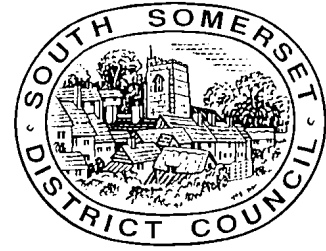


South Somerset District Council

Notice of Meeting



Area East Committee

Making a difference where it counts

Wednesday 10th August 2016

9.00 am

**Council Offices
Churchfield
Wincanton
BA9 9AG**

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



Members listed on the following page are requested to attend the meeting.

The public and press are welcome to attend.

Please note: Consideration of planning applications will commence no earlier than **10.15am**.

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, **Kelly Wheeler 01935 462038**, website: www.southsomerset.gov.uk

This Agenda was issued on Monday 1 August 2016.

Ian Clarke, Assistant Director (Legal & Corporate Services)

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



Area East Committee Membership

Mike Beech
Tony Capozzoli
Nick Colbert
Sarah Dyke

Anna Groskop
Henry Hobhouse
Tim Inglefield
Mike Lewis

David Norris
William Wallace
Nick Weeks
Colin Winder

South Somerset District Council – Council Aims

South Somerset will be a confident, resilient and flexible organisation, protecting and improving core services, delivering public priorities and acting in the best long-term interests of the district. We will:

- Protect core services to the public by reducing costs and seeking income generation.
- Increase the focus on Jobs and Economic Development.
- Protect and enhance the quality of our environment.
- Enable housing to meet all needs.
- Improve health and reduce health inequalities.

Scrutiny Procedure Rules

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

Consideration of Planning Applications

Members of the public are requested to note that the Committee will break for refreshments at approximately **10am**. Planning applications will not be considered before **10.15am** in the order shown on the planning applications schedule. The public and representatives of Parish/Town Councils will be invited to speak on the individual planning applications at the time they are considered. Anyone wishing to raise matters in relation to other items on the agenda may do so at the time the item is considered.

Highways

A formal written report from the Area Highways Officer should be on the main agenda in May and November. A representative from the Area Highways Office should attend Area East Committee in February and August from 8.30am to answer questions and take comments from Members of the Committee. Alternatively, they can be contacted through Somerset County Council on 0300 123 2224.

Members Questions on reports prior to the meeting

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

Information for the Public

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

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

At area committee meetings members of the public are able to:

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

Meetings of the Area East Committee are **normally** held monthly at 9.00am on the second Wednesday of the month in the Council Offices, Churchfield, Wincanton (unless specified otherwise).

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

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

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

Public Participation at Committees

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

Public Question Time

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

Planning Applications

Comments and questions about planning applications will be dealt with at the time those applications are considered, when planning officers will be in attendance, rather than during the Public Question Time session.

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

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

The order of speaking on planning items will be:

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

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

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

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

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

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

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

Area East Committee

Wednesday 10 August 2016

Agenda

Preliminary Items

1. Minutes of Previous Meeting

To approve as a correct record the minutes of the previous meeting held on Wednesday 13th July.

2. Apologies for absence

3. Declarations of Interest

In accordance with the Council's current Code of Conduct (adopted July 2012), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting. A DPI is defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2112 (SI 2012 No. 1464) and Appendix 3 of the Council's Code of Conduct. A personal interest is defined in paragraph 2.8 of the Code and a prejudicial interest is defined in paragraph 2.9.

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

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

Planning Applications Referred to the Regulation Committee

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

Councillors David Norris, Sarah Dyke-Bracher, Tony Capozzoli and Nick Weeks.

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

4. Public Participation at Committees

a) Questions/comments from members of the public

b) Questions/comments from representatives of parish/town councils

This is a chance for members of the public and representatives of Parish/Town Councils to participate in the meeting by asking questions, making comments and raising matters of concern. Parish/Town Council representatives 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. The public and representatives of Parish/Town Councils will be invited to speak on any planning related questions later in the agenda, before the planning applications are considered.

5. Reports from Members Representing the District Council on Outside Organisations

6. Date of Next Meeting

Members are asked to note that the next scheduled meeting of the committee will be at the Council Offices, Churchfield, Wincanton on Wednesday 14th September at 9.00 am.

7. Chairman Announcements

Items for Discussion

8. Area East Community Funding Support Schemes 2015/16 (Pages 9 - 13)

9. Heart of Wessex Rail Partnership Update (Pages 14 - 33)

10. Community Offices Update (Pages 34 - 39)

11. Area East Committee Forward Plan (Pages 40 - 41)

12. Planning Appeals (For information only) (Pages 42 - 65)

13. Schedule of Planning Applications to be Determined by Committee (Pages 66 - 68)

14. **16/00677/FUL - Land OS 3969 Devenish Lane, Bayford, Wincanton** (Pages 69 - 76)
15. **16/02009/S73 - Crofters, Higher Holton Lane, Holton** (Pages 77 - 81)
16. **16/02563/FUL - Casa Mdena, Camel Street, Marston Magna** (Pages 82 - 86)
17. **16/02257/FUL - New Barn, Sunnyhill Farm, Riding Gate** (Pages 87 - 91)

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

This does not apply to decisions taken on planning applications.

Recording and photography at council meetings

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

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

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

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

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Agenda Item 8

Area East Community Funding Support Schemes 2015/16

Assistant Director: Helen Rutter, Assistant Director (Communities)
Service Manager: Tim Cook, Area Development Lead - East
Lead Officer: Tim Cook, Area Development Lead - East
Contact Details: tim.cook@southsomerset.gov.uk 01963 435088

Purpose of the Report

To give a summary of community projects and activities from across the area supported with grants during 2015/2016 and to highlight some of the outcomes for communities.

Public Interest

The report and presentation identify the community benefits of the community projects supported in Area East last year.

Recommendation

That Members note the report.

Background

The provision of grant aid is a key part of the work that we do to support and help improve the work of voluntary community organisations in the towns and villages across Area East. Community and Leisure Capital Grant applications are considered twice a year in June and December. Capital projects requiring grants of up to £1,000 can be dealt with at any time and are subject to Ward Member agreement.

Requests from community organisations for non-capital works are now restricted to small grants of up to a maximum of £1,000.

The approach that we promote is to encourage applicants to use SSDC funding to encourage investment from other external sources. As a result of advice given to groups the proportion of Area East funding required can be reduced significantly and leverage figures are presented in the report. A number of groups have also received non-financial support (photocopying, equipment, loans etc) throughout the year.

Overview of projects supported

The attached appendices detail the Community projects that have been supported through the Area East Community Grants programme during 2015-16

The information has been compiled from the following budgets:

- Area East Capital
- Community grants budgets

Funding Leverage

SSDC grants policies allow a contribution of up to 50%. However, Neighbourhood Development Officers work with local groups to identify and secure other sources of funding in order to maximise external investment and minimise the call on grants budgets.

Area East Committee agreed contributions totalling £46,058 towards 17 projects with combined total project costs of £370,888. SSDC spend represents 13% of total project costs.

Small grants awards from the Community Development budgets supported 10 groups with grants totalling £7445. This equates to 24% of the total project costs. A further £10,000 was awarded to the Balsam Centre towards the 'Like Minds' project.

Seven capital grants totalling £38,613 were awarded to project with a total cost of £337,993 which clearly demonstrates how SSDC grants can be used to encourage community activity and financial investment in the area.

Of the 14 projects supported by Area East through the Small grants scheme, 12 have been completed.

Of the 7 projects supported through the Community & Leisure Capital budget, 5 have been completed.

In addition to the grants awarded, support and advice has been given to community groups in Area East to enable them to complete projects within their Town or Parish without the need for grant assistance. Each case is discussed to agree the type of support needed to help them achieve their goals.

Section 106

In addition to SSDC grant support, £18,763.82 secured through local development through section 106 has been spent as a contribution towards village hall and playing field improvements in Barton St David.

Financial Implications

No additional implications – all grants are met out of existing budgets.

Corporate Priority Implications

This work contributes towards increasing economic vitality and prosperity and ensuring safe, sustainable and cohesive communities.

Carbon Emissions & Adapting to Climate Change Implications

Improved local provision of facilities and activities within each village or town and increasing local participation reduce the need to travel.

Equality and Diversity Implications

All grant applications are assessed against a set of criteria and equality is a significant factor of the assessment process.

Other Implications: None.

Background Papers: *Funding Support Applications, Files and Area East Financial Spreadsheets*

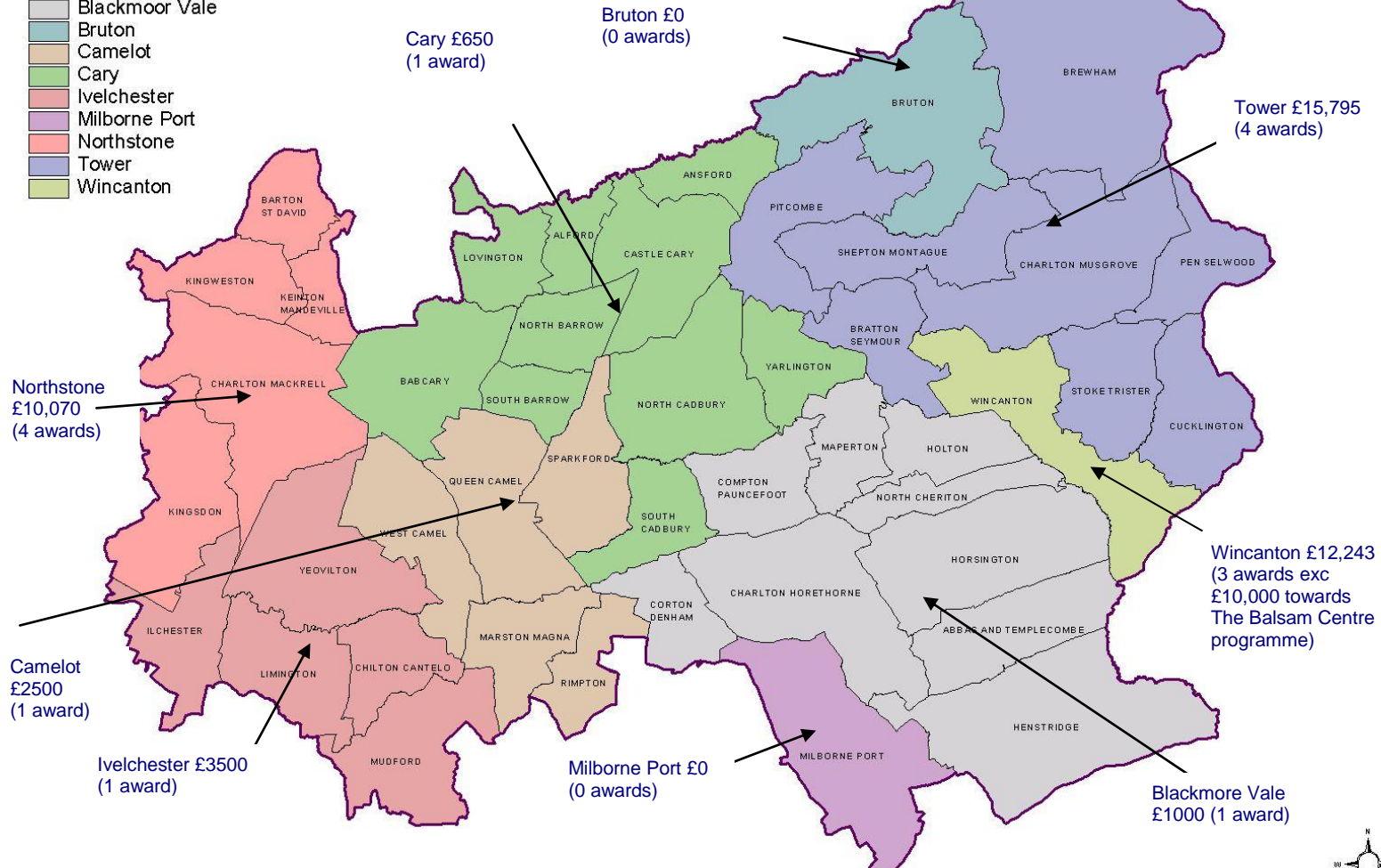
Appendix 1

COMMUNITY & LEISURE CAPITAL GRANTS						
Applicant	Ward	Project	Amount of award £	Total project costs £	Project complete	Status
Sparkford Cricket Club	Camelot	Kitchen/toilets/store project	2500	5230	Yes	Work complete
Mudford Parish Council	Ivelchester	Flashing Speed signs	3500	8010	Yes	Signs installed
Bayford Mission Hall Society	Tower	Purchase and refurb of Bayford Chapel	11000	76000		Purchase complete, work due to start.
Trustees of Hadspen Village Hall	Tower	Storage at Hadspen VH	3000	11,100		Work started.
Barton St David VH&PF charity	Northstone	Playground improvement	1570	30089	Yes	Work complete
Wincanton Town Council	Wincanton	Cale Park	10,043	184,043	Yes	Completed. Formal opening on 25 th Aug. 2016.
Kingsdon Centre Ltd	Northstone	Improvements to Village shop	7000	23521	Yes	Work complete.
SMALL GRANTS						
Applicant	Ward	Project	Amount of award £	Total project costs £	Project complete	Status
Chapel Cross Tea Rooms	Cary	Programme of community arts projects	650	2200		Community Opera taken place. Other events planned.
The Charltons Parish Council	Northstone	Parish Plan	500	1200		Work on the plan is ongoing. Due to be completed by the end of 2016.
Milborne Port Parish Council	Milborne Port	Parish Plan update	1000	2000		Planning for Real exercise at MP fete was a success. Questionnaire being produced.
Charltons Parish Council	Northstone	Car park improvements	1000	6126		Work completed. Grant to be claimed.

Pitcombe PC	Tower	Parish Plan	956	2099		Plan complete and endorsed.
Charlton Musgrove PC	Tower	The Smithy Project	839	1839		Surveys completed.
Wincanton Carnival Club	Wincanton	Startup costs of new carnival	1000	2300		Carnival was a success and grant claimed.
Wincanton Community Church	Wincanton	Holiday Club	200	610		50 young people attended the week of activities.
Wincanton British Legion	Wincanton	Tribute Book	1000	3020		Book completed.
Life Education Wessex	Various	Programme of school visits	300	11700		School visits undertaken

Funding awards made in Area East 2015/16

- Parishes
- Area East Wards
- Blackmoor Vale
- Bruton
- Camelot
- Cary
- Ivelchester
- Milborne Port
- Northstone
- Tower
- Wincanton



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Agenda Item 9

Heart of Wessex Rail Partnership Update (Executive Decision)

Assistant Director: Helen Rutter, Communities
Service Manager: Helen Rutter, Area East Development Manager
Lead Officer: Helen Rutter, Area East Development Manager
Contact Details: helen.rutter@southsomerset.gov.uk or (01963) 435012

Purpose of the Report

To receive a summary of the work undertaken by the Heart of Wessex Rail Partnership during 2015/16. To consider making a partnership contribution for 2016/17.

Public Interest

The Area has 2 stations on the line at Bruton and Castle Cary. The Partnership actively supports community involvement in improving the stations and encouraging local communities and visitors to utilise the line for a wide range of trips and journeys. The Partnership is resourced by contributions from local authorities, match funded by the rail operator Great Western Railway and a large group of volunteers who offer their time and expertise.

Recommendations

That members:

- 1) Note the work undertaken by the Partnership in 2015/16 and that a similar report will be taken to Area South Committee
- 2) Approve a funding contribution of £2000 from the Members' discretionary budget for 2016/17

Background

Accountability and financial support for the Heart of Wessex Rail Partnership is shared between Area East Committee (2 stations along the line) and Area South Committee (one station).

The line has been supported by a partnership of local authorities along the route since 1998 but was revised and expanded in 2003, with an action plan to:

- 1) Widen the Partnership to include local communities and to improve the understanding of and response to local needs along the line
- 2) Improve quality and availability of information promoting the line and its destinations and raise the profile of the service as an alternative to the private car
- 3) Improve station environments & facilities and access to them by other modes of travel

In the last 13 years the Partnership has developed its community arm with significant station investment, improvements to access, promotion and better information from local community groups along the line, including a large number of regular volunteers. The community representatives have their own working group, meeting three times per year with the train operator and Network Rail.

In October 2011 the line received designation as a community rail service in recognition of its strong support from partner authorities and communities themselves. This gives greater freedom to the operator and community in running the service and stations. The national

objectives for community rail development are to increase revenue, manage down costs and encourage greater community involvement in the local railway

Activities and Results of the Partnership's work

The following headlines are drawn from the 2015/16 Annual Partnership report (Appendix 1):

- In the year to March 2016, for the first time since 2003, annual passenger journeys on the line contracted from 2,047,000 to March 2015 to 1,957,900 to March 2016 (4.4% down). Total Severn & Solent journeys of 14,271,200 in the year to March 2015 reduced to 13,655,500 to March 2016 (4.2% down).
- The reduction in passenger journeys is mainly attributable to the Temporary Period of Disruption relating to the major programme of electrification for parts of the Great Western network. July to September 2015 saw 87,000 fewer journeys on the Heart of Wessex Line than in the previous year.
- It is worth noting, however, that even allowing for the impact of the major engineering works, April 2015 to end March 2016 is the 2nd year in a row that the line has failed to outperform the regional average as it had previously consistently done and there may be some capacity constraints to continued future growth at the exceptional levels achieved between 2003 and 2014.
- For the first time in several decades some additional services were introduced to the Heart of Wessex line in 2015/16. Most notably summer Sunday services to Weymouth were extended to run from Easter Sunday to the end of October and will run all year in 2017.
- SWT introduced four services (1 southbound and 3 northbound) to a section of the line from December 2015, which do help to reduce some later afternoon/early evening gaps for Somerset stations.
- The Bruton and Castle Cary gardens continue to be tended & enhanced by the volunteers. At Castle Cary the community continue to maintain the walking route to town, including laying gravel to improve drainage under the kissing gate, replacing way marking discs and keeping the vegetation cut back.
- A banner for Yeovil Pen Mill, created for the Community Rail Conference in March, has been designed to last a few seasons. A high quality renovation of the whole station was undertaken during February by the GWR team and new "barrel train" planters (made from old whisky casks & also painted up in the new GWR colours) were installed.
- Joint Task Forces, where volunteers from stations along the line tackle larger projects, took place at Yeovil Pen Mill between April and September 2015. In April 2015 Yeovil in Bloom trained Friends to sow Meadow Mix with lovely results through summer 2015.
- A new project to adopt the station frontage was begun in February 2016 with Lufton College students taking on litter picking, planting and maintenance of "their" train and sowing of new meadow mix for spring.
- GWR's Community Rail Conference selected Yeovil as the first destination for the its new approach, which will circulate between the regions covered by the company's 5 Community Rail Partnerships.
- The Partnership produces the Bristol to Weymouth line guide 3 times a year in editions of just over 35,000 each, distributed through council & community offices, TICs, shops, pubs and volunteers across the GWR station network. 2015/16 editions focused on events, shopping and days out.
- Direct community involvement in the line includes 118 volunteers who gift over 13,000 hours of their time to enhancing stations, helping to improve customer information and promoting use of the line to the benefit of their local economies.

Looking Forward

For 2016/17 the Partnership chairmanship has passed from Wiltshire to Somerset. This is a welcome development in view of the overriding priority to seek increased services on the line. The long term objective remains to achieve an hourly service.

