 3 January 2016. The sink cover is on Broadway Road between Tanyard and Carlan Steps.

Somerset Waste Partnership:

We are pleased to be able to support you in fulfilling your statutory obligations to provide adequate storage space for household waste and to provide adequate access for collection of waste from the property.

Please refer to our document "SWP Design Requirements for Residential Properties", which can be found by visiting www.somersetwaste.gov.uk and clicking "Business Advice". This document should hold the information you require. However if you need specific advice which is not answered in this document please contact Somerset Waste Partnership at enquiries@somersetwaste.gov.uk and, resource permitting, we will try to help.

SSC Highways:

First Response:

I am aware that the Highway Authority has previously made comments on the site, most recently in February 2016, planning application 15/04866/OUT, which was an outline application for up to 25 dwellings. This submission is an outline application for up to 10 dwellings which represents a significant decrease in vehicle movements from planning application 15/04866/OUT where the Highway Authority raised no objections to the application.

The average dwelling will generate 6-8 vehicle movements per day which would mean that the site is likely to generate approximately 80 vehicle movements per day based on the higher figure of vehicle movements. The application proposes to relocate the parking for the pub and the neighbouring dwelling within the internal area of the proposal. The Highway Authority did not raise an objection to the previous application which was for a higher number of dwellings and as such the vehicle movements and traffic generation would not be deemed to create a severe impact under section 4 of the National Planning Policy Framework (NPPF) ergo, it would be unreasonable for the Highway Authority to recommend refusal on this aspect of the proposal.

When consulting drawing number 14934/03/T01 the applicant proposes to utilise visibility of 2.4x43 metres which is compliant with Manual for Streets (MfS). However, the visibility to the west is measured 1 metre from the edge of the carriageway which would provide less than 2.4x43 metres. However, from my onsite observations (during school pick up time) it was observed that vehicle speeds were approximately 20mph. MfS can be used to establish the required visibility and for 25mph the required visibility would be 2.4x33 metres which is achievable to the nearside carriageway edge.

When consulting drawing numbers 14934/A3/T01A and 14934/A3/T02 it is apparent that an 11.4 metre long refuse lorry can access and egress the site from the proposed junction.

The applicant should be aware that it is likely that the internal layout of the site will result in the laying out of a private street, and as such under Sections 219 to 225 of the Highways Act 1980, will be subject to the Advance Payments Code (APC).

When consulting drawing number 3448/PL/102 (within the TA), it shows 4 parking at the front/side of the pub. The Highway Authority has concerns that there may not be enough space for vehicles to turn around and enter the highway (Broadway Road) in a forward gear with the realigned wall. From this drawing, it is not clear if the spaces will be accessed from Broadway Road or from the estate road and clarification should be provided. However, the Highway Authority would prefer that the applicant move the spaces to the south and have them all perpendicular to the estate road, then these can access from the estate road a suitable distance from the proposed junction.

The applicant proposes to connect the estate road with a footway with the existing highway on Broadway Road to allow access to the village amenities. Currently there is not a designated footway that runs along the front of the pub on Broadway Road. The Highway Authority would require the applicant to install a full footway along the front of the pub to deliver a continuous pedestrian access through the village. The applicant should be made aware that they would likely have to enter into a suitable legal agreement with the Highway Authority for these works to be conducted.

When looking at the site plan, there are various Rights of Way issues within the proposal. The applicant would have to be aware that any changes to these would require a consultation with the Rights of Way team within Somerset County Council.

Taking the above into account, the Highway Authority does not wish to raise an objection to the planning application and in the event of permission being granted, I would recommend that the following conditions are imposed:-

1. At the proposed access there shall be no obstruction to visibility greater than 300 millimetres above adjoining road level within the visibility splays shown on the submitted plan Drawing Number 14934/03/T01. Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.
2. The development hereby permitted shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Somerset County Council). The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Management Plan.
3. The proposed estate roads, footways, footpaths, tactile paving, cycleways, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.
4. No work shall commence on the development site until the developer has submitted and had approved by the Local Planning Authority details of the footway to be provided along Broadway Road. No part of the development hereby permitted shall be occupied until the approved footway has been constructed.