The following funding bids have been submitted:

- The Partnership is seeking £6,000 from GWR to install running in boards at Castle Cary and Yeovil Pen Mill stations
- A request has been made to GWR to explore the feasibility of south side passenger access at Bruton railway station. This will proceed this autumn and we hope will result in a costed proposal

Funding Support

The annual running cost of the Partnership in 2015/16 was £69,000. This covers: the salary of the Rail Partnership Officer; the printing and promotion of the line guide; upgrades to the Partnership website and a local grants scheme of £10,000 pa to enable the Partnership to match fund local community-led station initiatives. There is a formal Partnership Agreement through which the Unitary/County Authorities with responsibility for Local Transport Plans put in the greatest contribution and participating Districts a lesser amount. The biggest annual funding contributor is Great Western Railway at £26,250 although they are not signatories to the partnership agreement. The total funding expected in 2016/17 is £71,000 including some funding for small projects made available by GWR to enable some additional implementation of minor station improvements.

Financial Implications

There is £10,200 unallocated in the Members' discretionary budget for 2016/17. Under the terms of the Partnership Agreement it is requested that a sum of £2,000 is awarded as a partnership contribution by the Committee for this financial year. If approved a sum of £8,200 will remain unallocated.

Corporate Priority Implications

4. Ensure safe, sustainable & cohesive communities

Carbon Emissions & Climate Change Implications

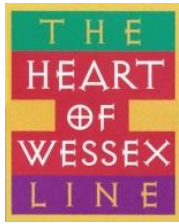
Maximising train travel reduces car journeys and congestion and therefore has a beneficial effect on carbon emissions

Equality and Diversity Implications

A local train service provides these towns with an alternative to car travel for people without their own independent transport. The Partnership has produced its line guide in large format type for easy reading and this is replicated on its website. The train stations themselves have limited access for those with mobility problems on certain platforms.

Background papers

SSDC Partnership Review April 2011, Report to AEC July 2011; Report to AEC December 2011; Report to AEC May 2013; Report to AEC August 2014; Report to AEC August 2015;



THE HEART OF WESSEX RAIL PARTNERSHIP



2015/2016

ANNUAL REPORT

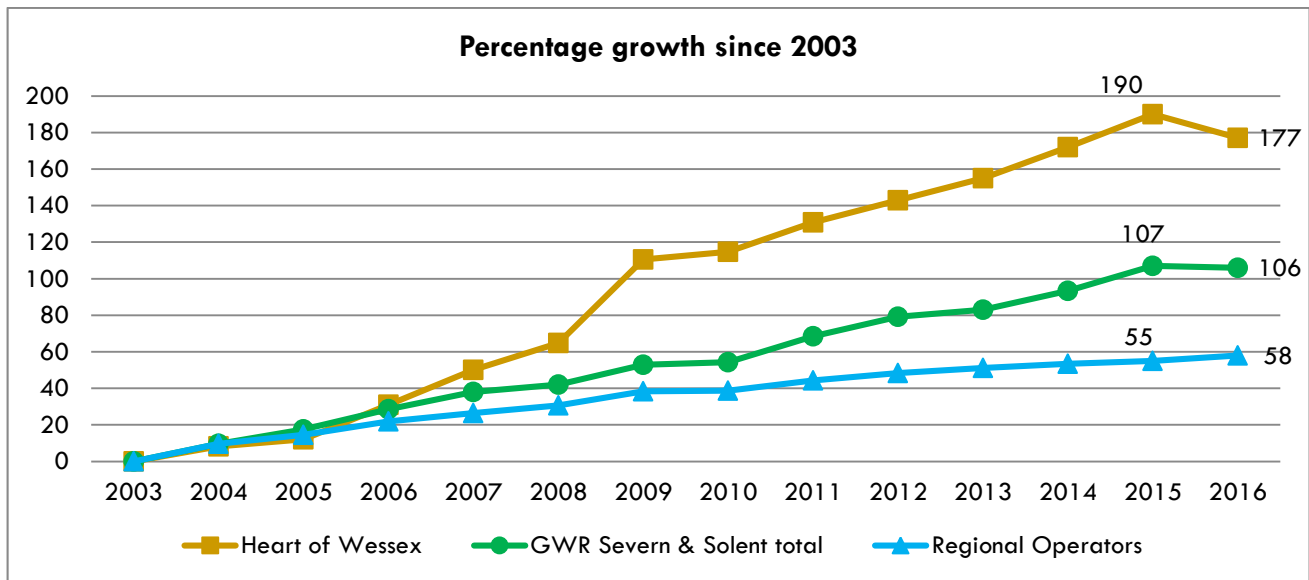


The Heart of Wessex Rail Partnership is a joint venture between:

Bristol City Council, Bath & North East Somerset Council, Wiltshire Council, Somerset County Council, South Somerset District Council, Dorset County Council, West Dorset District Council and Great Western Railway

The overall objective of the partnership since 2003 has been to raise awareness and use of the Bristol to Weymouth rail services, by marketing the line, enhancing stations and access to them and working with local communities. Funding partners agree a **LINE PLAN**, updated annually, outlining priority areas of work for the partnership. Direct community involvement in the line includes 118 volunteers who gift over 13,000 hours of their time to enhancing stations, helping to improve customer information and promoting use of the line to the benefit of their local economies. Representatives from local communities come together as the **COMMUNITY RAIL WORKING PARTY (CRWP)** producing a regularly updated action “**MATRIX**” of short, medium and longer term projects, local needs and aspirations. The latter generates the **COMMUNITY WISH LIST** which is a key reference point for deciding project investment priorities.

RESULTS to 1st April 2016



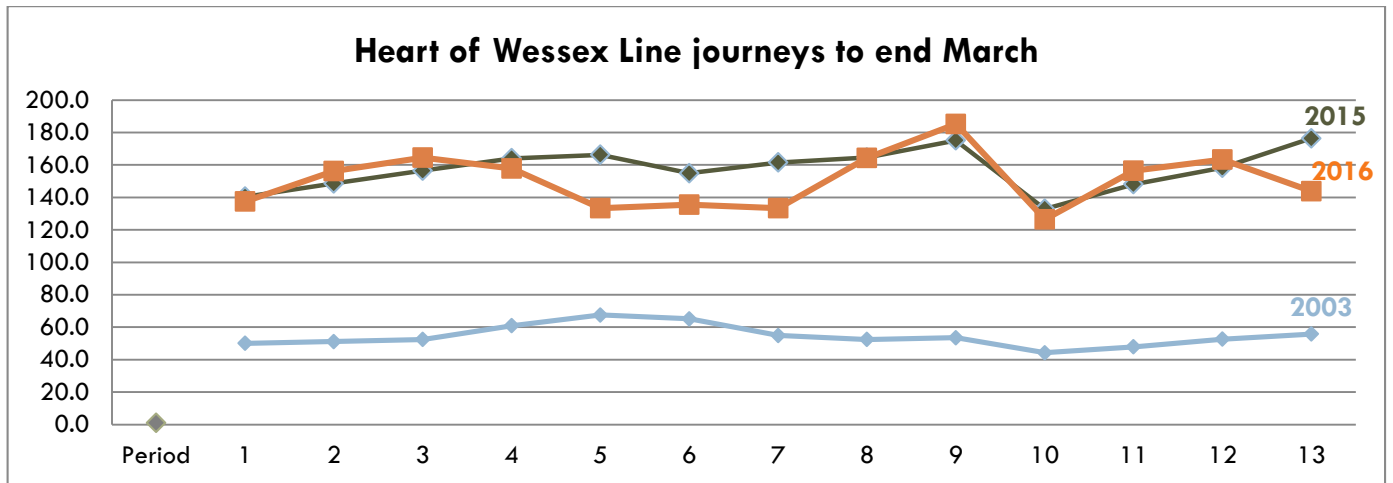
Between April 2003 and March 2015, passenger journeys on the Heart of Wessex Line **grew from 700,000 to 2,046,700**, a growth rate that was double the regional¹ and three times the national² average. The Heart of Wessex overtook the Bristol to Exeter line in 2010 to become the second most important route in the Severn & Solent region after the Cardiff to Portsmouth Harbour service. With no change to service level, for every 100 passengers in 2003, there were 292 using the same trains in the year to March 2015. Originally representing 9% of the total journeys in the Severn & Solent region, by 2015 the Heart of Wessex carried nearly 15% of the regional total.

In the **year to March 2016**, for the first time since 2003, annual passenger journeys on the line contracted from 2,047,700 to March 2015, to **1,957,900** to March 2016 (4.4% down). Total Severn and Solent journeys of 14,271,200 in the year to March 2015 reduced to 13,666,500 to March 2016 (4.2% down)

¹ Regional = Severn & Solent. Includes total of passenger journeys on: Cardiff-Portsmouth, Bristol-Exeter, Bristol-Weymouth, Bristol-Great Malvern, Bristol-Severn Beach, Bristol-Cardiff, Bath-Filton and Swindon-Westbury.

² Office of Rail Regulation. Regional Rail Operators - excludes London and South East.

The reduction in passenger journeys is mainly attributable to the Temporary Period of Disruption (TPOD 1) relating to the major programme of electrification for parts of the Great Western network. July to September 2015 (periods 4 to 7) saw 87,000 fewer journeys on the Heart of Wessex Line than in the previous year.



It is worth noting, however, that even allowing for the impact of the major engineering works, April 2015 to end March 2016 is the second year in a row that the line has failed to outperform the regional average as it had previously consistently done, and there may be some capacity constraints to continued future growth at the exceptional levels achieved between 2003 and 2014.

SERVICE IMPROVEMENTS 2015/16



For the first time in several decades, some additional services were introduced to the Heart of Wessex line in 2015/6.

Most notably, **SUMMER SUNDAY SERVICES TO WEYMOUTH** were extended to run from Easter Sunday to the end of October, and **will run all year in 2017**. A priority on the Community Wish List since 2003, this will be of significant value for leisure, special events such as the phenomenally successful Frome Independent, shopping, employment, hospital visits and other social need. It should also help to alleviate overcrowding on Saturdays in the traditional “summer shoulder” period.

South West Trains introduced a few services to a section of the line from December 2015. The original proposal consulted on & supported by the communities was quite different to the timetable eventually introduced, which caused local disappointment, but the additional four services (1 southbound and 3 northbound) do help to reduce some late afternoon /early evening gaps for Somerset stations.

THE WEYMOUTH WIZARD

Demand for Summer Saturday trips to Weymouth continues to be well served by GWR, with strengthening of key services, and the luxurious option of the Weymouth Wizard, the additional Saturday train run from May to September.



Joint partnership objectives from the Heart of Wessex Rail Partnership **Line Plan**

OBJECTIVES	Rail Partnership Priorities	Project Category
1. Economic Development	Promoting more use of the line to the benefit of local economies. Supporting and promoting local businesses	Promotion
	Making it easy for visitors to understand and use services, stations and connections	Connecting Up
	Stations as community gateways & “shop windows” to destinations	Station Welcome
2. Carbon Reduction, Health & Staying Safe	Encouraging more people to switch to rail by assisting new users to understand services, stations and connections	Connecting Up
	Continued improvement of station facilities/ making stations feel safer and more welcoming	Station Welcome
	Encourage, facilitate and promote more walking and cycling to stations	Connecting Up
3. Localism	Manage, motivate, sustain and build community involvement and projects, respond to local needs and aspirations for the line	CRWP & Community projects.
4. Accessibility	Assist those with visual, hearing and learning difficulties. Assist understanding of connections, services and stations	Connecting Up

SUMMARY OF PROJECTS DELIVERED 2015/16

Line guides promoting destinations and events + easy to read 14pt Timetable (page 4)		
Launch of Summer Sunday service extension - campaign developed with GWR publications team		
FRESHFORD: New customer shelter (page 5), customer seating (page 7), Community involvement, station adoption and garden enhancements (page 11)		
BRADFORD ON AVON: Promotional focus and Garden Gang news (page 11)		
TROWBRIDGE: Completion of £1m major improvement project led by Wiltshire Council, including shelter (page 5), Task Force project (pages 8 & 9)		
WESTBURY: Task Forces at Westbury (page 9); Station adoption (page 12)		
FROME: Additional seating (page 7)		
YEOVIL PEN MILL: Welcome banner & directional signing (pages 6&7); Complete station renovation & Barrel Train planters (page 12) GWR Community Rail Conference (pages 13&14)		
Task Force for station garden (page 8) Station adoption project with Lufton College (page 13)		
Frome, Bruton & Castle Cary: Station Friends' & community projects (page 15)		
THORNFORD: Seating on footway to station (page 7)		
DORCHESTER WEST: New customer shelter (page 5), Running In Board (page 6)		
Maiden Newton, Dorchester West & Upwey: Station Friends projects (page 15)		
WEYMOUTH: Bus connection information improvements (page 7)		
COMMUNITY RAIL JOINT PROJECTS: 4 CRWP meetings / events, 5 updates of The Matrix & Community Wish List. Task forces (pages 8&9), Clean for the Queen (page 10)		
WESSEX WANDERERS GUIDED WALKS (page 10)		

BRISTOL TO WEYMOUTH LINE GUIDE

This continues to evolve, informed by comments and ideas from customers, town and parish councils, station and train staff and community rail contributors. 35,000 of each edition is distributed through council and community offices, TICs, shops, pubs and volunteers, and right across the GWR station network including Paddington (featured in the photos below). The 14 point timetable to assist the visually impaired, with minimal and colour coded notes to aid ease of use, responds to ideas from customers and GWR colleagues. 2015/16 editions focused on events (coordinated with a poster campaign), shopping, days out and a special edition for Bradford on Avon (see page 11)



“Bath is one of the most popular destinations on the Weymouth to Bristol Line and the Heart of Wessex Rail Partnership does tremendous work in encouraging people to travel to the city by train for work, shopping or leisure. It has been an outstanding success in raising the profile of the line through its high quality publicity and the sheer energy of its volunteers”
Cllr Anthony Clarke, Cabinet Member for Transport, Bath & North East Somerset Council



“Part of my role is to supply local communities and households with local travel information from various services to help promote active and sustainable modes of transport and help reduce emissions. The Heart of Wessex Rail Partnership have been very helpful with this, supplying us with 4000 Line Guides that were perfect for the project as they have large clear print and are easy for people to read and understand, especially if they are unfamiliar with this service. As well as the timetable, the line guides contain everything people need to know if they wish to use the line. Because of the support and materials that Heart of Wessex provided us with we were able to provide a more comprehensive travel package to individuals in the Weymouth and Portland area”
Ryan Pooles, Sustrans Personalised Travel Planning Project Officer
Working in partnership with **Dorset County Council**

STATION IMPROVEMENTS

During 2015/6 Heart of Wessex Line stations benefitted from at least 11,700 hours of work from 98 local volunteers. Groups at each station focus on creating and maintaining gardens, helping to keep stations clean and free from litter and initiate projects for signing and infrastructure improvements, often based on the direct feedback they get from customers while they are working at the station. Needs and suggestions from local communities are kept on a regularly updated “Matrix”, and representatives from each of the groups participate in the Community Rail Working Party with GWR managers to review progress and discuss new ideas. A longer term community wish list is generated from The Matrix, and helps to set priorities for investment from both the GWR Community Rail Budget and the partnership’s own Community Projects Grant Fund.

CUSTOMER SHELTERS

Three of the shelter enhancements from the Community Wish List were completed in 2015/16.

TROWBRIDGE: Improvements to southbound shelter provision, a long standing item on the wish list, were delivered as part of a £1m improvement project for the whole station led by Wiltshire Council.

DORCHESTER WEST: The old shelter had become completely inadequate, particularly following the doubling of passenger numbers since the Friends of Dorchester West adopted and began to transform the station in 2010. The new shelter was funded from the 2014/5 GWR Community Rail Budget.



Above: Customers waiting in November 2014



and the new shelter completed in April 2015

FRESHFORD: The old shelter that had served northbound customers for two decades at Freshford was replaced in March 2016, funded from the 2015/6 GWR Community Rail Budget.



Design and specification for the shelters followed detailed consultation meetings with the station friends groups, in Freshford including a community email survey, to ensure they would respond to local need. The shelters have also been adapted to “harvest” rainwater from the drainage system to supply water butts for station gardens.

STATION SIGNS

The Heritage style “Running in Board” from the Community Wish List for **DORCHESTER WEST** was installed in February 2016. The design and positioning of the board was specified by the station friends, based on feedback from local customers, and was implemented by the partnership utilising the Community Projects Grants Fund.

Sign of success at treasured station



RUNNING IN BOARDS: Originally developed in the Victorian age to give customers a clear early warning that the train was “running in” to the station, groups along the line have suggested reinstating these, and helped to specify design and placement of them. A heritage style has sometimes been used (first developed for Bradford on Avon 2009) although at e.g. Bruton, the Friends felt a modern style was more in keeping with the station, and at Thornford the opportunity was taken to feature the nearby village of Beer Hackett. At Freshford, the local community actually recovered & restored original running in boards from the late nineteenth/early twentieth centuries. Additional signs identified by communities themselves can usually be implemented by the partnership with the Community Projects Grant Fund

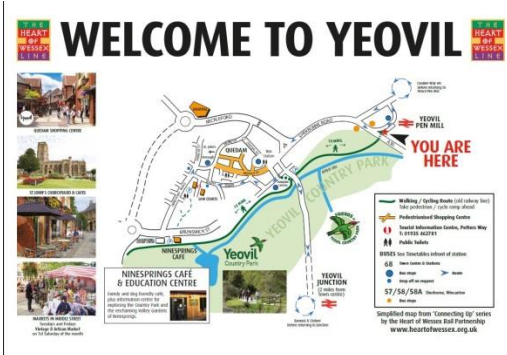


“I can remember the originals from the steam days when I used to travel by train from Cornwall to Leicestershire. Most signs these days are not at all user-friendly. These are accessible to all and pass the clear sight tests as well as being invaluable to hearing-loss users. A sound initiative all round!”
Jane Nicklen, Community Planning and Development Manager, West Dorset District Council

Investment in larger signs more easily visible from the trains also helps to contribute to welcoming arriving visitors and indirectly “advertising” to customers passing through. The banner for **YEOVIL PEN MILL** created for the Community Rail Conference in March has been designed to last a few seasons.



Further additions were made to ongoing “connecting up” projects including **YEOVIL PEN MILL**, and at **WEYMOUTH** a new map was developed by **Dorset County Council** to assist customers in finding bus stops referred to on the live departure screens. The project was initiated from feedback at the Weymouth Senior Forum with significant assistance from the Chairman of the First Bus Customer Panel.



ADDITIONAL SEATING



A heritage style was selected by the local groups for new customer seating at **FROME** and **FRESHFORD** installed in autumn 2015. The Freshford seat was supplied through the Community Projects Grants Fund and the Frome seat by the Friends



themselves. Additional heritage style seating organised by the Bradford Garden Gang in memory of Dave Walden, thanks to generous donations from his family and the local community, will be celebrated in May 2016.

At **THORNFORD**, there were requests for seating along the one mile walking route between Thornford Halt and the village, and this was installed in early summer 2015, a joint project between Thornhackett Parish Council, Castle Gardens and the partnership. The Thornford footway, a Community Wish List item delivered in 2011 by Dorset County Council, continues to be appreciated by visitors and the local community, supplying as it does both safe access to the station and a wonderful asset to attract visitors to come and walk in this beautiful part of the Dorset Area of Outstanding Natural Beauty.



COMMUNITY RAIL PROJECTS

THE TASK FORCE

Joint Task Forces, where volunteers from stations along the line from Bristol down to Weymouth come together to tackle larger projects, took place at YEOVIL PEN MILL, WESTBURY and TROWBRIDGE between April and September 2015.

In April 2015, Steve Fox from YEOVIL IN BLOOM trained Friends from along the line to sow Meadow Mix, with lovely results through summer 2015 much appreciated by **YEOVIL PEN MILL** customers.



TROWBRIDGE

A Task Force assembled in September 2015 to help the Trowbridge Friends tackle the large bank along the newly reconstructed car park (part of the magnificent £1m transformation of the station completed in summer 2015). This included volunteers from all along the line, Great Western Railway colleagues and a generous contribution from friends in Network Rail who organised help including flat-bed trucks, and gave us some of their voluntary annual leave days to help out.



Before.....



& after!



“A jungle of undergrowth, dense enough to hide a tiger, was soon reduced to a pile of quivering hedge and shrub clippings. Enough to fill 2 skips and several tipper truck loads. 30 volunteers chopping, raking, weeding and litter picking, making an amazing amount of progress through sheer hard work, determination and team play. A picnic lunch was enjoyed in the smart new platform shelters, new relationships forged, and new ideas discussed in a way that can never be achieved behind a computer screen.
Mark Postma, GWR Publications Manager
 (& energetic “Task Forcer” at Trowbridge & Westbury!)



Task Forces to help the Friends of **WESTBURY** station took place in **May** and **September 2015**, combined with update sessions on TPOD1 from Jon Morgan and on GWR publications & promotions with Mark.



I am very proud of the terrific work by the Heart of Wessex Community Rail Partnership. This is a great example of the local community achieving things that really make a difference. Just in my local area their hard work in clearing out overgrown vegetation and making attractively designed gardens and spaces has transformed the appearance of Westbury and Trowbridge stations, creating a welcoming atmosphere and enhancing the towns both for residents and for visitors. No wonder the number of passengers on the line has rocketed since they became involved”
Cllr Horace Prickett, Portfolio Holder for Transport Wiltshire Council

CLEAN FOR THE QUEEN

Stations along the line participated in the national Clean for the Queen event in March 2016. As some of the groups pointed out, they clean the stations regularly anyway, but this was an opportunity to let people know that they do & a good way to remind passers-by how they might help! It also offered an opportunity to kick off a new station adoption project at Yeovil Pen Mill with students from Lufton College.



WESSEX WANDERERS GUIDED WALKS

20 volunteers from local Ramblers groups put an estimated 1400 hours of time into planning, leading and promoting guided walks from stations along the Heart of Wessex Line, coordinated by Ann Light, who also manages the popular www.wessexrailwaywalks.org.uk. The project is supported annually from the partnership's Community Projects Grants Fund.

Extracts from Ann Light's 2015 Wessex Wanderers Report:

"The programme ran from Saturday 2nd May 2015 to Wednesday 14th October 2015 stopping for the 6 week engineering works in July and August. The momentum did not seem to stop because of this and this was well advertised on our programme and website and on the walks themselves. We had 542 participants: 70 % used the trains, 11% used the buses, with the rest coming by car or walking to the station. About 11% of the people who come on our walks are not members of the Ramblers and we get around 14% of first timers on walks – so we are attracting new people all the time from outside the Ramblers as well as within. We had 31 varied walks ranging from 3 miles to 15 miles. The historical tours of Bradford on Avon and Dorchester lead by professional Blue Badge Guides lasted two hours and left the afternoon free to be able to look around the town. A variety of shorter walks with a theme also proved popular and these included going to Farleigh Hungerford from Avoncliff station, a short morning walk and then a visit to Hauser and Wirth art gallery in the afternoon from Bruton station, a visit to Iford manor from Freshford, 2 walks on Portland also proved popular and there was also a walk from Severn Beach. Numbers varied from 8 to 40 with an increase on the average to 17, which is up from the previous year. We are giving a donation from all the 4 Ramblers' areas that the line covers (i.e. Avon, Somerset, Dorset and Wiltshire) together with a generous grant from the Heart of Wessex Rail Partnership. The funds are used for programme production, postage, hire of meeting rooms, admin expenses, website etc."

OTHER COMMUNITY RAIL HIGHLIGHTS FROM 2015/6

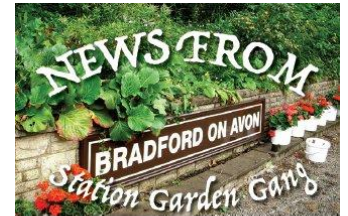
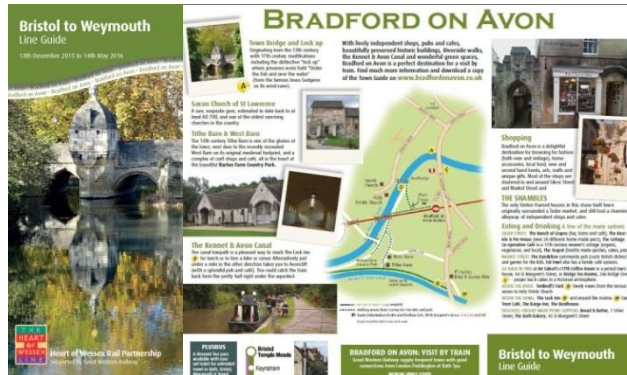
FRESHFORD

Up to twenty local people from the village participate in all day working parties at the station several times a year under the guidance of Garden Designer, Melanie Everard. Community involvement in the railway is particularly strong here, with the station and Heart of Wessex Rail Partnership featuring in the ground breaking **Neighbourhood Plan** for Freshford and Limpley Stoke (believed to be the first in the country to cross a county boundary) that was approved and ratified in September 2015. A Friends of Freshford evening meeting in November 2015 attracted over 60 people to exchange ideas about the partnership and the railway. Amongst several new projects undertaken by the station friends over the last twelve months, new hoggin was laid in the customer waiting area.



BRADFORD ON AVON

The town's economy was badly affected when all trains were replaced by buses during electrification work in August. Use of the station by local people went down dramatically, and local traders reported a reduction of up to a third in takings over the same period of the previous year. The station friends, concerned that local rail users may have got into the habit of using their cars, created and circulated a newsletter announcing the return of the rail services in September. The next Line Guide was then devoted to promoting the town to visitors. Particular thanks are due to **Bradford on Avon Town Council** for their help with this special edition.



Train services back to normal from September 1st! The Weymouth Wizard will run on Saturday 5th September departing 0941, the luxury way to travel to Weymouth! Pocket Timetables at the station or go to www.firstgreatwestern.co.uk



The trains may have stopped during August, but our volunteer Garden Gang hasn't! We'll be working every week throughout the year even in winter!



Thank you to everyone who very kindly gave donations towards a Memorial Seat for our late Garden Leader & Friend, We were humbled to find you had contributed £362! We will advertise a public dedication date once the seat is installed.

Supported by the Heart of Wessex Rail Partnership www.heartofwessex.org.uk

In late September, community rail participants from along the line enjoyed an opportunity to meet Paul Salvesson, the man who created the Community Rail concept a quarter of a century ago. Paul's trip along the line took in Yeovil, Bradford on Avon and Freshford, including a visit to the Community Shop and Café.



WESTBURY

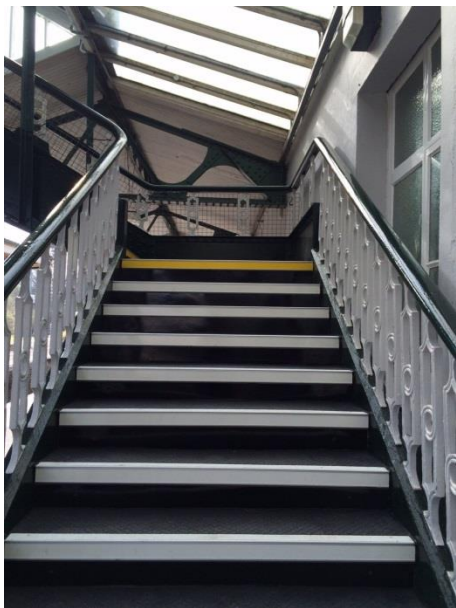


The transformation of Westbury station begun in 2014 continued to gather pace in 2015/6, most importantly with weekly sessions by the Friends of the Station including regular work on the three large planters on the station platforms, and further development of the station frontage, including roses planted for the Queen’s birthday. The Friends now have regular help from volunteers from other stations including Dorchester West and Bradford on Avon.



YEOVIL

A high quality renovation of the whole station was undertaken during February, with the GWR team hard at work there over several full days, painting all parts of the station in the new GWR livery, retreading stairs and clearing vegetation in the station car park



New “barrel train” planters (made from old whisky casks and also painted up in the new GWR colours) were installed.



Financed from the Community Projects Grant Scheme, the planters were installed on the centre platform and at the front of the station.

A new project to adopt the station frontage was begun in February 2016 with **LUFTON COLLEGE** students taking on litter picking, planting and maintenance of “their” train and sowing of new meadow mix for spring.



GWR COMMUNITY RAIL CONFERENCE

YEOVIL was selected as the first destination for the new approach to **GWR'S** annual **Community Rail Conference**, which will now circulate between the regions covered by the company's five community rail partnerships.

This offered a matchless opportunity to showcase the area's attractions to a wide audience from across the South West. GWR took over several of the Yeovil hotels for accommodation, including a gala dinner at the Manor Hotel, with the full day conference taking place at the magnificent Fleet Air Arm Museum.





A “Love Yeovil” project team (above left) worked in January & February to put together a package of events and materials to ensure delegates would get the most from their visit to the town, including guided walks from the Yeovil Country Park Community Ranger and a visit to the Ninesprings Community café, where the South Somerset Community Heritage Team put on a display on the history of the Yeovil railways. Many of the 120 delegates to the conference came early the day before to enjoy the attractions of the town, with a Yeovil Country Park, South Somerset tourism and economic development and rail partnership welcome team at the station for arriving trains, to send visitors on their way along the green walking route from station to town.



FROME, BRUTON & CASTLE CARY



The beautiful gardens at **Bruton** (above) continue to be enhanced at monthly working “bees”, and lovingly tended planters at **Frome** won a “Frome in Bloom” award in 2015. At **Castle Cary** the community continued to maintain their lovely walking route from the station to the town, including laying gravel to improve drainage under the kissing gate, replacing way marking discs and keeping vegetation cut back.

MAIDEN NEWTON, DORCHESTER WEST & UPWEY

All three stations benefit from regular weekly attention, with additional work at Dorchester West & Upwey, where there are particular challenges with litter, and additional hours are spent collecting waste and organising recycling. Altogether, Dorset volunteers contributed at least 3400 hours of work, not including the significant help some of them give to friends groups at other stations along the line, or participation in Task Forces, meetings and events. Along with continued garden enhancements, the Friends of Dorchester West completed a renovation of the old parcel shed which is used as their “HQ”. The Flanders poppies they sowed in 2014 continue to flourish as a WW1 memorial garden, in front of the picket fencing they restored in a special joint project with local youngsters with learning disabilities.



THE HEART OF WESSEX LINE LOGO

This has been used since 2003 on all the partnership’s promotional materials, and features on community posters at stations in casings financed by the partnership, and reserved for community use. The partnership also invests in hi visibility vests and badges using the logo.



The **Heart of Wessex “Friends of the Station” Hi Vis** is a great way to communicate to staff, including drivers and crews, that our fantastic volunteers all along the line are registered Community Rail contributors, and have been fully safety briefed by us. It’s important for customers at stations to know that they are volunteers, too. The positive feelings that we know customers have when they see the logo is a direct reflection of the local community contribution that adds so much value to our work at stations.

Nick Reid, GWR Stations Manager



A very special endorsement came from the Weymouth train crews, who requested permission to use the logo as their team badge.

Andy Collier (left) arranged for the special enameled badges to be made, and seeing GWR crews & station staff wearing these has delighted community rail contributors as they travel between the stations helping out, making us feel that we are truly part of the railway family!



Agenda Item 10

Community Offices Update

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

Purpose of the Report

To update Councillors on the yearly footfall/enquiry figures across the district.

Public Interest

South Somerset District Council (SSDC) has 6 community offices which enable the public to access a wide range of Council related information and other assistance. This supplements the other ways of contacting SSDC, which is by phone or the website. This report gives an update of the number of customers who visit the offices from April 15 through to end of March 16.

Recommendation

That the Area East Committee members comment on and note the contents of this report.

Background

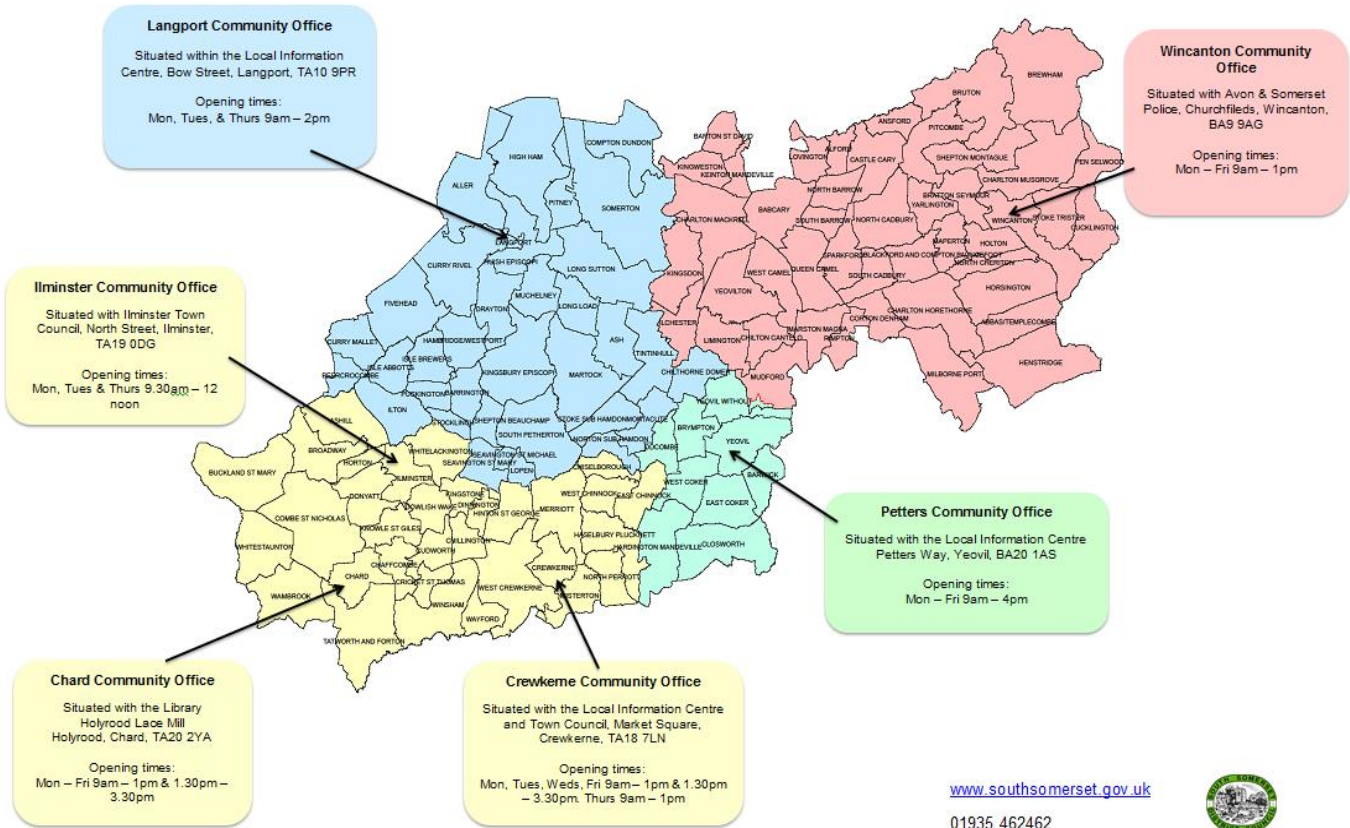
The community offices are located in Yeovil, Crewkerne, Chard, Ilminster, Langport and Wincanton and are managed by the Community Office Support Manager and Deputy Community Office Support Manager, reporting to the Assistant Director, Communities. There are 13 (9.5FTE) Community Support Assistants (CSA)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

The Community Offices

The main SSDC services that customers visit our offices are:

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

SSDC Community Offices



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

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

Full Community Office information can be found at <http://www.southsomerset.gov.uk/visit-our-offices/> or on our leaflets located at the offices.

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

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

All Community Support Assistants are trained to deal with the wide range of front office enquiries and are able to cover any community office ensuring that full opening hours are maintained across the district. Generally there is only one member of staff on the front desk, but back up support is provided in the busier offices (Petters & Chard) to help reduce customer waiting time. Neighbourhoods within Yeovil West and Yeovil Central fall within 10% of the most deprived areas in the country with neighbourhoods within Yeovil East and Chard Jocelyn falling within 20% of the most deprived. (Source: 2015 Indices of Deprivation mapper). It is likely that this has a direct impact on the level of demand for services in Chard and Yeovil.

The Community Support team have access to the online referral system which enables them to refer customers as appropriate to the Welfare Benefits team and outside agencies such as CAB, SSVCA. There is a weekly surgery held by the Welfare Benefits team in the Crewkerne Community office and the Welfare Benefits Advisors provide support and advice to many of the visitors to the front office. They work closely with the Community Support team to raise awareness of the benefits that people may be entitled to. During 2015 - 16 the team made around 150 Welfare benefit referrals.

The Community Support Assistants also have the ability to support the Contact Centre by picking up calls from the area offices in order to help reduce call waiting times during busier periods. Details of the amount of time spent supporting the Contact Centre will be given at the meeting.

Highlights

- Across the Community Offices overall footfall has reduced by 8% with core service footfall reducing by 10% from the previous year.
- Web transactions have increased by 20%.
- It should be noted that the offices at Chard, Wincanton & Petters have their own bookable meeting rooms and visitors for meetings are included as part of reception duties footfall.
- Housing & Homelessness footfalls showed a slight increase and during 15-16 applicants were asked to provide supporting evidence for new applications, renewals and updating existing applications. The housing register figures have not increased during the year.
- Around 12,000 (43%) customers (excluding reception footfall) visiting the Community Offices came in for benefits help, queries, or to provide additional information/evidence in support of their benefit applications. 1,800 (12%) customers required additional support or assistance -i.e. help to complete online/paper forms/evidence.

- During 2015 - 16 there were 3,675 benefit application forms received by SSDC, this is a reduction of 6.6% from 2014 – 15. Of this number 17% of applications were received online, compared to 14% in 2014 -15.
- Looking forward the Benefits team will be looking at our on-line provision and how they can make the switch from the majority of forms being paper based to being on-line.
- Universal Credit is due to be fully rolled out across South Somerset in early 2017, this means that anyone of working age who has a rent liability will no longer claim housing benefit from the Council. Instead they will claim Universal Credit from DWP. However, if they are liable to pay Council Tax they will need to make an application for that from the Council.
- Cash machine transactions remained around the same in Chard (6,539 transactions) but reduced at Petters (8,956 transactions – a decrease of around 900 from the previous year). A cash machine was installed at Brympton Way in January 2014 and customers now have two places of access in Yeovil. Transactions at Brympton Way for 2015-16 were 2,489. The number of customers paying their Council Tax by Direct debit has increased with approximately 65% of bills now being paid by Direct Debit.