Note:

The provision of these footway works will require a legal agreement and contact should be made with the Highway Authority well in advance of commencing the works so that the agreement is complete prior to starting the highway works.

Second response- (In response to clarification on parking spaces.):

In principle the Highway Authority does not wish to raise an objection to the drawings that have been submitted. Having discussed the 2 parking spaces perpendicular to the estate road and the two to the front of the pub, they will not be connected (the spaces perpendicular to the estate road cannot be accessed from Broadway Road) and not encourage movements onto the estate road other than the proposed junction. I am happy that vehicles can access the highway in a forward gear and would not increase the possibility of excessive movements on the highway.

There is a clear separation for pedestrian and vehicles along Broadway Road with the proposed footway and would still allow for service vehicles, such as draymen, to access the pub.

The Highway Authority raises no objections to the proposed drawings.

SSDC Highway Consultant:

(Comments in response to clarification on parking spaces):

The section of wall running parallel to the new estate road located to the rear of the proposed footway should be no higher than 600mm above adjoining road level so that visibility to pedestrians (including children) walking along the pavement, for drivers emerging from the two car parking spaces located off the estate road, is not impeded. The same requirements should apply to the frontage to Broadway Road (to the rear of the footway); however, given that there is an existing access (to the pub) from Broadway Road and given the height of the existing frontage wall, the erection of a 900mm high wall would represent a reasonable compromise provided it is located to the rear of the 2.4m x 43m easterly visibility splay at the junction of the new estate road with Broadway Road.

The details shown on the submitted plans appear to show that there would be no impediment to vehicles driving between the two banks of car parking spaces. At reserved matters stage, I would recommend that measures are proposed to prevent any inter-routing of vehicles between the two banks of parking.

SSDC Landscape Officer:

I recollect this site from the previous application. The site is a large grass field, currently grazed at low-intensity, which lays to the south of the main Broadway Street. It is the main contributor to an open pasture area that separates the Tanyard/Brookside Close development area to the west, from the Primary School and Lamparts Way area at the east end of the village. The open nature of the site also helps to maintain continued separation of Horton from Broadway. As such, it contributes to local character, and I view this as a strategic landscape space between these two Broadway housing areas to the north of the River Ding, and Horton to the south, particularly with its public access via local footpaths, and links with the school's playing field, that has great value to local amenity.

Broadway is not a major settlement, and as I understand it, has no allocation for additional residential development, although two areas have recently been found acceptable by the Planning Inspectorate. Amongst its many objectives, national planning guidance seeks to protect the countryside, and our local plan policy SS2 seeks to strictly control the extent of development, unless community benefit and support can be gained. By definition, the proposal will clearly result in an erosion of the countryside - by virtue of domestic expansion into agricultural land, and this is a clear negative impact. On this basis, an in-principle case for refusal could be made, substantiated by the erosion of this open space area that contributes to the character and distinctiveness of the locality, thus failing to satisfy adopted LP policy EQ2.

The design and access statement submitted in support of this proposal offers a layout that constrains development to the northeast side of the field, to thus relate it to the development form associated with the main street and so assist assimilation of the proposal into this village edge context, whilst the indicative plan shows housing drawn well back from the River Ding, such that the main area of the field remains open, to enable public passage across the open space to continue. Consequently, whilst I consider that development of this site will lead to an erosion of local character, to thus provide landscape grounds for objection as set out above, should the Policy view be that Broadway is in need of local homes, then cognisant of the limited development potential elsewhere on land at Broadway's edge, I consider that these may provide circumstances where I would not argue that the case for a landscape objection is so strong as to provide an over-riding basis for refusal of this application.

Local Lead Flood Authority:-

No objections to the application as submitted provided that a drainage condition is imposed requiring details of surface water drainage details and details of its maintenance and management of the for the lifetime of the development to be agreed in writing.