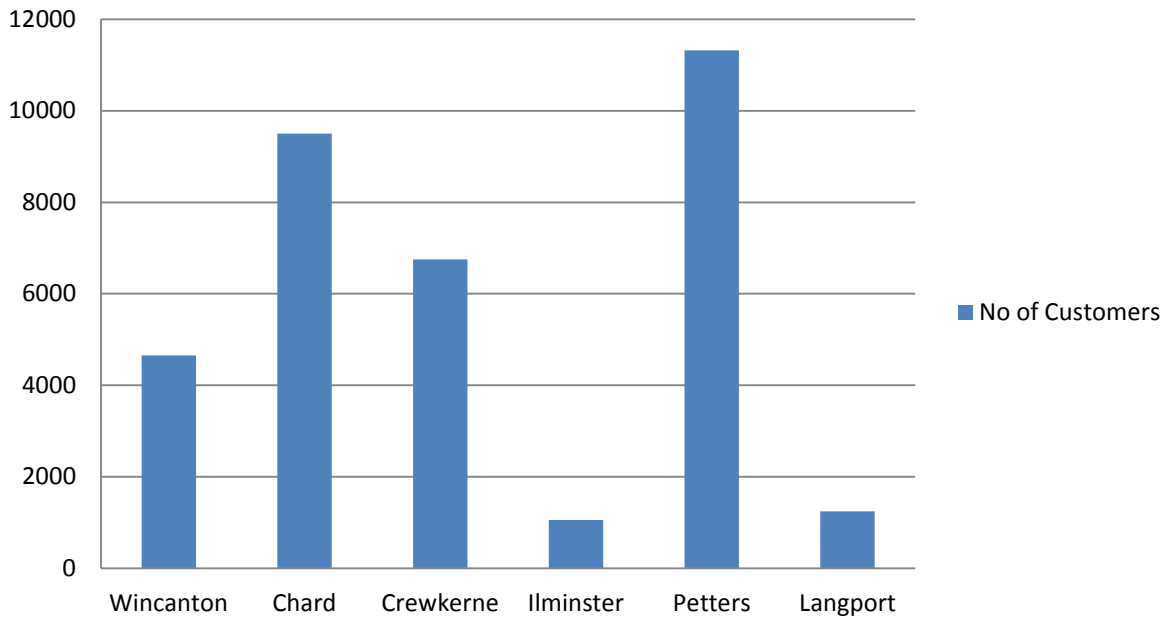
Footfall figures (Number of customers visiting the Community Offices)

Total footfall comparisons for all Community Offices from April 2012 - April 2016

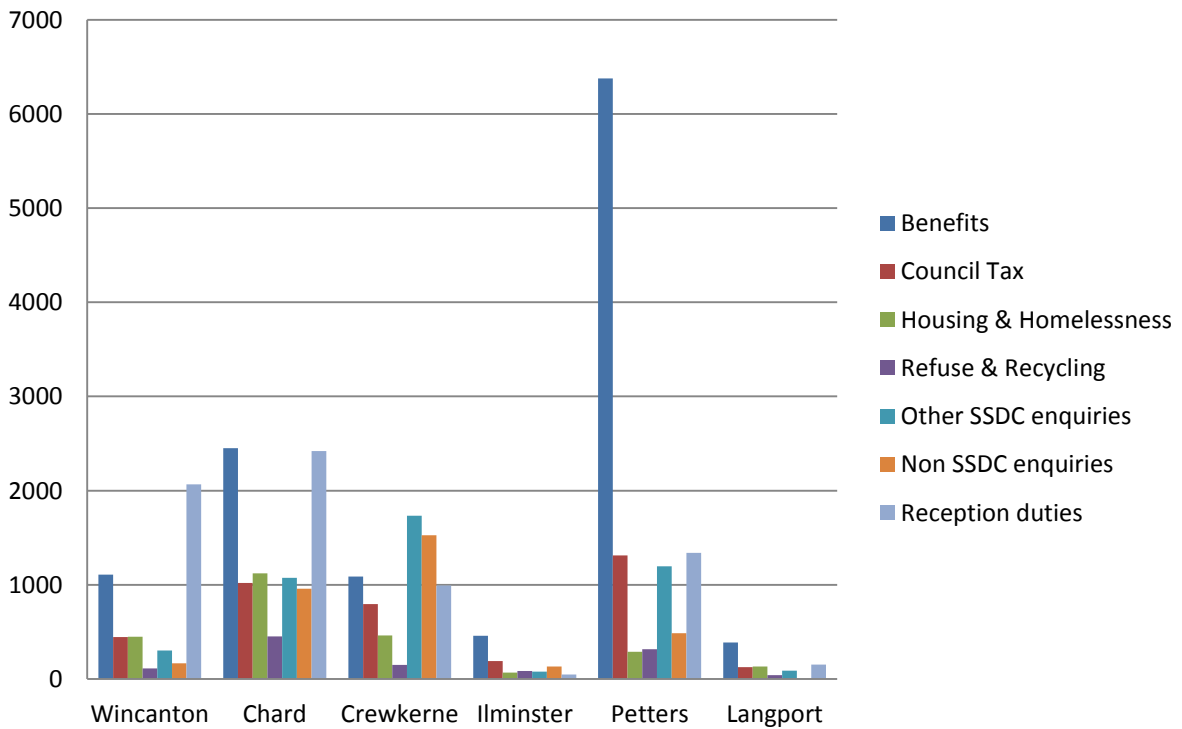
All Offices	SSDC	Community	2012 - 2013	2013- 2014	% change in footfall 12/13 - 13/14	2014-2015	% change in footfall 13/14 - 14/15	2015-16	% change in footfall 14-15 - 15-16
Benefits			18561	15345	-17%	13560	-12%	11874	-12%
Council Tax			4270	4282	0.3%	4250	-0.7%	3894	-8%
Housing & Homelessness			3450	2608	-24%	2306	-12%	2523	9%
Refuse & Recycling			1882	1411	-25%	1469	4%	1156	-21%
Core services total			28163	23646	-16%	21585	-9%	19447	-10%
Other SSDC enquiries			5768	4067	-29%	4206	3%	4474	6%
Non SSDC enquiries			10522	8102	-23%	6832	-16%	3585	-48%
Reception duties			8462	6189	-27%	4848	-22%	7019	45%
Total Footfall			52915	42004	-21%	37471	-11%	34525	-8%

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

Community Office Footfall 2015-16



Community Office Footfall 15-16



Customer satisfaction

Our annual customer satisfaction survey will be completed in September 2016.

The future

In the coming year we will be looking to increase awareness of the services provided at the Community Offices and ensure that the service provided best meets the needs of the customer. With an increase in digital access there is a continuing need to support customers to access services online and raise awareness of alternative methods to access information and services.

Although still at an early stage, the Council's Transformation Programme will focus on the needs and preferences of customers using the network of community offices. In the meantime we will continue to work with other SSDC services to ensure that we are fully aware of any changes and that the Community Support Assistants have the knowledge and access to the systems to provide the best possible front facing service.

The Community Support team has recently been updated on Business Rates and it is hoped that this will enable more information and support to be provided to local businesses. They will also be receiving training in the near future to assist with the receipt of taxi licences and DBS checks for drivers in the community offices.

The internal SSDC courier will cease at the end of July. Customers who pay Council Tax or other payments via cheque will now be required to post directly to Brympton Way or pay by other means ie cash machine, direct debit or online. The Community Support Assistants will continue to help customers to use alternative methods of payment where possible and monitor impact.

Financial Implications

None arising directly from this report.

Council Plan Implications

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

Carbon Emissions & Climate Change Implications

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

Equality and Diversity Implications

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

Background Papers: *Community Office Update Nov 15*

Agenda Item 11

Area East Forward Plan

Assistant Directors: Kim Close / Helen Rutter, Communities
Service Manager: Helen Rutter, Area Development Manager (East)
Lead Officer: Kelly Wheeler, Democratic Services Officer
Contact Details: Kelly.wheeler@southsomerset.gov.uk or 01935 462038

Purpose of the Report

This report informs Members of the agreed Area East Forward Plan.

Recommendation

Members are asked to:-

- (1) Comment upon and note the proposed Area East Forward Plan as attached;
- (2) Identify priorities for further reports to be added to the Area East Forward Plan, developed by the SSDC lead officers.

Area East Committee Forward Plan

The forward plan sets out items and issues to be discussed over the coming few months. It is reviewed and updated each month, and included within the Area Committee agenda, where members of the Area Committee may endorse or request amendments.

Members of the public, councillors, service managers, and partners may also request an item be placed within the forward plan for a future meeting, by contacting the agenda co-ordinator.

Items marked *in italics* are not yet confirmed, due to the attendance of additional representatives.

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.

Further details on these items, or to suggest / request an agenda item for the Area East Committee, please contact the Agenda Co-ordinator; Kelly Wheeler.

Background Papers: None

Appendix A

Area East Committee Forward Plan

Meeting Date	Agenda Item	Background and Purpose	Lead Officer
14 September 16	Local Neighbourhood Policing for 2015-16	Overview of operational arrangements and policing issues relating to East	Avon and Somerset Constabulary
14 September 16	6 monthly Streetscene update	To provide an update of the service	Chris Cooper SSDC
14 September 16	Balsam Centre	Allocation of funding	Tim Cook SSDC
14 September 16	Growing Space	Request for funding support	Tim Cook SSDC
14 September 16	S106 update	Annual update report	Neil Waddleton SSDC
12 October 16	Workspace & Work Hubs Progress Report	Update members on the latest position regarding work hubs and workspace	Pam Williams SSDC
12 October 16	Annual report on the Careline service	To update members	Alice Knight SSDC
9 November 16	Wincanton Sports Centre Update Report	To update members on the latest position of the Centre	Steve Joel / Tim Cook SSDC
9 November 16	Area Development Report	Half year progress & budget report	Helen Rutter / Tim Cook SSDC
9 November 16	Historic Buildings at risk	Confidential update	Andrew Tucker SSDC
9 November 16	Conservation Service	Update report on the works of the Conservation team	Rob Archer SSDC
9 November 16	Affordable Housing Development Programme	Yearly update for members	Colin McDonald SSDC
7 December 16	Community Grants Applications	To consider any SSDC community grant applications	Tim Cook SSDC
7 December 16	Highways Update	To update members on the total works programme and local road maintenance programme	John Nicholson SCC

Agenda Item 12

Planning Appeals

Strategic Director: Rina Singh (Place and Performance)
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

Appeals Allowed

15/01632/COU – Long Hazel Caravan Park, High Street, Sparkford
Use of land for the siting of 21 permanently occupied residential mobile homes.

Appeals Dismissed

15/04301/FUL – Land at Combe Lane, Keinton Mandeville
Erection of a one and a half storey dwelling, associated single storey garage and barn renovation.

15/04455/PAMB – Land behind Chequers, Galhampton
Prior approval for the change of use of agricultural storage building to dwellinghouse

The Inspector's decision letters are attached.

Background Papers: None

Appeal Decision

Site visit made on 29 June 2016

by **Andy Harwood CMS MSc MRTPI**

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

Decision date: 26 July 2016

Appeal Ref: APP/R3325/W/16/3144731

Long Hazel Park, High Street, Sparkford, Yeovil BA22 7JH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs A Walton against the decision of South Somerset District Council.
 - The application Ref 15/01632/COU, dated 13 April 2015, was refused by notice dated 2 October 2015.
 - The development proposed is the use of land for the siting of 21 permanently occupied residential mobile homes.
-

Decision

1. The appeal is allowed and planning permission is granted for the use of land for the siting of 21 permanently occupied residential mobile homes at Long Hazel Park, High Street, Sparkford, Yeovil BA22 7JH in accordance with the terms of the application, Ref 15/01632/COU, dated 13 April 2015, subject to the conditions set out in the attached Schedule to this decision.

Application for costs

2. An application for costs was made by Mr and Mrs Walton against South Somerset District Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The appellant has submitted a unilateral undertaking (UU) under the provisions of section 106 of the act. This obliges the appellant to provide financial contributions towards the maintenance and provision of community infrastructure as well as preventing ownership or occupancy of any mobile home by people under fifty years of age. I discuss the obligations below and reach a conclusion on whether the individual commitments meet the tests within the Community Infrastructure Regulations 2010 (CIL tests) and policy tests within the National Planning Policy Framework (NPPF).
4. I am also told that there is an existing section 106 planning obligation on the land which has the effect that none of the land can be sold off separately. I have not been provided with a copy of this and its presence as a deed on the land has no weight in my decision.
5. The planning application was made on the basis of it being a change of use of the land albeit that it is already in use residentially for holiday purposes. This

appeal does not relate to any conditions imposed on any previous planning permissions for the site.

Main Issues

6. The main issues are:

- Whether this is an appropriate location for the change of use proposed, having regard to local policies concerning the location of new development, the characteristics of Sparkford and the services available within it;
- The effect of the development on the local economy; and
- Whether any harm arising from the development would be outweighed by other considerations, including the need for the homes proposed.

Reasons

Appropriate location

7. Sparkford is a linear settlement that is stretched out alongside the A359 (High Street). There is no obvious core to the village with the services that exist being spread out within the built up area. The proposal is for 21 permanent units of accommodation within mobile homes. The site is presently a campsite with planning permission for 75 touring pitches and 16 permanent lodges. Homes for permanent occupation would be located mainly on land currently laid out for touring pitches but permanent use of 6 of the lodges approved for holiday use is also proposed.
8. There were 3 touring caravan pitches occupied at the time of my visit. The site includes neatly maintained grassed and landscaped areas between the gravelled surface of the access and pitches. The land with planning permission for the lodges is between the site and the bank leading up to the A303. There were 4 lodges in place along with the concrete bases for others when I visited.
9. Paragraph 5.41 of the South Somerset Local Plan (2006-2028), adopted March 2015 (LP) sets the context for policy SS2 which relates to development in rural settlements. The importance of occupiers of new homes in rural settlements being able to live as sustainably as possible by having access to basic facilities that provide for their day to day needs, is emphasised. Of the list of services Sparkford includes a pub which is close to the site, as well as a large cricket field and a village hall which are a short walk away. There is also a service area at the junction of the A303 that enables access to High Street. The service area can be reached easily on foot from the appeal site via pedestrian footways alongside the road and without any significant gradients. The service area offers a fast food restaurant, a convenience shop and fuel station.
10. The Council refers to the most recent previous appeal on this site for a similar proposal (ref APP/R3325/A/12/2175488) which was dismissed. I have not been provided with the evidence discussed in the hearing that took place in relation to that case or any other details of the proposal. I have considered my colleague's decision. That Planning Inspector considered that the site was not in a sustainable location and was concerned that the village does not contain medical facilities which are found at the Queen Camel medical centre. That is not a walkable distance from the site. Furthermore, there are no public service

outlets, entertainment facilities (other than the hall), major retail facilities or notable employment opportunities.

11. That appeal was prior to the adoption of the current LP. The previous appeal decision turned on the lack of compliance with policies that are no longer material to my decision. I give some weight to that decision and particularly my colleague's assessment of the sustainability credentials of the site.
12. I therefore have some concerns about the accessibility credentials of the site. However, since that time the Council has set out within LP policy SS2 and related paragraphs the context of what key services are necessary within rural settlements before housing development can be permitted. Sparkford contains at least three of those facilities and even though the A303 service area is aimed primarily at car borne customers it provides further key facilities. Other services such as a post office, primary school and doctors' surgery are just over a mile away according to the Council. There are also bus stops linking the site with other higher order settlements. Full time residents may rely upon the use of private vehicles to reach some essential services particularly medical facilities. However occupants of the development would not rely upon private vehicle use for access to a number of key services. In my view, the deficiencies are not significant.
13. In relation to the main issue, this is an appropriate location for the change of use proposed, having regard to local policies concerning the location of new development, the characteristics of Sparkford and the services available. The location therefore would not be harmful in environmental or social terms. This is a neutral factor in the overall planning balance.

Economy

14. The appellant refers to the existing holiday lodge business running at a loss. There are 12 vacant plots which has been the case for over 10 years. The Council is concerned that the proposal with the loss of the touring pitches would lead to the further marginalisation of the holiday accommodation at the site which would bring its long term future into question. According to the appellants the touring business has also struggled for a number of reasons including severe flood events nearby making the area less attractive generally but also because the park is not in a prime holiday location. The appellants refer to the site being a stopover location often used for a single night by holiday makers eventually destined for Devon and Cornwall. The number of touring stopover nights from April to December 2014 was 1,630 out of a potential number (75 pitches over a 273 day period) of 20,475.
15. The intention of the appellant is to sell the homes with each owner paying an annual pitch fee. These would be sold off plan and the income invested back into the holiday lodge business, enabling further lodges to be installed and thereby generating more income. It is hoped that in turn this would provide further income, possibly more than doubling it, and would also provide the ability to employ more people. The appellants' economic statement refers to the need for a gardener/handyman and two staff to valet and keep the 10 holiday units up and running all year. Other evidence indicates that the development would lead to as many as 6 new jobs (including part time staff). Other shorter term economic benefits from the proposal would include the use of local people for the initial construction and transportation of the homes as well as through patronage of nearby services.

16. The evidence submitted in this case appears to be subject to a degree of estimation and the figures have to be considered in that light. The Council's economic development officer has supported the proposal subject to the retention of the holiday lodges. Some things are not clear such as whether, given that the immediate area is not a prime holiday destination, the remaining holiday lodges would be attractive. I also agree with the Council that the possible future improvements to the A303 cannot be taken into account at this time as there is no certainty that they will take place or what difference they will make.
17. From what I could see the site is well maintained, has a pleasant setting surrounded by mature landscaping and generally has a welcoming feel. The sign at the entrance making it clear that it is not a family site may provide a limitation to the attractiveness of the site as suggested by the Council but it could just as easily attract those wishing to holiday in a child free environment. The hum of noise from the A303 is another factor that affects the site. This may impact upon the attractiveness of the holiday homes as well as on the current touring pitches. In order to secure reductions in noise exposure around the proposed full time residential homes, a new fence along with other measures are proposed as set out within the appellants' noise report. This is likely to bring about noise reduction for the holiday lodges as well, potentially making those more attractive to holiday makers.
18. The existing business enables the appellants to live within their bungalow on the site and provides them with a small income and employs an additional part time worker. However, the proposal would bring increased initial funds through sale of the homes and on-going income albeit to a difficult to define extent. The Council is unconvinced about the intentions of the appellants with respect to the on-going holiday lodge development. I cannot ensure through this decision that the economic benefits are achieved. It seems clear however that the existing business is not economically sustainable in the long term and that the proposal would improve the chances of it prospering.
19. In relation to this matter the proposal would lead to some economic benefits This is likely to be a modest improvement in comparison with the current situation. I can give the economic benefits a limited degree of weight.