Environment Agency:-

Comments have not been received under this application. The application was discussed with the Environment Agency who confirmed that previous comments apply.

Previous comments- No objections subject to a condition requiring that levels within the open space are not raised. Standard informatives are recommended relating to pollution prevention, land drainage consent, and ecology.

Wessex Water:-

No objections. Standard informatives recommended in relation to connection to existing infrastructure.

SSDC Ecologist:-

Previous comments apply- No objections subject to recommended conditions relating to landscaping details, including ecological enhancements and management of the open space and a slowworm survey/protection measures to be carried out.

SCC Rights of Way:-

Commented that the development will obstruct the footpaths. Further commented that no objections are raised provided that the applicant is informed that a diversion order is applied for.

SSC Archaeology:-

No objections

SSDC Sports, Art and Leisure:-

Request a total contribution of £2,889.00 per dwelling towards local and strategic facilities with an overall total contribution of 28,894.00 (assuming 10 dwellings are built).

Breakdown as follows:

Local facilities:

Equipped play space- £23,705

Strategic Facilities: Nil

Commuted sum total- £4903.00 (play areas, youth facilities, playing pitches/changing rooms)

Conservation Officer:-

Comments on previous proposal:

There are some historic properties close to the site, with the Almhouses being listed. These are opposite the site and set back, fronted by a hedge. The site is at a transition point in the village where the stone walls to the front of dwellings change to hedges. There are a number of modern properties to the west of

the site.

The new access would result in the loss of a section of wall to the front of the pub car park which is to the west of the building. There is no wall to the front of the public house, this area may have been marked out for off road parking, but on my visits I have not seen it is use as such.

There are clearly a number of planning issues to be considered, with my remit relating to the setting of the listed building. We have a statutory duty to have special regard to the setting of listed buildings, with the NPPF giving great weight to the conservation of heritage assets. Any harm results in a statutory objection which has to be weighed against the public benefits.

In this case the alterations are not to the buildings, or within the curtilage, but are indirectly across the road. It is difficult to read the new access and the listed building together. There is no inter-visibility. Therefore for me, the issue is whether the alterations to the street scene are harmful to the wider setting.

The drawing we have is indicative, but shows what we would largely expect of an estate road. The roadside wall is regularly punctuated by drives and accesses, some built with waiting bays. The wall to the public house is missing across the front of the building opening the road out. Walls would be rebuilt, but could perhaps be longer and better positioned.

In context I do not see that this access is, in principle, harmful to the setting of the listed building.

I do see that this drawing for information does leave some queries: The walls should be to the back of the pavement and should continue into the new road. I would like to see as much of the front of the public house with a wall, but this may not be within the control of the applicant. The tactile surfacing needs thought, as it may be implemented in a way which is somewhat stark. How the pavement is handled across the pub frontage needs careful thought so as that the engineering and design are also not too overt. In summary we need to ensure the access blends in as it should.

(Case officer comment: The paragraph below from the Conservation Officer is in response to comments from the Parish Council that the Conservation Officer had previously objected to almost all housing proposals where there were grade II listed buildings in close proximity, including the Vardens Farm application).

With regard to Vardens Farm, my view is not in relation to views of the Church, but how the village would be moving towards an historically isolated church building, which has a much wider setting than the Almhouses".

Crime Prevention Design officer:

I would seek to clarify the proposed access to the play area and school?

REPRESENTATIONS

Following consultation objections have been received from 6 nearby properties. The following objections are raised:

- Concerns over density
- Concerns over cumulative number of dwellings being developed in Broadway/change in character of the village.
- Loss of green space.
- Dangerous access from Broadway Road- busy, narrow, congestion, inadequate pedestrian facilities, additional traffic from other developments.
- The field flooded during the winter of 2013/14.
- The development could increase flood risk in the area.

- Wildlife along the river should be protected.
- Inadequate sewerage infrastructure causing problems at Suggs Lane.
- Unsustainable location- not enough amenities.

CONSIDERATIONS

Sustainability of the settlement:

It is considered that Broadway is a sustainable location for housing development given the facilities that the village provides. In terms of connectivity to facilities, the school is located approximately 150 metres to the east of the site and is accessible for pedestrians via a footway. Additionally there is a GP surgery, village hall and play area within a short walk of the site. Overall the proposed site accords with planning guidance which supports the principle of housing where it is located within settlements that have a reasonable level of services and facilities rather than more remote locations in the open countryside.

It is further noted that in allowing the appeal for the adjoining site, the planning inspector for the scheme of up to 16 dwellings stated that:

"The proposed mix of affordable and open market housing would increase the overall sustainability of the settlement, including support for key services. The proposal would not undermine the sustainability of Broadway".

Number of dwellings proposed:

The applicant has not submitted an indicative layout, however these details would be part of a reserved matters submission. The application is for up to 10 dwellings within the site. It would be for a developer to assess the market demand which would affect the composition and final number of dwellings proposed.

Landscape Character/ Visual amenity/Listed Building:

The Landscape Officer has noted the amendments to the scheme compared to the previous proposal for 25 dwellings and comments on the sites characteristics as contributing to local distinctiveness and being a component of a strategic landscape space between Broadway and Horton and on this basis that an in-principle case for refusal against Policy EQ2 could be made.

In terms of the detail of the proposal, the submitted plan indicates that development would be constrained within the north eastern edge of the open space and the Landscape Officer notes that this would assist in assimilating the development into its wider context. Overall, considering the lack of 5 year land supply and the relationship to other 'modern' development to the west of the site it is considered that the development represents an appropriate 'rounding off' of development in this location. The finding of some landscape impacts as a result of the development would not be sufficient to warrant a refusal particularly given the positive weighting that is given to the benefits of housing whilst the Council cannot demonstrate a 5 year land supply. Accordingly it is considered that the proposal would accord with Policy EQ2 of the South Somerset Local Plan (2006-2028).

Listed Building:

There is a grade II listed building located to the northern side of Broadway Road. The Councils Conservation Officer considered that with appropriate treatment of boundary walls and highway details such as appropriate tactile paving and materials to the pavement in front of the public house the proposal would be acceptable. It is considered that given the limited scale of the access and the partially modern context it is considered that there would be no harm to the setting of the listed building as a result of the proposal.

Highway Safety:

Objections have been raised over the increase in traffic on Tanyard and parking along with the general increase of traffic within the village itself. The County Highway Authority have confirmed that they have no objections to the proposal subject to conditions relating to various technical matters.

Whilst not raised by the Highway Authority under the previous application, under this proposal concern was raised over the lack of clarification on the access plan in terms of whether cars would access the four spaces to the side of the public house via the estate road or via the existing entrance at the front of the public house. In response to this the applicant has liaised with the Highway Authority to amend the plans. Amended plans were received which illustrate access for 2 spaces from the estate road and 2 spaces from Broadway Road. The Councils Highway Consultant has commented that there is no impediment to vehicles between these two banks of spaces. A planning condition is therefore recommended in order to provide measures to prevent any inter-routing of vehicles between the two banks of parking. In relation to the amended plans, the Highway Authority have commented that these amendments are acceptable. These amended plans have been circulated on a 14 day re-consultation. Members will be provided with a verbal update on the responses to the re-consultation at committee.

The amended site plan illustrates a 600mm high wall running along the frontage with Broadway Road and turning along the site of the estate road upto the 2 parking spaces. The Councils Highway Consultant has commented that the proposed stone wall fronting Broadway Road can be 0.9 metres high and it is considered that this would be a more acceptable compromise given the character of the area and the sensitivities of the site opposite to a Grade II Listed Building. An amended plan will be sought illustrating this detail and members will be provided with a verbal update at the committee meeting. It is considered necessary and reasonable to include an addition planning condition relating to further details of this boundary and the boundary arrangements to the side of the adjoining dwelling, Norbeth. The wording of this condition will be provided to members at the committee meeting.