Other considerations

20. LP Policies SD1 and SS2 are the main policies referred to by the Council that relate to the supply and location of housing. These policies indicate that Sparkford is a 'Rural Settlement' where development is strictly controlled. However the Council accepts that it cannot demonstrate a 5 year supply of deliverable housing sites. In these circumstances, the NPPF explains that policies for the supply of housing should not be considered up to date. It is also explained at paragraph 14 that the presumption in favour of sustainable development means granting permission unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole or specific policies in the NPPF indicate development should be restricted. The economic, social and environmental dimensions of sustainable development are set out at paragraph 7 of the NPPF.
21. Policy SS5 of the LP directs most housing growth towards Yeovil and market towns as well as providing figures for the required distribution of housing

- across the district. The additional requirement (as at April 2012) for all rural settlements in total, including Sparkford, is 911 dwellings within the plan period with the overall additional requirement for the whole district being 5,822. The LP does not set maximum targets for new homes. The NPPF is clear in seeking to boost significantly the supply of housing and does not encourage maximum targets.
22. The Council refers to the growth targets for the higher order settlements defined as 'rural centres'. Rural centres do have targets within the LP. As an example Stoke-sub-Hamdon is referred to and has a target within the table accompanying LP Policy SS5 of 51 dwellings between 2006 and 2028 (the lowest requirement of those settlements referred to within the table). The Council considers by reference to this figure without providing any more justification, that Sparkford would be expected to accommodate at least a similar figure. Other planning permissions within Sparkford have already added to the commitment of housing development within the settlement.
 23. I am aware of the recent allowed appeal on the adjoining land (ref APP/R3325/W/15/3100543) for 11 dwellings. The Council states that there were 276 dwellings in the village as at the 2011 census. The Council is concerned about the degree to which the rural settlement would be expanded with this application by 42% in terms of numbers of residential units including other decisions. This is a substantial increase and I realise that this is a rural village but it is not clear from the evidence presented by the Council why this would be harmful.
 24. None of the homes in this case would be limited to affordable or local needs. The evidence from the appellant relating to how affordable homes would work within the site is not convincing. It seems likely that there may be people over 50 years of age who may be in need of affordable housing. I can understand that the type of housing may put off traditional social housing providers due to legal difficulties of mixing the type of occupation and ownership. However alternative ways of delivering affordable housing do not appear to have been considered. The Council's affordable housing officer states that there should be an expectation that 7 of the units would be affordable, 5 for social rent and 2 for shared ownership. The overall affordable housing needs of the district are not explained to back up why those proportions would be expected through this proposal. Although other mobile homes are available elsewhere in the district I am not provided with housing needs data about that type of accommodation from the Council or the appellants.
 25. The NPPF at paragraph 50 requires the delivery of a wide choice of high quality homes. This is in order to widen opportunities for home ownership and to create sustainable, inclusive mixed communities. The homes would be limited for occupation by over 50 year olds. It is agreed that this type of housing is not commonplace and it would be a different type of housing in Sparkford. I have no evidence to convince me that it would be harmful to provide for this sector of society wishing to downsize their accommodation which, as the appellant points out, may have the advantage of freeing up some supply of traditional 'bricks and mortar' dwellings elsewhere. The Council confirms that the LP refers to park homes providing a valuable supply of low cost market accommodation. In this respect the age restriction within the UU is necessary, directly related to the development and fairly and reasonably related in scale

and kind to the development. This part of the UU fulfils the CIL and NPPF policy tests.

26. The Council's assertion that the proposed increase in population, even taken cumulatively with other housing commitments, is harmful purely in terms of the statistical growth of the settlement is not demonstrated by the evidence provided. There are no maximum figure for housing growth within the relevant policies. The affordable housing needs of the area are not clarified and the lack of provision for that particular section of the community is a benefit rather than a harmful factor. The proposal does meet a need for older people and that along with the benefits from increasing the general supply of homes is a social benefit of substantial weight in the overall planning balance.

S106 planning obligations

27. The UU would commit the appellants to paying £2690 per 2 bed mobile home and £1809 per 1 bed mobile home. This is intended to enhance and maintain the changing rooms at Sparkford Cricket Club and/or the maintenance of the community hall as well as to contribute towards a new studio at a theatre in Yeovil or alternatively towards a stage refit within an entertainments complex in Yeovil. The Council has provided a breakdown of how the contributions have been worked out. The proposed improvements to the Cricket Club changing rooms and kitchen relate to existing deficiencies that exist without the additional demands from this development. Similarly the community hall is already of insufficient quality. It is not clear from the evidence why the additional residents would make this situation worse or why therefore the financial contributions for these facilities would be necessary to make the development acceptable.
28. With respect to the theatre and entertainments complex, I would generally expect such facilities to be bolstered by additional prospective customers. The evidence does not help to explain why such facilities would be subject to problems due to an increase in households in the area. Furthermore, the document including the breakdown attempting to justify the contributions under the heading "Theatre and Arts Centres" states that 5 or more obligations have already been entered into. This would therefore not comply with regulation 123 of the Community Infrastructure Levy Regulations 2010.
29. From the evidence submitted, the financial contributions would not address any harm caused by the proposals and are not clearly necessary to make the development acceptable in planning terms. They would not directly relate to the development but rather to demands on those facilities that already exist. As such, to require the payment of money as set out would not fairly and reasonably relate in scale and kind to the development. The CIL tests would not be met. I cannot take the financial commitments into account.
30. The restriction on the age of occupants of the homes does meet the CIL tests. I can take the UU into consideration with respect to that matter and have attributed weight to this within my conclusion on housing supply above.

The planning balance

31. In my view the proposal would involve more than the limited, strict control over development at Sparkford as set out within LP Policy SS2. It would provide some employment opportunities as well as meeting a housing need.

However, it would not create or enhance community facilities to serve the settlement. Sparkford Parish Council provided comments for and against the proposal with the overall vote being balanced. There are some letters of support but from the information provided, it does not appear that there has been a robust community engagement process. This and the lack of reference to a Neighbourhood Development Plan indicates that there is not general support from the local community. The proposal would not comply with LP policy SS2. However, that policy is not up to date.

32. I have found that supply of homes is a social benefit of significant weight and that the economic benefits provide a limited degree of additional weight in favour of the proposal. By helping to provide a mix of market housing within the settlement the proposal would contribute to the provision of a sustainable, balanced community complying with LP policy HG5. The accessibility of the site is a neutral factor. In terms of the overall planning balance, the harm due to the lack of compliance with LP Policy SS2 does not significantly and demonstrably outweigh these benefits given the substantial weight I must give to compliance with the NPPF as well as LP Policies SD1 and HSG5.

Conditions

33. I have already mentioned the need for a scheme to mitigate for the noise from the A303 and I have attached a planning condition to that effect. Some concern has been expressed regarding drainage problems. There is no evidence that the proposal would cause flooding on site or elsewhere but that is subject to foul and surface water being adequately dealt with. It is reasonable to require additional details to be agreed by the Council and installed before the development is implemented.
34. It would be unnecessary to duplicate the age restriction of occupants of the homes that is covered within the UU. In terms of suggested condition relating to highway matters, there is a gentle slope from the edge of the carriageway along the driveway into the site. The access is onto the road at a straight section with no obstructions to visibility of pedestrians along the footpath or cars within the road. Taking these factors into account and that the nature of vehicles will change with fewer vehicles towing caravans into and out of the site, I do not consider that the access needs to be subject to improvements as suggested by the Council.

Conclusion

35. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

A Harwood

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: '01/07/00'; '01/07/01A' and '01/07/02C'.
- 3) None of the mobile homes hereby permitted shall be occupied until a scheme for the protection of the residents from traffic noise from the A303 has been submitted to, approved in writing by the local planning authority and then fully implemented. All works which form part of the scheme shall be retained thereafter.
- 4) None of the mobile homes hereby permitted shall be occupied until works for the disposal of sewage and surface water disposal have been provided on the site to serve the development hereby permitted, in accordance with details that have first been submitted to and approved in writing by the local planning authority.

Costs Decision

Site visit made on 29 June 2016

by Andy Harwood CMS MSc MRTPI

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

Decision date: 26 July 2016

Costs application in relation to Appeal Ref: APP/R3325/W/16/3144731 Long Hazel Park, High Street, Sparkford, Yeovil BA22 7JH

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mr and Mrs A Walton for a full award of costs against South Somerset District Council.
 - The appeal was against the refusal of the use of land for the siting of 21 permanently occupied residential mobile homes.
-

Decision

1. The application for an award of costs is allowed in the terms set out below.

Reasons

2. The Planning Practice Guidance (PPG) advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process. The applicant's case is based upon procedural and substantive issues.
3. In terms of procedure, the applicants consider that the planning application should have been dealt with by the Council's Area East Committee rather than under powers delegated to their planning officers. The Ward Member's request for a committee decision is an internal procedural matter that is not for me to rule on. The PPG confirms that costs cannot be claimed for the period during the determination of a planning application. However the PPG also clarifies that all parties are expected to behave reasonably throughout the planning process. Although the officer's delegated report does not refer to the split decision of Sparkford Parish Council their comments were extensively reported. I do not have sufficient evidence to indicate that had the Area East Committee been given the opportunity to determine the planning application that it would have been approved, thereby doing away with the need for this appeal.
4. There were also substantive issues raised by the applicants. These relate to how the judgements were made in this case and also drawing attention to other planning decisions for housing in Sparkford.
5. The business case was supported by the Council's economic development officer subject to the retention of some holiday lodges. However, in the appeal decision I have agreed with some of the Council's concerns regarding the economic issues. Just because the Council's planning officer does not have a particular qualification does not prevent them from making a reasonable analysis of the information provided.

6. The Council has expressed concerns that the growth of the settlement would be unsustainable due to the cumulative impact of housing not being commensurate with the scale and character of this rural settlement. Since the refusal of the current proposal other decisions to approve more housing have been made by the Council. As I have stated within the appeal decision, the Council has not adequately explained why the growth of residential units within the settlement by potentially 42% would be problematic in policy terms nor in terms of the impacts upon services and facilities. In terms of 'character' the Council accepts that there would be no adverse visual impacts. Comparisons to higher order settlements within the South Somerset Local Plan (2006-2028), adopted March 2015 (LP) did not satisfactorily explain why the growth of this settlement is not acceptable. The assertion about the growth of the village being harmful is vague and the case was not adequately substantiated.
7. The Council has accepted that they cannot demonstrate a 5 year supply of deliverable housing sites and it is helpful to all involved in the process that an issue such as this is agreed at an early stage. They also were fully aware of the implications for this in terms of the National Planning Policy Framework and in particular paragraph 14 which outlines the presumption in favour of sustainable development.
8. A balancing exercise was undertaken within the overall conclusion of the officer report. I agree with Council's view that even in these circumstances, the LP cannot be ignored. It is part of the development plan. It is also for the decision maker to assess the degree of weight to attribute to relevant factors in this balancing exercise. However, the Council's position that the scale and location of the development would cause adverse impacts sufficient to significantly and demonstrably outweigh other factors was difficult to understand due to the vagueness of the arguments presented. This was a decisive matter within the balancing exercise.
9. The applicants employed professional consultants to prepare and submit their case for the appeal as well as this costs application. These costs have been incurred as a direct result of the way in which the Council made its decision.
10. I therefore consider that unreasonable behaviour resulting in the unnecessary and wasted costs as described in the PPG, has been demonstrated and that a full award of costs is justified.

Costs Order

11. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that South Somerset District Council shall pay to Mr and Mrs A Walton, the costs of the appeal proceedings described in the heading of this decision such costs to be assessed in the Senior Courts Costs Office if not agreed.
12. The applicant is now invited to submit to South Somerset District Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount.

Andy Harwood

INSPECTOR

Appeal Decision

Site visit made on 15 March 2016

by Karen Radford BA (Hons), Dip Arch, Dip Arch Cons, IHBC

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

Decision date: 29 June 2016

Appeal Ref: APP/R3325/W/15/3139391

Land at Combe Lane, Keinton Manderville, Somerton, Somerset TA11 6ER

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs G Finn against the decision of South Somerset District Council.
 - The application Ref 15/04301/FUL, dated 15 September 2015, was refused by notice dated 12 November 2015.
 - The development proposed is the proposed erection of one and a half storey dwelling, associated single storey garage and barn renovation.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. Although both parties make reference to previously refused applications for planning permission for development at this site, neither of these previous refusals were appealed. Whilst I acknowledge that copies of these previously refused schemes have been submitted as part of this appeal, I have determined this appeal on the basis of the refused application ref - 15/04301/FUL.

Main Issues

3. The main issues are the effect of the development on the character and appearance of the area, and whether the development intrudes into open countryside.

Reasons

Character and appearance

4. The appeal site is located to the south side of Church Street/Combe Lane, on the western edge of the village of Keinton Manderville. It relates to both the open countryside to the west and the adjacent residential properties to the east.
5. It extends to approximately 0.4 hectares of agricultural land currently used as pony paddocks and for equestrian activities, and contains a row of loose box stables and a rather dilapidated barn. These buildings are positioned in fairly close proximity to the road, albeit their visual presence is screened from the

- road to some degree by existing roadside hedges and trees. There is an existing access gateway leading into the stable yard area and hard standing.
6. The land is generally level in the vicinity of the stables and barn but beyond them, there are paddocks with the land falling away, to provide long distance attractive views of open countryside to the south. In addition there are more very attractive views of countryside along Combe Lane when looking to the west.
 7. Immediately opposite the site, there are three cottages located quite close to the road which form the extent of the village settlement to the west. Further east along Combe Lane and Church Street, there are detached houses set in generous gardens. Whilst these properties have not been built to a rigid front building line they do have loosely uniform linear relationship to the road and to each other. They also have traditional front garden areas of varying sizes, albeit some of these are now dominated by parking, and they all have a direct visual connection with the road.
 8. The only exception to this established fairly linear pattern of development is the property known as Amberley which is immediately adjacent to the appeal site, and is set back some distance from the road in very generous grounds.
 9. The proposed development would comprise the erection of a detached dwelling and detached garage/store set back approximately 20 metres from the road. The existing stabling would remain and the existing barn would be re-clad, and the existing access would be re-used. The new house and garage/store in combination with the retained buildings would result in a complex of four individual buildings with a functional relationship to each other. A fundamental influencing factor on the site layout is the location of the existing water main.
 10. To my mind the site layout of this new development in conjunction with the existing buildings would appear to be visually arbitrary and would not relate to the existing linear built form of buildings in the surrounding area. I accept that the appeal house would be positioned at a similar distance from Combe Lane as Amberley is positioned. However I consider that Amberley like the other houses in the area has a fairly direct visual connection to the Lane unimpeded by buildings. Whereas the proposed house would be semi obscured from the Lane by the re-clad barn and stable yard which both have a utilitarian appearance.
 11. I conclude that the proposed new buildings being set back so far on the site from the road and in combination with their relationship with the existing buildings would not respect or relate to the prevailing linear built form of the surrounding area. They would therefore have a harmful effect on the character and appearance of the area and would not be in accordance with Policy EQ2 of the South Somerset Local Plan 2006-2028, which aims among other things to ensure that development promotes local distinctiveness, and preserves or enhances the character and appearance of the district. Furthermore, the development would not be in accordance with paragraph 17 of the National Planning Policy Framework (the Framework) which seeks to ensure similar objectives.

Whether the development intrudes into open countryside

12. The appeal site is rural, and is located in open countryside and on the edge of the village. The appellants are of the opinion that the visual characteristics of the appeal site are unattractive in that the site comprises pony paddocks with shortly grazed grass and utilitarian buildings. However whilst these may be unattractive factors of the site, nonetheless they are also features of open countryside and indeed the proposals would retain the barn and stables which have the appearance of agricultural type buildings.
13. To my mind the visual impact of the proposed development would be a new house and garage set back well into the site, with an area of parking in front of the house, together with the resulting domestic paraphernalia such as garden sheds, refuse storage and domestic gardens. These would all be detrimental to the appearance of this rural location due to the erosion of the open rural space and views, particularly when viewed from the road.
14. I acknowledge that the site historically had an orchard and the proposals include for a new area of orchard to be planted, together with new hedge planting and these would improve the appearance of the area. Furthermore, I accept that this new planting would reduce the visual impact of the proposals when viewed from the south. However I consider that such planting would not overcome the principal concern of the new residential buildings harming the rural character of the site.
15. I find that the principle of development in this location would erode the rural character of the village setting and intrude into open countryside.
16. Therefore the development would not be in accordance with Policy EQ2 of the South Somerset Local Plan 2006-2028, which aims among other things to ensure that development reinforces, respects local distinctiveness, context and character, conserves and enhances the landscape character of the area.
17. In addition, I have found that the development would not be in accordance with paragraph 17 of the National Planning Policy Framework (the Framework) which seeks to ensure that development takes account of the different roles and character of different area, and recognises the intrinsic character and beauty of the countryside.

Overall Planning Balance

18. Both parties acknowledge that the Council cannot demonstrate a five year supply of housing land, and therefore under paragraph 14 of the Framework the Local Plan policies are considered to be out-of-date, and permission should be granted for development. However, although paragraph 14 of the Framework provides a presumption in favour of sustainable development, it also requires the balancing of adverse impacts of development against the benefits.
19. I have found that the proposed development would be detrimental to the character and appearance of the surrounding area including the rural context of the locality, and that the development would intrude into the countryside. These factors all weigh heavily against allowing the proposed development.
20. I acknowledge that there are a number of day to day facilities and services in the village such as primary school, church, post office, shop, village hall, pub and various businesses and I accept that the Council consider that the village would be a suitable location for additional development due to its existing

services. However this conclusion regarding the services in the village does not outweigh the considerations relating specifically to this appeal site.

21. In favour of the proposed development are the benefits of one additional unit of housing, the re-cladding of the existing barn, and some new landscaping including an orchard. However, the factors identified as weighing against the proposed development significantly and demonstrably outweigh the factors in its favour. The proposed development cannot therefore be considered to be sustainable development and the appeal is dismissed.

Other matters

22. I have also considered the submitted information in relation to the exchanges between the appellants and the Council Officers, and the previously refused applications. However none of these matters have led me to reach a different conclusion.
23. Whilst I have noted that during the course of the appeal a Unilateral Undertaking regarding a financial contribution for affordable housing has been submitted and the Council has confirmed it is acceptable, this has not led me to reach a different conclusion.

Conclusion

24. For the reasons given above and taking all other matters into consideration, I conclude that the appeal should be dismissed.

Karen Radford

INSPECTOR

Appeal Decision

Site visit made on 16 May 2016

by Jennifer Tempest BA(Hons) MA PGDip PGCertHE MRTPI IHBC

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

Decision date: 26 July 2016

Appeal Ref: APP/R3325/W/16/3145488

Land behind Chequers, Smallway Lane, Galhampton, Yeovil, Somerset BA22 7AE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.
 - The appeal is made by Mrs A Bees against the decision of South Somerset District Council.
 - The application Ref 15/04455/PAMB dated 30 September 2015, was refused by notice dated 27 November 2015.
 - The development proposed is change of use of agricultural building to a dwellinghouse (Use Class C3) and for associated operational development.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mrs A Bees against South Somerset Council. This application is the subject of a separate Decision.

Preliminary matters

3. The postcode given for the application site differs from that used on the application form and from the different postcode set out in the grounds of appeal. The postcode used in the heading above is that shown on the Council's decision notice.

Background and Main Issues

4. Class Q of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("the GPDO") permits development consisting of a change of use of a building and any land within its curtilage from use as an agricultural building to a use falling within Class C3 (dwellinghouses) ("Class Q (a) development"). Additionally, Class Q(b) allows building operations which are reasonably necessary to convert the building to a Class C3 use ("Class Q (b) development"). Paragraph Q1 sets out specific circumstances under which development is not permitted and paragraph Q2 sets out conditions applying variously to Q(a) and Q(b) development.
5. The Council has refused the application on the basis that the change of use would not be permitted development having regard to the use of the site, the size of the building, the building operations required and the demolition

operations required. In determining whether or not the proposal would be permitted development, I must consider whether all the requirements set out in the GPDO for development to be permitted under Class Q would be met.