Objections have been raised in relation to the impact on residents cars parked opposite the proposed access which is a parking area generally used by occupants of Every's Alms houses. The Highway Authority are satisfied that the manoeuvre can be carried out safely. Additionally this issue has been discussed with the Councils Highway consultant who is satisfied on the basis of the swept path analysis plan that a large refuse vehicle turning right would not conflict with cars parked outside the Alms houses.

Residential Amenity:

Objections have been raised with regard to the general disturbance from the increase in traffic, lighting, and disturbance whilst construction works take place and once the new houses are occupied. The site lies alongside an existing residential area and as such it is considered that once constructed the level of disturbance will not be above and beyond the general expectation within a residential area. A construction Environmental Management Plan is proposed which will assist in limiting the impact of the development during the construction phase.

Flooding/sewerage infrastructure: Objections have been received with regard to flooding of both the site from the river Ding, foul water flooding from the sewer pipes along with ground water flooding within the site.

The Environment Agency have raised no objection to the proposal subject to conditions and informatives. The condition would require that no part of the open space is raised above the pre developed level as any raising of ground level could deflect flood waters to other areas.

Wessex Water has been consulted and do not object as there is sufficient capacity in the local sewer network. Informatives are recommended in relation to consents for connecting to existing infrastructure.

Contaminated Land:

Some concern was expressed by the Environmental Protection Department (EPU) in relation to the potential for contamination due to the proximity of the old tannery which was located to the west of the site. Accordingly, EPU have suggested a condition to report certain findings once the development is commenced.

Ecology:

The councils ecologist does not object to the proposal subject to conditions being included within the decision notice. The area is identified as being a foraging and commuting route for bats particularly

along the southern boundary and eastern and western hedgerow boundaries. The provision of buffers to the eastern and western boundaries can be secured through a condition. The 50 metre buffer to the river and a lighting strategy for the development will ensure that appropriate mitigation is undertaken for bats.

The ecology survey concludes that there are small areas that may be a suitable habitat for slowworms. The Councils Ecologist has commented that a reptile survey should be secured through a planning condition which would also secure a method statement and mitigation plan should their presence be confirmed. This approach is consistent with the approach taken by the Planning Inspector on the adjacent site and is considered appropriate given the small scale of the potential habitat in relation to the wider site.

The Councils Ecologist has requested a further planning condition requiring a management plan for the open space, including ecological enhancements.

Rights of way:

The County Council Rights of Way Department do not object subject to an informative relating to the need to divert several of the footpaths. The footpaths would have to be carefully considered prior to submission of the reserved matters application. It is considered that there are no reasons why the footpaths cannot be accommodated acceptably within the reserved matters submission.

The footpath to the south of the dwellings would not require diversion as it is located within the open space.

Developer Obligations:

Paragraph 204 of the NPPF makes clear that planning contributions should only be sought in order to make development acceptable in planning terms and be directly related to the impacts of that development. In line with NPPG guidance the contributions identified do not include tariff based contributions that contribute to a 'pooled funding pot'.

The Councils Sports and Leisure department have assessed the impact of the proposals and liaised with the local community to identify specific local projects for improving and securing local facilities in order to mitigate the impacts of the development.

An overall contribution of £2,889.00 per dwelling is sought. The figure is expressed on a per dwelling basis as the set number of dwellings that may come forward at reserved matters stage is not known.

Overall it is considered that the contributions and their supporting evidence as set out by the Councils Community, Health and Leisure department would accord with the appropriate requirements of Regulations 122 and 123 of the Community Infrastructure Levy Requirements 2010 (as amended).

CONCLUSION

It is considered that provision of up to 10 dwellings would be acceptable in principle within this sustainable location. The means of access has been considered by the Highway Authority and is considered to have no adverse impact on highway safety. Financial contributions towards local facilities are considered necessary to mitigate the impact of the development.

Section 106 Planning Obligations:

The application be approved subject to:

a) the prior completion of a section 106 planning obligation (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued, the said planning permission to cover the following items/issues:

1 Contribution of £2,889.00 per dwelling towards local facilities.

b) The following conditions as outlined below:

RECOMMENDATION

Approve subject to conditions and 106 obligations.

SUBJECT TO THE FOLLOWING:

01. Approval of the details of the layout, scale and external appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To accord with the provisions of Article 4 (Article 5) of the Town and Country Planning (Development Management Procedure) Order 2015.

02. The reserved matters submission shall be for residential development not exceeding 10 dwellinghouses or 1,000 square metres of floorspace.

Reason: To ensure an appropriate levels of planning obligations in accordance with the relevant sections of the NPPG and the National Planning Policy Framework.

03. At the proposed access there shall be no obstruction to visibility greater than 300 millimetres above adjoining road level within the visibility splays shown on the submitted plan Drawing Number 14934/03/T01. Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

Reason: Reason: In the interests of highway safety and general amenity to accord with Policy TA6 and EQ2 of the South Somerset Local Plan (2006-2028).

04. No development shall commence unless a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved plan. The plan shall include:
- Construction vehicle movements; - Construction operation hours; - Construction vehicular routes to and from site; - Construction delivery hours; - Expected number of construction vehicles per day; - Car parking for contractors; - Specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice; - A scheme to encourage the use of Public Transport amongst contractors; and - Measures to avoid traffic congestion impacting upon the Strategic Road Network.

Reason: In the interests of highway safety and general amenity to accord with Policy TA6 and EQ2 of the South Somerset Local Plan (2006-2028).

05. The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus laybys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason: In the interests of highway safety to accord with Policy TA6 of the South Somerset Local Plan (2006-2028).

06. The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served

by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

Reason: In the interests of highway safety to accord with Policy TA6 of the South Somerset Local Plan (2006-2028).

07. No work shall commence on the development site until details of the footway to be provided along Broadway Road. No part of the development hereby permitted shall be occupied until the approved footway has been constructed.

Reason: In the interests of highway safety to accord with Policy TA6 of the South Somerset Local Plan (2006-2028).

08. The landscaping scheme required by condition 1 shall include the retention of the existing hedges to the east and western site boundaries and details of measures for their protection in the course of the development and measures for the protection of any trees within the development site. The landscaping scheme shall include details of any changes proposed in existing ground levels, the construction, location and finish of footpaths through the open space and proposed planting, seeding and turfing. The landscaping scheme shall be carried out and completed in accordance with a timetable to be agreed in writing. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Policy EQ2 of the South Somerset Local plan (2006-2028).

09. No work shall commence on the development site until an appropriate right of discharge for surface water has been obtained before being submitted to and approved in writing by the Local Planning Authority. A drainage scheme for the site showing details of gullies, connections, soakaways and means of attenuation on site shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety to accord with Policy TA6 of the South Somerset Local Plan (2006-2028).

10. No development shall be commenced until surface water drainage details together with a programme of implementation; maintenance and management of the sustainable drainage scheme, for the lifetime of the development have been submitted to and approved by the Local Planning Authority. Such works shall be carried out in accordance with the approved details. These details shall include: - Information about the design storm period and intensity, discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance (6 metres minimum), the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters. - Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant). - Flood water exceedance routes, both on and off site, note: no part of the site shall be allowed to flood unless specifically designed to do so. - A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Residents' Management Company and /

or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development.

Reason: To ensure that the development is served by a satisfactory system of surface water drainage, constructed to the approved details, thereafter implemented, retained, managed and maintained as per the approved details for the lifetime of the development and in accordance with paragraph 17 and sections 10 and 11 of the National Planning Policy Framework, Paragraph 103 of the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework (March 2015).