6. The Council also refused the application in relation to the adequacy of the access onto Smallway Lane on the basis that the siting of the building would make it undesirable for use as a dwelling.
7. Taking the above into account, the main issues are:
 - (i) whether the proposed change of use constitutes permitted development pursuant to Class Q(a) and Class Q(b) of Part 3 of Schedule 2 to the GPDO, having particular regard to (1) whether the site was used solely for an agricultural use as part of an established agricultural unit on the required date; (2) whether the cumulative floor space of the building changing use exceeds 450 square metres; (3) whether the size of the proposed curtilage exceeds that allowed (4) whether the building operations are reasonably necessary; and (5) whether the partial demolition of the building is reasonably necessary;and, if the change of use meets those requirements,
 - (ii) whether the transport and highways impacts of the development would be acceptable; and
 - (iii) whether the location or siting of the building would make the proposed change of use impractical or undesirable.

Reasons

Whether permitted development under Class Q

Whether the site was used solely for an agricultural use as part of an established agricultural unit

8. Paragraph X of the GPDO defines an "established agricultural unit" as agricultural land occupied as a unit for the purposes of agriculture on or before 20 March 2013 or for 10 years before the date the development begins. Paragraph Q.1.(a) states that development is not permitted if the site was not used solely for an agricultural use as part of an established agricultural unit on 20 March 2013 or, if not in use on that date but was in use before that date, when it was last in use.
9. The evidence indicates the building was approved as permitted development in 1997, as an agricultural building for the storage of fodder and machinery. The appellant provided evidence to the Council prior to the appeal proposal being determined regarding the use of the building and associated land. This evidence, presented as a Statutory Declaration made by the appellant, covered the period from January 2010 to April 2015. The evidence includes a detailed account of the way in which the land was used and provides an explanation for the presence on the site of a pony and subsequently (after the relevant date of 20 March 2013) a further temporary use of grazing for horses following flooding of a neighbour's land. Photographs taken by the appellant in 2012 show calves inside the building although these do not show the whole of the building interior.

10. During the course of the appeal, a second Statutory Declaration was submitted. This was made by a person who cared for the appellant's sheep and lambs on the site between May 2012 and March 2013 and states the land was subsequently for the grazing of calves and sheep. Whilst this confirms the agricultural use of the site, this evidence does not state explicitly that there was no mixed use of the site.
11. The Council's photographs taken in September 2014 show loose boxes and horse related items within the agricultural building and two horses in the adjacent field. Two photographs dated October 2011 of the inside of the agricultural building show loose boxes within the agricultural building and a horse or pony outside the building.
12. I have taken into account that the use of land for the grazing of horses would not necessarily result in a mixed use of the holding. The date of the photographs provided by the Council raises some doubts as to whether the building was solely in agricultural use at the time a previous application was being considered, but do not relate to the time of the application which resulted in the current appeal. During my site visit, I did not observe any evidence of horses being kept in the building and there were no loose boxes in the building.
13. I consider that taking into account all the evidence which is before me the Council's evidence is not sufficient for me, as a matter of fact and degree, to conclude that the building was in anything other than agricultural use on 20 March 2013, or at the time on the application was being considered by the Council and at present.

Whether the cumulative floor space of the building changing use exceeds 450 square metres

14. The existing building is constructed from a series of concrete frames each with four supporting uprights or columns. Other than the columns, the floor area of the building is without internal division, with the exception of one partial height concrete block wall between two columns of one frame. There are partial height concrete block walls between the columns along the two long sides of the building, two bays of one shorter side and one bay of the other shorter side. Above the block walls, with the exception of one bay of timber cladding, the building is clad in corrugated metal sheeting. Approximately half of the northern aisle of the building has the metal roof sheeting removed although the timber purlins which supported the sheeting remain.
15. Paragraph Q1(b) states that development is not permitted by Class Q if the cumulative floor space of the existing building changing use exceeds 450 square metres. The existing building in this case is 570 square metres in floor area, of which 339 square metres (as stated on drawing) or 342 square metres (as stated on the application form) are proposed to be converted to a dwelling. A further area, 48 square metres in area according to the Council, is proposed as a covered terrace.
16. The floorspace of the building which would be subject to the proposed change of use would be approximately 390 square metres, and therefore under the 450 square metres allowed under Class Q. The remainder of the building would be demolished with the exception of the concrete frame.

17. The Council refer to an appeal decision¹ with regard to the size of the existing building. However, the definition of a building in Article 2(1) of the GPDO includes 'part of a building'. In this case the appellant proposes the removal of the walls and roof of part of the agricultural building retaining only the frame, and change of use of the remainder of the building which would have a floor area within the prescribed size limits. As Class Q1.(b) addresses the area changing use, on the matter of floor space, I consider the proposal would fall within the scope of permitted development.

The size of the proposed curtilage

18. The application forms state that the cumulative area of land within the curtilage which is proposed to change use is 578 square metres. Paragraph X of Schedule 2 Part 3 sets out that for the purposes of Class Q, curtilage is defined to include an area of land immediately beside or around the agricultural building no larger than the land area occupied by the agricultural building.
19. The applicant states that the size of the curtilage would not exceed the size of the existing building, (roughly 580 square metres for each). However, a curtilage of 578 square metres would exceed the floor area of that part of the agricultural building which is proposed for the change use (around 390 square metres). Given the considerations above, that the definition of a building can include part of a building, it is logical that the curtilage should be approached in a consistent manner. Consequently, the stated area of land which is proposed as curtilage at 578 square metres exceeds the size of the agricultural building which is proposed to change use.
20. Based on the evidence provided, therefore, the proposal would fail to comply with the limitations set out in Paragraph X of the GPDO with regard to the definition of curtilage.

Whether the building operations are reasonably necessary

21. The existing agricultural building is sited close to the north eastern boundary of the site. Outside the site and immediately adjacent to the common boundary is a concrete block and timber building. The use or purpose of this building is not stated in the evidence nor was it clear from what I observed during the site visit. The appellant refers to the need to create the north east wall of the proposed dwelling away from the solid wall of the existing building outside the site.
22. Moving the wall of the proposed dwelling away from the adjacent building may be reasonably necessary to comply with building regulations and allow natural light into the building, although to some extent this is also a function of the adopted design. The realignment of the wall would also have the effect of reducing the floor area of the proposed dwelling and brings the size of the building within the cumulative floor space total permitted by Class Q.
23. Guidance on permitted development rights is set out in the Planning Practice Guidance (PPG). Paragraph 105 of the PPG points out that the permitted development right under Class Q assumes that the agricultural building is capable of functioning as a dwelling. It recognises that some building operations which would affect the external appearance of the building, which would otherwise require planning permission, should be permitted.

¹ APP/Q3305/A/14/2229199

24. Whilst the permitted development allows for the installation or replacement of windows, doors, roofs and exterior walls, it does not refer to floors or foundations. The appellant's structural report confirms that the foundations of the concrete block walls are not exposed to view and refers to it being highly likely that a continuous trench fill foundation has been built on three sides to support all elements of the masonry wall. However, as the proposed north east external wall would be built on a new alignment, it could not utilise any existing foundations. The north west elevation of the existing building only has a partial height wall across one third of the elevation and this is within the section of the existing building which is not proposed to form part of the dwelling. The two thirds of this elevation which are proposed as forming the north west wall of the dwelling have no existing walls. The south east wall of the proposed dwelling would be set back from the existing end wall of the building. This wall therefore would also be on a new alignment.
25. The structural report advises that the new façade elements would comprise glazing and insulated lightweight infill panels faced in timber, supported by 'Metsec' lightweight style metal cladding rails with side fixing to the principal concrete frame. The report does not state in terms that there would be no foundations required. However, the appellant's letter of 4 May 2015 states there would be no requirement for any new foundations.
26. The documentation refers to the roof over the northern third of the building being removed. Elsewhere, the corrugated sheet roof would be retained or replaced.
27. The existing floor of the building is not specifically assessed in the structural report but the plans of the existing building show the extent of the concrete flooring, most of which is in the northern aisle of the building and would be outside the proposed dwelling. The remaining floor area, from what I was able to observe during my site visit, comprises compacted hard core or similar. The structural report confirms that a raised timber floor or concrete capping slab would be necessary, but would not entail additional footings or structural works. The appellant points to these being internal rather than external works and therefore not subject to any control.
28. I saw no visible evidence during my site visit of defects in the concrete frame. However, whilst the structural report sets out that the concrete frame would take the loading of the proposed panels, there are no calculations to back this up. Nor are any details given with regard to how the panels would relate to the floor of the proposed dwelling. The appellant provides an extract from an appeal decision² where the Inspector finds that replacing structurally sound elevations and the existing roof sheets would fall within the building operations permitted by Class Q1 (i) and (ii). However, I note that this relates to two walls of one of three buildings being converted and there is no indication that the replacement walls would be on a new alignment. Accordingly, I do not find that the decision is directly comparable with the proposals before me.

Whether the partial demolition of the building is reasonably necessary

29. Paragraph Q1 (i) (ii) states that development is not permitted by Class Q if the development under Class Q (b) would consist of building operations other than partial demolition to the extent reasonably necessary to carry out building

² APP/Q3305/A/14/2228593

operations allowed by paragraph Q.1. (i)(i). Notwithstanding the appellant's reasons for moving the wall away from the boundary the proposed demolition, amounting to around one third of the floor space of the existing building whilst retaining the concrete frame, would have the effect of reducing the size of the building to bring it within the floor space allowances for permitted development. Although the written evidence refers only to removal of the roof cladding, the proposed elevations and plans indicate that the block walls and wall cladding would also be removed along the north east, south east and north west elevations.

Conclusion in respect of building operations and demolition.

30. The proposal entails the removal of the existing walls and allows for the removal and partial replacement of the roof covering. Such changes would reduce the building to its concrete frame, prior to the proposed erection of new walls and potentially a new roof. Of the four exterior walls, all would be new. Two would be on a different alignment from existing walls and one would be a wall created where currently no wall exists.
31. Whilst Q.1.(i) allows for the installation or replacement of windows, doors, roofs and walls, Class Q is based on the change of use of an agricultural building. The proposal would require the creation of new external walls for three sides of the proposed dwelling on alignments where currently there are no walls and no foundations. The building operations and demolition would, on the evidence before me, and as a matter of fact and degree, amount to rebuilding and thus go beyond what is reasonably necessary to change the use of the building in terms of conversion works permitted under Q.1.(i).

Conclusion

32. Taken as a whole, I consider the proposal could not reasonably be described as a change of use and I consider that the works would, as a matter of fact and degree, amount to a new building rather than a conversion. I therefore conclude that for this reason, and for the reasons given above, the works proposed to create a dwelling would not fall within the scope of what is permitted under Class Q.
33. Accordingly, as the proposals would not be permitted development, it is not necessary for me to consider matters relating to transport and highways or whether the proposal would be impractical or undesirable.
34. I conclude that the appeal should be dismissed.

Jennifer Tempest

INSPECTOR

Costs Decision

Site visit made on 16 May 2016

by Jennifer Tempest BA(Hons) MA PGDip PGCert Cert HE MRTPI IHBC

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

Decision date: 26 July 2016

**Costs application in relation to Appeal Ref: APP/R3325/W/16/3145488
Land behind Chequers, Smallway Lane, Galhampton, Yeovil, Somerset
BA22 7AE**

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mrs A Bees for a full award of costs against South Somerset District Council.
 - The appeal was against the refusal of the Council to grant prior approval required under Schedule 2, Part 3, Class MB of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) for the change of use of an agricultural building to a dwellinghouse (Use Class C3) and for associated operational development.
-

Decision

1. The application for an award of costs is allowed in part in the terms set out below.

Reasons

2. The Planning Practice Guidance (PPG) advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process. The costs application and the Council's response were submitted in writing.
3. Paragraph 16-049-20140306 of the PPG states that local planning authorities are at risk of an award of costs if they behave unreasonably with respect to the substance of the matter under appeal, for example, by unreasonably refusing or failing to determine planning applications, or by unreasonably defending appeals. Among the examples of unreasonable behaviour mentioned by the PPG in that context are (1) preventing or delaying development which should have been permitted having regard to National Policy (2) a failure to produce evidence to substantiate each reason for refusal on appeal.
4. The applicant points to a previous application for prior approval for a similar scheme being refused and the appeal proposal having been designed to address all concerns. However, the Council's refusal of the subsequent application is not in itself unreasonable behaviour.
5. The provisions of the GPDO and the PPG make clear that Class Q grants planning permission, subject to various provisos, for the change of use of agricultural buildings to Class C3 residential use and applications for prior approval should be considered in this context. Although the applicant is critical of the Council adopting an overly legalistic approach, the GPDO sets out a

- number of criteria and conditions which need to be met both in respect of whether the change of use is permitted development and whether the proposed works are permitted. Consequently, a systematic examination of these matters is a reasonable approach.
6. In respect of the matter of the floor area of the proposed dwelling, the appellant provided copy correspondence relating to another proposal in the form of a letter from The Planning Inspectorate and an extract from a DCLG email. This related to an appeal decision on which the Council relied. The Council expressed the view that the decision had not been tested in the courts and therefore they continued to rely on it. There is no evidence that the local planning authority took any additional advice in this matter either at the time of determining the application or at the appeal stage. In the light of the evidence provided to them, I consider that the Council's response on this matter is insufficient to substantiate the first reason for refusal and in this respect amounts to unreasonable behaviour.
 7. With regard to whether the land was in wholly agricultural use, the applicant provided additional information in the form of Statutory Declarations. There is no requirement for evidence to be submitted in this form as part of an application for prior approval. However, notwithstanding the manner in which the Council expressed their views on the Statutory Declaration, the Council were not precluded from reaching a different conclusion based on what was seen and photographed by their officers during earlier visits to the site. Whilst the applicant's evidence covered the relevant date of March 2013, to benefit from the permitted development right it was not unreasonable for the Council to take into account what they saw during visits to the site. The second Statutory Declaration was submitted during the course of the appeal and therefore could not have been taken into account by the Council in reaching its decision or preparing its evidence in compliance with the timetable.
 8. Class W places the onus on the developer to provide sufficient information to establish whether the proposed development complies with any conditions, limitations or restrictions in Part 3. A structural report was requested by the Council. The report prepared by the applicant's architect explained the principles on which the proposed dwelling would be constructed with regard to the concrete frame. However, it did not extend to being a full structural survey. Whilst the report made assumptions with regard to the footings under the existing walls, it did not explain that the alignment of the proposed walls would, for the most part, be different from the existing walls. Nor did it explain in detail why the new walls would require no footings or foundations, although it did state that the wall panels would hang from the existing frame. I consider that the level of information submitted with the original proposal and subsequent report was not sufficient to resolve these matters beyond doubt and therefore the Council did not behave unreasonably in this regard.
 9. It was not necessary as part of my appeal decision to consider the Council's reasons for refusal relating to transport and highway impacts, or whether the proposed dwelling was undesirable on landscape grounds. The highway authority recommended that the proposal should be determined in accordance with standing advice. There is a bank which lies between the carriageway edge, the hedge and the gated access into the applicant's field, such that the access has a bank to either side. It was therefore not unreasonable that further information be sought with regard to the visibility at the point of access.

In any event the additional information submitted by the applicant amounted to annotation added to an existing drawing therefore I consider that the applicant incurred unnecessary expense in seeking to address this matter.

10. The PPG indicates that whether a proposal is undesirable may relate to whether it is harmful or objectionable. Given the isolated position of the building on rising ground and the level of glazing to be introduced into the road facing elevation, the Council exercised their judgement in raising this as a reason for refusal.
11. I have found that the Council acted unreasonably in failing to adequately substantiate the first reason for refusal and to this extent addressing this matter as part of the appeal process put the applicant to unnecessary expense in relation to this issue. However, I do not find that in other respects there was unreasonable behaviour and, given the findings in my appeal decision that the proposal would not be permitted development, an appeal could not have been avoided.
12. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance, has been demonstrated in respect of the Council's first reason for refusal and I conclude that a partial award of costs is justified.

Costs Order

13. In exercise of the power under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that South Somerset District Council shall pay to Mrs A Bees the costs of the appeal proceedings described in the heading of this decision limited to those costs incurred in relation to the issue concerning the floor area of the building (refusal reason No.1).
14. The applicant is now invited to submit to South Somerset District Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount. In the event that the parties cannot agree on the amount, a copy of the guidance note on how to apply for a detailed assessment by the Senior Courts Costs Office is enclosed.

Jennifer Tempest

INSPECTOR

Agenda Item 13

Schedule of Planning Applications to be Determined by Committee

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

Purpose of the Report

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

Recommendation

Members are asked to note the schedule of planning applications.

Planning Applications will be considered no earlier than 10.15am.

Members of the public who wish to speak about a particular planning item are recommended to arrive for 10am.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
14	TOWER	16/00677/FUL	Erection of 3 dwellings and ancillary works	Land OS 3969 Part, Devenish Lane, Bayford	Hopkins Development Ltd
15	BLACKMOOR VALE	16/02009/S73	Application to remove condition 4 (agricultural occupancy) of approved planning permission 45934/A dated 26 th June 1964	Crofters, Higher Holton Lane, Holton	Mr D A Young
16	CAMELOT	16/02563/FUL	Erection of a rear extension	Casa Mdena, Camel Street, Marston Magna	Mr D Osborne
17	TOWER	16/02257/FUL	Conversion of barn to dwelling (alternative scheme) to include the erection of a conservatory and to retain changes to approved scheme (retrospective)	New Barn, Sunnyhill Farm, Riding Gate	Mr W Hookins

Further information about planning applications is shown on the following page 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 has 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 14

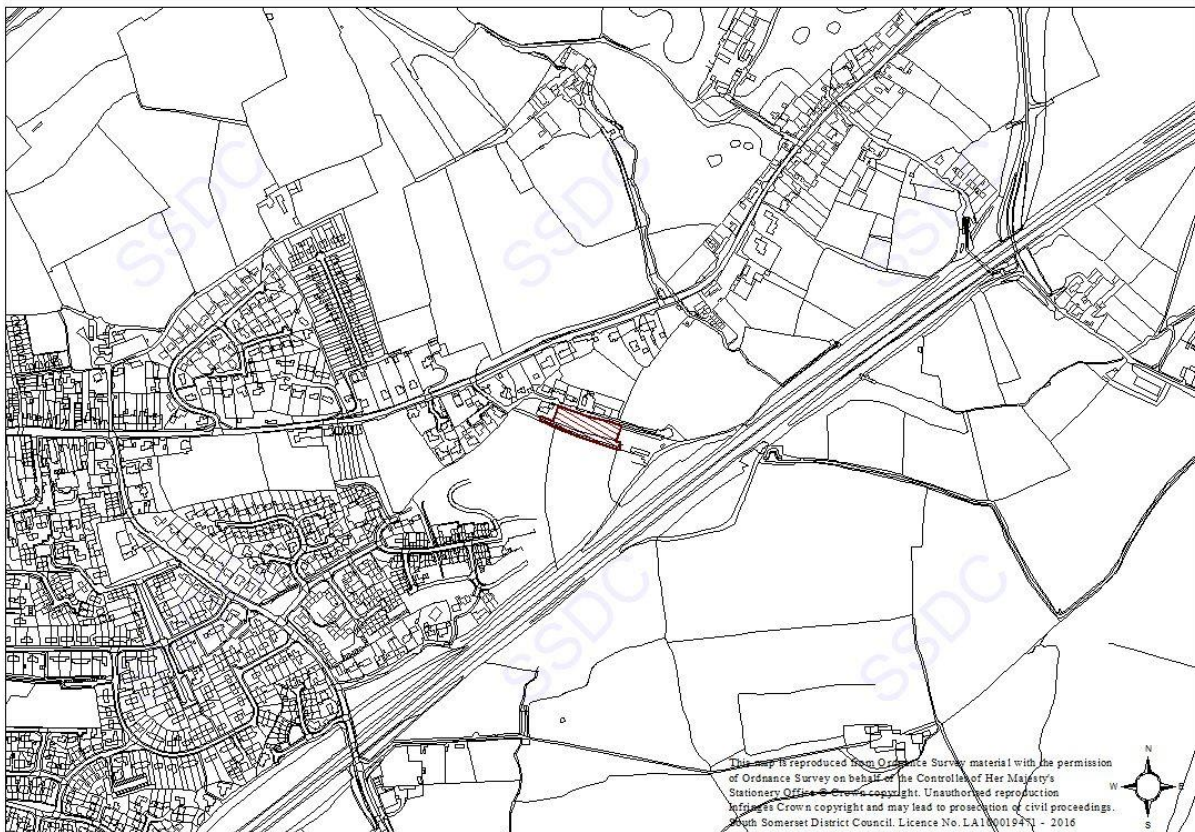
Officer Report On Planning Application: 16/00677/FUL