11. The development hereby permitted shall not be commenced (including any ground works or site clearance) until a survey to determine presence/absence of slow worms and if present, a mitigation plan or method statement detailing measures to avoid harm to slow worms, has been submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved details and timing of the mitigation plan / method statement, unless otherwise approved in writing by the local planning authority.

Reason: For the protection and conservation of priority species in accordance with policy EQ4 of the South Somerset Local Plan, NPPF and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

12. The layout of the site shall include the provision of buffers to the existing hedges to the east and western boundaries in accordance with details that shall be submitted and approved in writing by the Local Planning Authority. A scheme of ecological enhancement measures that shall include a scheme for the eradication of Himalayan balsam and fencing to prevent access to the river bank and the provision of bat and bird boxes shall be submitted and approved in writing by the Local Planning Authority.

Reason: For the protection and conservation of priority species in accordance with policy EQ4 of the South Somerset Local Plan, NPPF and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

13. No development shall commence until details of a lighting strategy, designed to be sensitive to bats, and the timing of any construction works during the period March to October (inclusive), has been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: For the protection and conservation of priority species in accordance with policy EQ4 of the South Somerset Local Plan, NPPF and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended).

14. There shall be no land raising in the areas defined at flood risk on the Environment Agency Flood Map for Planning (Rivers and Seas). Reason: To ensure there is no additional flood risk as a result of the development in accordance with Policy EQ2 of the South Somerset Local Plan (2006-2028). In the event that any signs of pollution such as poor plant growth, odour, staining of the soil, unusual colouration or soil conditions, or remains from the past industrial use, are found in the soil at any time when carrying out the approved development it must be reported in writing within 14 days to the Local Planning Authority (LPA). The LPA will then consider if the findings have any impact upon the development and development must be halted on that part of the site. If the LPA considers it necessary then an assessment of the site must be undertaken in accordance with BS10175. Where remediation is deemed necessary by the LPA a remediation scheme must be submitted to and approved in writing by the LPA and then implemented in accordance with the submitted details.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with Planning Policy EQ7 of the South Somerset Local Plan (2006-2028).

15. No development shall be commenced until details of development for the purpose of physically segregating the two parking spaces to be accessed from the proposed estate road from the two parking spaces accessed from Broadway Road, as shown on plan No. 14934/05/T02, have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details prior to the parking spaces first being brought into use and shall remain in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety to accord with Policy TA6 of the South Somerset Local Plan (2006-2028).

Informatives:

01. The applicant is advised that there must be no building within 3 metres of existing sewers crossing the site and no tree planting within 6 metres. There must be no surface water connections to these existing sewers. The discharge of surface water at an attenuated rate to a watercourse will require the approval of the Planning Authority and the Local Lead Flood Authority. The applicant is further advised to consult with Wessex Water for further advice in relation to adoptable standards for drainage.
02. Further advice on the Himalayan Balsam on the legal position and how to deal with it can be found at: <https://www.gov.uk/guidance/prevent-the-spread-of-harmful-invasive-and-non-native-plants>
03. Land Drainage Consent
Under the terms of the Land Drainage Act 1991 the prior written Land Drainage Consent of the Lead Local Flood Authority (Somerset County Council in this case) is required for any proposed works or structures that could affect the flow of an ordinary watercourse (all non-main river watercourses/streams/ditches etc). To discuss the scope of their controls and please contact Flood Risk Management Team at Somerset County Council.

Pollution Prevention During Construction

Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site.

Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. We recommend the applicant refer to our Pollution Prevention Guidelines, which can be found at:

<https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>

Waste Management

Should this proposal be granted planning permission, then in accordance with the waste hierarchy, we wish the applicant to consider reduction, reuse and recovery of waste in preference to offsite incineration and disposal to landfill during site construction.

If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If the applicant require more specific guidance it is available on our website <https://www.gov.uk/how-to-classify-different-types-of-waste>

04. The applicant is advised that the provision of the footway works will require a legal agreement

and contact should be made with the Highway Authority well in advance of commencing the works so that the agreement is complete prior to starting the highway works.