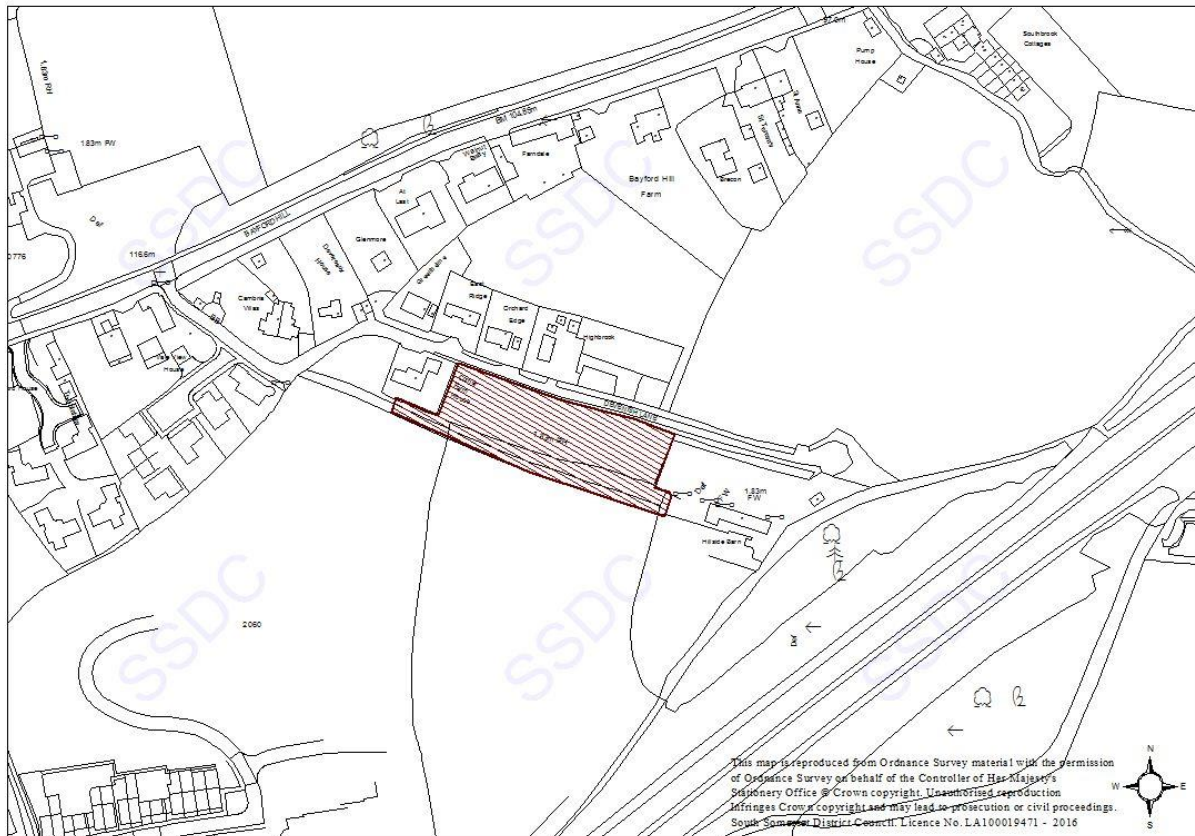
Proposal :	Erection of 3 dwellings and ancillary works (resubmission of 15/03731/FUL)
Site Address:	Land OS 3969 Part Devenish Lane Bayford
Parish:	Stoke Trister
TOWER Ward (SSDC Member)	Cllr Mike Beech
Recommending Case Officer:	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
Target date :	25th April 2016
Applicant :	Hopkins Development Ltd
Agent: (no agent if blank)	Mr Matthew Kendrick Grass Roots Planning Ltd Unit 106 86-88 Colston Street Bristol BS1 5BB
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL

This application is referred to committee at the request of the Ward Member with the agreement of the Chair to enable the issues raised locally with regard to the footpath and boundary treatments to be debated

SITE DESCRIPTION AND PROPOSAL





The application site is located at the eastern edge of Wincanton on high ground north of the A303, with views out over the Blackmore Vale. The site lies to the south of Devenish Lane, and north east of the Deansley Way development.

The site comprises a rectangular piece of land located between the adjacent two storey dwelling known as Corner Farm House, and the public right of way that runs within the site's eastern boundary that turns to align with the site's southern boundary at which point there are views out over the adjacent countryside before the footpath is taken between the Deansley Way development and Corner House Farm. The parish boundary between Wincanton and Stoke Trister is marked by the hedgerow that is currently left stranded behind the high timber fencing erected more recently by the applicant that aligns with the course of the public right of way.

The proposal seeks the erection of 3(no.) two storey detached dwellings and associated ancillary works. The proposal is submitted with a Planning Statement.

HISTORY

15/03731/FUL - Erection of 3(no.) detached dwellings and ancillary works, refused.

14/00479/FUL - Erection of 3(no.) detached dwellings and ancillary works, Approved, remains extant.

12/04649/FUL - Erection of 4 no. detached dwellings and ancillary works, refused.

11/00780/FUL - Erection of 4 no. detached dwellings, new access and associated infrastructure and landscaping - Refused.

870246: outline proposal for the erection of a bungalow on the western part of the site. Refused March 1987, and dismissed on appeal.

870247: outline proposal for the erection of two bungalows on eastern part of the site. Refused March 1987 and dismissed on appeal.

Both 1987 applications were considered at the same appeal and both dismissed on 8 October 1987: unacceptably extending development into open countryside; limited highway visibility - prejudicial to highway safety.

On the adjoining site to northwest:-

16/00686/FUL - Erection of two dwellings and associated ancillary works, following dismissal of appeal amended to a single dwelling, currently out to re-consultation.

15/03729/FUL - Erection of 2(no.) semi-detached dwellings and ancillary works, refused and appeal dismissed.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF state that applications are to be 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).

South Somerset Local Plan (2006-2028)

SD1 - Sustainable Development
SS1 - Settlement Strategy
SS4 - District wide Housing Provision
SS5 - Delivering New Housing Growth
TA5 - Transport Impact of New Development
TA6 - Parking Standards
EQ2 - General development
EQ4 - Biodiversity
EQ5 - Green Infrastructure

National Planning Policy Framework (March 2012)

Chapter 6 - Delivering a choice of high quality homes
Chapter 7 - Requiring Good Design
Chapter 8 - Promoting Healthy Communities
Chapter 11 - Conserving and Enhancing the Natural Environmental

National Planning Policy Guidance

Other Relevant Documents

Somerset County Council Parking Strategy, adopted March 2012 and re-adopted September 2012 following corrections made.

Somerset Highways Standing Advice - June 2015.

Stoke Trister with Bayford Parish Plan - Final Edition 2015

CONSULTATIONS

Stoke Trister with Bayford Parish Council Oppose proposal:-

- This site is by very dangerous bends incurring more traffic in a very narrow lane. It would have helped the Parish Council considerably if Highways had been present at this meeting to answer many questions from Councillors and Parishioners.
- The services to Hillside Barn will be affected.
- Preservation of hedgerows should be addressed.
- Consideration should be given to the existing residents of Devenish Lane.
- Totally inappropriate design and style for the lane and the existing properties.
- Unsustainable development.
- IN ADDITION the parking arrangements appear tight to say the least. Exiting for at least 1 car will require reversal onto the blind corner of Devenish Lane.

County Rights of Way Officer confirms that a footpath (WN 28/17) crosses the site. Any works should not encroach upon this footpath. The development obstructs the Public Right of Way. The County Council do not object to the proposal subject to the applicant being informed that the grant of planning permission does not entitle them to obstruct a public right of way.

County Highways Authority - No objections subject to conditions to secure no obstruction to visibility, consolidated surfaces, gradient of accesses, domestic parking only, 4 parking spaces provided, disposal of surface water.

SSDC Landscape Architect - In my earlier response, I asked that should you be minded to approve this application, that a detailed landscape proposal should be conditioned, which should seek to establish robust woody boundaries, which I see as being essential to the success of the scheme. I am advised that the southern boundary is to be expressed by a solid timber fence, which is unacceptable - this does not perpetuate the hedgerow enclosure agreed by the 2014 application, furthermore the removal of the parish boundary hedge is an erosion of local character, to impact negatively upon both the immediate context of the local lane along which the right of way runs, as well as upon the public open space associated with the Deansley Way development to the south. I have to advise that if the fence is viewed as an integral component of the proposal, then I am unable to offer landscape support, as LP policy EQ2 is not satisfied.

Original response: I recollect the detail of the 2014 application, which was approved. I have previously commented both negatively and positively upon a number of proposals here, most recently to negative effect in relation to the 2015 application, though that was a design that was very different in character to the approved scheme, and of greater height. The application now before us has reduced the height of the proposed dwellings, and has a more contemporary appearance.

The designs are all two-storey, but have been cut into the site such that the ridge height of each is little more than 6.25 metres above the lane's level for plots 1 and 2, and 5.15 metres above the lane level for plot 3. This broadly accords with the 2nd floor heights of the approved scheme, and I also note that plots 1 and 2 have been drawn closer, such that the built projection to the southeast is reduced.

SSDC Ecologist - Slow worms will almost definitely be present due to a receptor area for reptiles from the Deanesley Way development being located adjacent to this site. Slow worms are protected (Wildlife and Countryside Act 1981, as amended) against deliberate and 'reckless' harm. The legislation protects the animals themselves but not their habitat. Consequently their presence wouldn't be a constraint to the proposed development but mitigation measures to avoid and minimise harm will be required. I recommend a condition to secure a mitigation plan/method statement.

SSDC Tree Officer - The Monterey Cypress in the North-East corner of the site has quite poor condition and form (it has been damaged by high winds, it has been unsympathetically crown lifted to excess and the crown has die-back symptoms associated with Coryneum Canker). In my opinion, although it has been shown as retained, it lacks longevity and is not of sufficient quality to be worthy of constraining development.

The boundary hedge (roadside) is an attractive feature that has been traditionally laid in recent times. It would seem prudent to secure some degree of protection to prevent accidental construction damage, as it has been shown as retained. The prominent corner-location also provides a worthwhile opportunity to secure some modest tree planting. Therefore, if granting consent I propose conditions to consider hedgerow protection and a scheme of tree planting.

I have noted that the hedgerow adjoining the Southern boundary of the site appears to mark the historical Parish boundary between Wincanton and Stoke Trister as is evidenced in the Cucklington and Stoke Trister tithe map, dated 1838 this preceeds 1850 and in accordance with The Hedgerow Regulations 1997, this qualifies the hedgerow as 'important' under Criterion 1 - Parish Boundary. It appears that the hedgerow concerned also qualifies as important under Criterion 5: Remnant of a pre-inclosure field system (it is recorded in the tithe map pre-dating the Inclosure Acts - 1845).

Furthermore, I conducted a detailed survey and found that the hedgerow is eligible as an important hedge under Criterion 7 & 8: Presence of numerous woody species. I found x 6 woody species within the central 30 metres stretch of the hedgerow. X 10 species were found in the Southernmost 30 metre section. The presence of the adjoining Right of Way and other 'associated features' (ditch, bank, less than 10 % gaps, x 8 trees) all adds to the eligibility.

Given the significant historic and ecological values of the hedgerow, I believe that the proposed 're-alignment' or removal of the hedgerow is contrary to the Council's aims to preserve existing landscape features (trees and hedgerows) in accordance with the Council's following policies as stated within The South Somerset Local Plan (2006 - 2028); EQ2: General Development, EQ4: Bio-Diversity & EQ5: Green Infrastructure.

Wessex Water - General comments made including the attachment of an extract from showing the approximate location of the public sewer/ water main in the vicinity of the site.

REPRESENTATIONS

There have been 8 householder notification responses received. 6 object, and 2 support the proposal. The objections are concerned that:

- Outside of the Wincanton town development area
- Sustainability on transport grounds
- Danger points within Devenish Lane, and its junction onto Bayford Hill, increased traffic
- Totally out of character
- Removal of hedges and trees will be visually unacceptable
- The high wood fencing resembling a prison exercise yard is objectionable and

uninviting to any walker.

- Large pressurised water main
- Dwellings would be visually unacceptable
- The retained hedgerows, to allow approval of the previous application, would now have to be destroyed. These hedgerows were required for both wildlife and visual reasons.

The letters of support

- This application has been on the table for several years now, and needs closure. In an idyllic world it would be nice to have a green boundary between Bayford and Wincanton, however with rising population and current housing policy this green strip of land is not going to remain for long, So if it has to be developed then develop it with something attractive now, rather than risk the land being turned over to unattractive smaller "affordable type housing", as currently at Deansley Way, sometime in the future. I'm sure this is not an acceptable argument to develop a piece of land, however the current application is an improvement on previous ones and I am in support of it.
- Whilst I sympathise with some of the contributions so far, I believe that the current planning application is an improvement on the previous one and is one that I support.

CONSIDERATIONS

Principle of Development

The principle of development was accepted by the extant (ref: 14/00479/FUL) permission for three houses that forms a fall-back position for the applicant. The Council currently lacks a five-year housing land supply. With or without a five-year housing land supply it is important to judge an application on its merits, taking account of the impacts and benefits that the scheme provides. There is a presumption (para.14 of the NPPF) in favour of sustainable development unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Accordingly the main considerations include character and appearance, highway safety, the effect on the public right of way and neighbour amenity.

Character and Appearance

The design and scale of the proposed dwellings although they differ from those permitted would not create higher structures and on this basis the Landscape Architect is supportive of them, subject to a landscape condition to help soften boundaries in this exposed position that overlooks the adjacent open land with views out across the landscape. The extant planning permission preserved the course of the Public Right of Way and adjacent parish hedgerow boundary as part of the landscaping scheme supporting that development. The submitted drawing 793/002D annotates a new perimeter hedge to be planted, although this is located inside the retained timber fence that was recently erected on site. The presence of the fencing screens the planting within and the agent's email of 12 April 2016 confirms their reluctance to move the fencing to provide for outward planting (by planning condition) of the site.

Notwithstanding the lost opportunity to landscape boundaries it is noted also that the current proposal involves the loss of the historic parish boundary hedgerow that was previously a feature of the landscaping in support of the extant planning permission (14/00479/FUL). The timber fencing that has been erected on site leaves the hedgerow stranded, severed from the adjacent footpath, although the proposal results in the total loss of the hedgerow. The landscaping finishes of the extant permission were previously important considerations in support of that scheme that included a post and rail fence with the hedgerow providing screening and security for the dwellings within.

The hedgerow's loss draws attention to the fact that it forms an historic hedgerow parish boundary whose loss is considered a significant and detrimental change to the extant

permission. While the loss of the other landscaping elements and the imposition of the fencing as the outward 'hard' edge of the proposal development removes the opportunity to soften and integrate the proposed development with its surroundings, the loss of what is considered an important parish boundary hedgerow attracts great weight. Its loss and the lack of landscaping is considered brings about adverse harm to local distinctiveness and character and appearance.

Rights of Way

The proposal results in the Public Right of Way being pushed back to the site's perimeter (east side) that requires its diversion and is already defined on the ground by fencing that allows for a 1.8m footpath width, referred to in the original diversion order, now harshly contained at close quarters by high timber fencing on both sides of the footpath. The path then turns to align with the application site's southern boundary, defined likewise by timber fencing although at this point having the benefit of open views out towards the south.

This stretch of footpath originates from an earlier cart track, taken from the main road to the adjacent agricultural barns that were converted to a residential dwelling in the late 20th century. The applicant seeks to physically define its width as 1.8m whereas as a former cart track a broader more distinct presence is considered an important attribute. The extant permission ref: 14/00479/FUL shows an unobstructed public right of way with sufficient space, width and context for users that made for an attractive and welcoming stretch of footpath that also aligns with the historic parish hedgerow boundary. The footpath's physical treatment and resulting containment is considered to have created a much less attractive route. Para.75 of the NPPF seeks to protect and enhance public rights of way and access. Local Authorities are tasked to seek opportunities to provide better facilities for users, while the applicant's consideration of the public right of way is considered lacks any attention towards the footpath's integration with the new development.

Highways

Highway safety off site and on the approach to the site was considered in depth previously. The Highway Authority's response to the current application propose conditions and otherwise does not object to the proposal for which there is, as said elsewhere, a fall-back position. On the basis of Highway Authority support the proposal is considered would not have a detrimental effect for highway safety.

Impact on Residential Amenity

The proposed dwellings are not considered would give rise to any significantly detrimental impact for neighbour amenity. All neighbour responses have been considered and where appropriate dealt with under the relevant sub-heading of the officer report.

RECOMMENDATION

Refuse permission

Reasons for Refusal

01. The loss of the significant Parish hedgerow boundary would result in adverse harm by virtue of the historic and ecological interests associated with this historic landscape feature contrary to the aims and objectives that seek to preserve existing landscape character, appearance and local distinctiveness contrary to Policy EQ2, EQ4 and EQ5 of the South Somerset Local Plan 2006- 2028.
02. The proposed reduction in width of the public right of way and the treatment of enclosure results in a significantly less attractive and accessible route for users amenity resulting in

obstruction caused by its narrowing and closely bounded by high timber fencing being detrimental to local distinctiveness, character and appearance, and the amenity of users contrary to Policy EQ2 of the South Somerset Local Plan 2006- 2028, and para.75 of the NPPF.

03. The proposal lacks any outward landscaping to soften the impact of the development being detrimental to character and appearance, local distinctiveness and visual amenity, contrary to Policy EQ2 of the South Somerset Local Plan 2006- 2028.

Informatives:

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;
 - offering a pre-application advice service, and
 - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

In this case, the applicant/agent did not take the opportunity to enter into pre-application discussions with regard to the wider setting and layout of the development.

Agenda Item 15

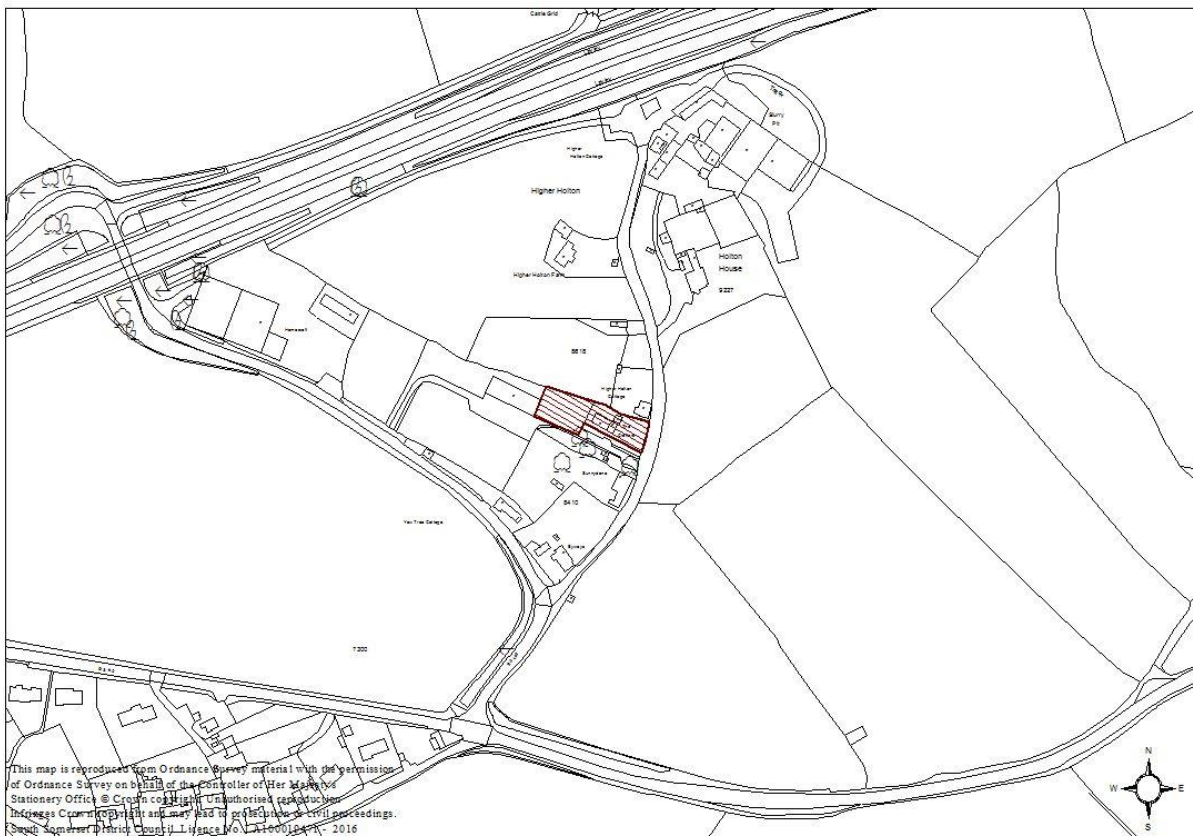
Officer Report On Planning Application: 16/02009/S73

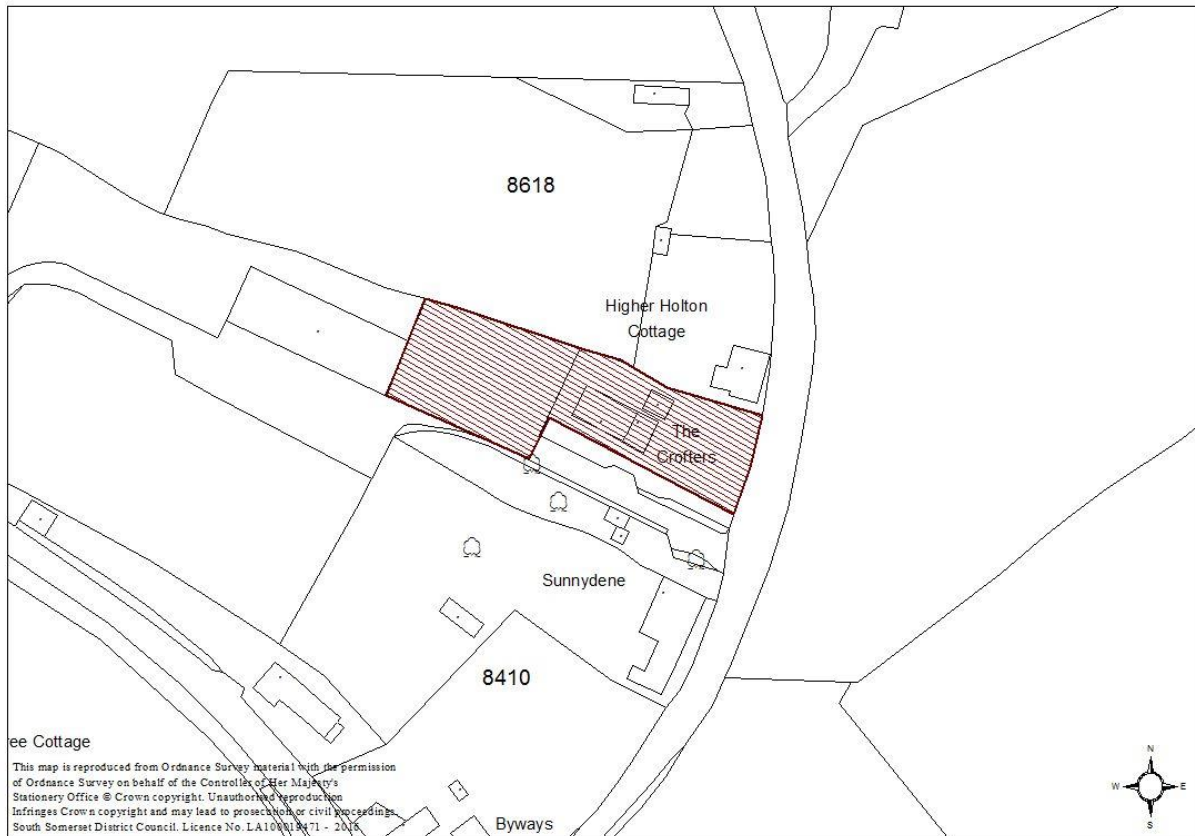
Proposal:	Application to remove Condition 4 (Agricultural occupancy) of approved planning permission 45934/ A dated 26th June 1964.
Site Address:	Crofters Higher Holton Lane Holton
Parish:	Holton
BLACKMOOR VALE Ward (SSDC Member)	Cllr Tim Inglefield Cllr William Wallace
Recommending Case Officer:	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
Target date:	24th June 2016
Applicant:	Mr D A Young
Agent: (no agent if blank)	Mr John Loosemore 16 Eldridge Close Dorchester Dorset DT1 2JS United Kingdom
Application Type:	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at the request of Ward Members with the agreement of the Area Chairmain to enable Members to debate the issues.

SITE DESCRIPTION AND PROPOSAL





The application site is located in the countryside beyond development limits, south of the duelled A303 and is one of several dwellings and agricultural buildings in the immediate locality that is set apart from the adjacent settlement of Horton.

The application comprises a resubmission of an earlier refusal ref: 16/00111/S73, and proposes the removal of condition 4 (agricultural occupancy) of approved planning permission 45934/A dated 26 June 1964.

Condition 4 reads:

- 'The occupation of the dwelling shall be limited to persons employed or last employed locally in agricultural, as defined in Section 221 of the Town and Country Planning Act, 1962, or in forestry, and the dependents of such persons.'

The reason for refusal ref: 16/00111/S73 that needs to be addressed reads:

- The applicant has failed to demonstrate that the restricted occupancy dwelling is not needed to meet the needs of agricultural business in the area as a whole. No marketing for a reasonable period of time, taking into account resale price, the condition of the dwelling and the likely price, which an agricultural/forestry worker could pay for the actual value of the property, has been conducted, contrary to policy HG10 of the South Somerset Local Plan 2006- 2028.

The applicant has provided further information by means of a revised Planning Statement.

RELEVANT PLANNING HISTORY

16/00111/S73 - Remove condition 4 (Agricultural occupancy) of approved planning permission 45934/A dated 26 June 1964, Refused.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004), and Paragraphs 2, 11, 12, and 14 of the NPPF state that applications are to be 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)

SD1 - Sustainable Development

SS1 - Settlement Strategy

SS2 - Development in Rural Settlements

HG10 - Removal of Agricultural and Other Occupancy Conditions

EQ2 - General development

Regard shall also be had to:

National Planning Policy Framework (March 2012):

Chapter 4 - Promoting sustainable transport

Chapter 7 - Requiring Good Design

National Planning Policy Guidance

CONSULTATIONS

North Vale Parish Council: After much discussion the council decided in favour of the Agricultural Occupancy Condition 4 being removed.

County Highway Authority: No observations

SDDC Economic Development Officer previously commented that they would expect to see this property marketed for a minimum period of one year to determine the demand. It is imperative that the valuation of the property reflects the agricultural tie.

Holton Heritage Trust strongly supports the application. The type of small business which is run is no longer viable, nor are the premises.

REPRESENTATIONS

None

APPLICANT'S CASE

The applicant's Planning Statement seeks to make the case that agricultural working practices since 1964 have seen significant change, the land holding has been reduced while the location is claimed to be a sustainable location, and that these conditions given the minimum wage and cautious mortgage lenders, are now very historic having little or no relevance in the modern day. The revised application draws attention to what is claimed to be similar recent permissions and an appeal decision, and contrasts property 'for sale' prices and the reduced value that results from the occupancy restriction.

CONSIDERATIONS

Principle of Development:

The applicant's case set out in their Planning Statement is noted, however, notwithstanding the additional information that is submitted, the lack of land associated with the agricultural workers dwelling is considered irrelevant, while the property continues to provide an opportunity for agricultural workers to buy into a more affordable home.

Policy HG10 is the applicable policy context in considering an application for the removal of an agricultural occupancy condition. This requires that a period of marketing is involved to test the market as part of a marketing appraisal. The council's Economic Development Officer previously confirmed that a minimum of one year, in this case, is required. On the basis that the application fails to provide any marketing appraisal evidence there can be no 'in principle' support. We have therefore to consider whether there are any material circumstances that might outweigh the lack of support from Policy HG10.

Sustainable Location:

The application site is part of a small group of built form that is stood apart from the village of Horton while the applicant submits evidence of similar case studies where permission has been given elsewhere. In this case the application site is 0.5 km from the village pub whereas the specific example quoted at West Camel had the site centrally located across the road from the village pub. The Appeal decision also quoted is noted although this post-dates a certificate of lawfulness that was issued and it was the certificate of lawfulness central to the subsequent application to remove the occupancy that was central to the reason supporting removal. While noting the information that has been submitted the particular circumstances of the current site are considered different, mindful that each application for planning permission is to be considered on its own individual merits.

Other Matters:

The applicant also seeks to compare the difference in property prices while the whole purpose of an occupancy condition seeks to achieve a lower price in support of agricultural workers. While 'worker' is referred to in effect much housing is occupied by owners, and while the legal agreements that seek non-fragmentation have and are being removed, invariably the same sites retain the accompanying agricultural workers occupancy condition that is recognised by the Inspectorate to protect the relevant interest. It is therefore difficult to argue that devoid of its land holding that the relevant condition is no longer required. Local Plan Policy HG10 remains relevant to the considerations raised by the current proposal. Notwithstanding the applicant has not sought to address the previous refusal reason and without the presence of other material circumstances attracting greater weight there remains a fundamental concern with releasing the occupancy condition without having addressed Policy HG10.

Removal of the occupancy condition is considered would not have any negative impact on character and appearance, highway safety and neighbour amenity.

RECOMMENDATION

Refuse

FOR THE FOLLOWING REASON:

01. The applicant has failed to demonstrate that the restricted occupancy dwelling is not needed to meet the needs of agricultural business in the area as a whole. No marketing for a reasonable period of time, taking into account resale price, the condition of the dwelling and the likely price, which an agricultural/forestry worker could pay for the actual value of the property, has been conducted, contrary to policy HG10 of the South Somerset Local Plan 2006- 2028.

Informatives:

01. In accordance with paragraphs 186 and 187 of the NPPF the council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The council works with applicants/agents in a positive and proactive manner by;
- offering a pre-application advice service, and
 - as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions

 - In this case, the applicant/agent has not taken the opportunity to enter into pre-application discussions following the previous refusal.

Agenda Item 16

Officer Report On Planning Application: 16/02563/FUL

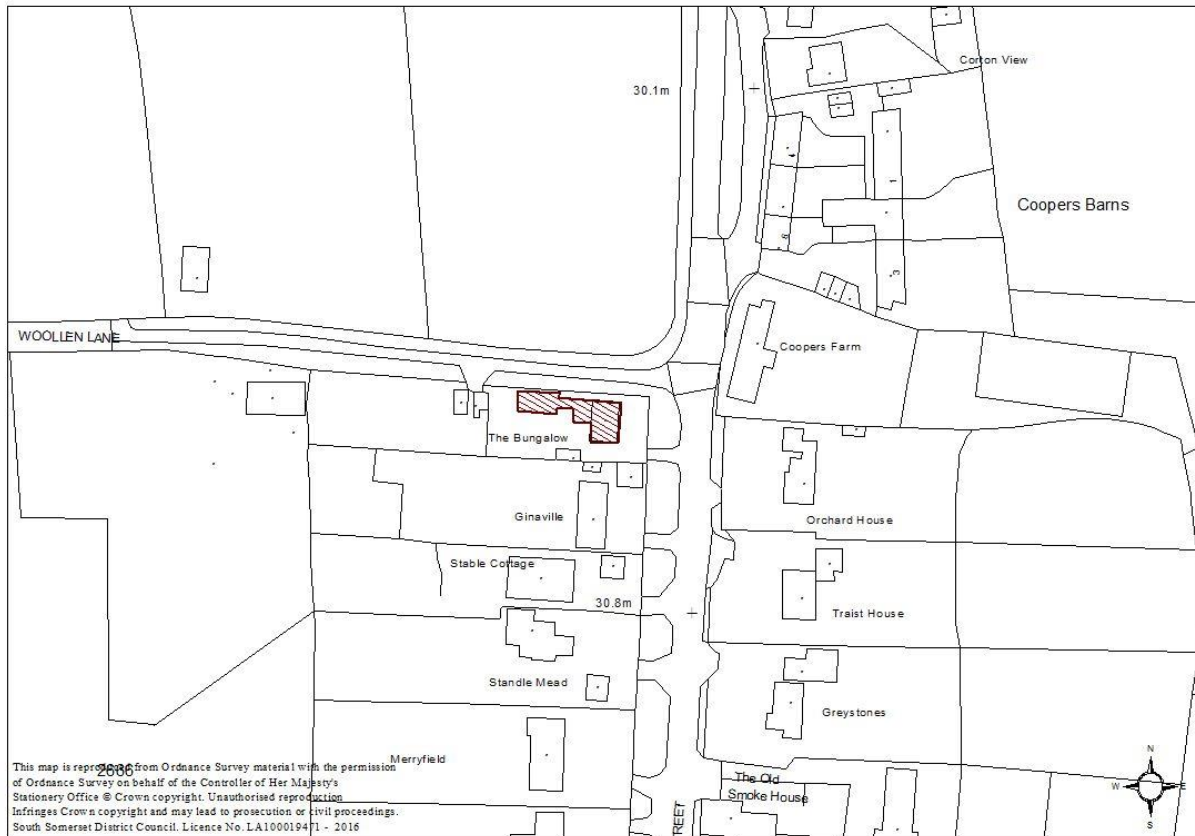
Proposal :	Erection of a rear extension
Site Address:	Casa Mdena Camel Street Marston Magna
Parish:	Marston Magna
CAMELOT Ward (SSDC Member)	Cllr Mike Lewis
Recommending Case Officer:	Emma Meecham Tel: 01935 462159 Email: emma.meecham@southsomerset.gov.uk
Target date :	28th July 2016
Applicant :	Mr David Osborne
Agent: (no agent if blank)	Mr Barry Buckley Castellum Tinneys Lane Sherborne Dorset DT9 3DY
Application Type :	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

Following referral to the Chair this application is to be discussed at committee to allow the issues raised to be discussed further.

SITE DESCRIPTION AND PROPOSAL





The application property is a detached chalet bungalow on the northern edge of Marston Magna. The property is constructed of red brick and render. The property benefits from two parking areas, one to the front and one mid-way down the rear garden, which is large. To the north of the property is open countryside

This application seeks permission for the erection of a rear extension. The proposed extension would include bedroom accommodation in the roof space and rooms to the ground floor. The extension would be connected to the existing property by a single storey utility space. The proposed extension would have ground floor windows and doors only on the south and west elevations, the north elevation would see the introduction of three dormer windows, one skylight and one ground floor level window. The proposed extension would be constructed of matching materials to the existing property.

RELEVANT HISTORY

10/03074/FUL - Alterations and side and rear extensions to dwelling - Application permitted with conditions

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.

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of

planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

On this basis the following policies are considered relevant:-

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

Policy EQ2 - General Development

Policy SS1 - Settlement Strategy

Policy SD1 - Sustainable Development

Policy TA5 - Transport Impact of New Development

Policy TA6 - Parking Standards

National Planning Policy Framework

Chapter 7 - Requiring Good Design

CONSULTATIONS

Highways Authority - Standing Advice applies.

Highways Consultant - No highways issues - no objection.

Marston Magna Parish Council - The Parish Council have concerns that the size and nature of the extension are not in keeping with the current houses in the street.

The next door neighbours attended the meeting and brought it to our attention that they were not happy with the proposed design.

The applicant is currently using an access from the lane at the side of his property. The Parish Council also question his right to do this.

REPRESENTATIONS

2 neighbours were consulted and a site notice was posted. Three letters of objection were received.

The main points of the objection are:

- The location of the site notice.
- Loss of light to neighbouring properties.
- Visibility of the extension from the A359.
- Overbearing to neighbouring properties.
- Over development of the site.
- Drainage of the lane to the side of the property.
- Previous narrowing of the lane to the side of the property.
- Concerns that the extension is tantamount to an additional dwelling.
- Length of the neighbour consultation list.
- Considerable flooding problems that the extension will create.

CONSIDERATIONS

Principle of Development:

The alteration of existing properties is usually acceptable in principle subject to the proposed development being in accordance with the relevant policies of the Development Plan. The

Highway authority has advised that their Standing Advice with regard to parking applies to this application; as such the main considerations will be the impact on the visual and residential amenity of the area and highway Safety.

Visual amenity:

Although the property could be considered to be in a fairly prominent location when entering Marston Magna along the A359 from the North there are numerous mature trees, hedging and a wall that will all screen much of the extension from view. The proposed extension is at the same height as the existing property but would run parallel to the lane, perpendicular to the main road, with a single storey link extension between the two higher elements and would therefore be interpreted as an addition to the original property. The materials to be used would match the existing property. The north elevation of the existing property benefits from two dormers and a skylight, it is therefore considered that the addition of more dormers and an additional skylight will not be incongruous with the elevation when read from the approach on the road. The site has a large rear garden and it is considered the plot can comfortably withstand the proposed size of the extension. It is therefore considered that there is no significant or substantial harm caused to the visual amenity of the area in accordance with policy EQ2 of the South Somerset Local Plan.

Residential amenity:

The neighbouring property is approximately 15 metres to the south east of the proposed extension, beyond a tall fence with mature planting adjacent to it. The proposed extension would be 5.8 metres high to the ridge with no upper floor windows facing the neighbouring property. Due to the location, orientation and design it is not considered that the proposed development would cause any overbearing, loss of privacy or loss of light to any neighbouring properties. It is considered appropriate to condition that there is no division of the property into two dwellings. It is therefore considered that there will be no harm caused to residential amenity in accordance with policy EQ2 of the South Somerset Local Plan.

Highway Safety:

The Highway authority has advised that their Standing Advice applies to this application. The SSDC Highway Consultant considers that there are no highways issues arising from this proposal. The property benefits from off road parking and turning for at least 4 vehicles and as such complies with the SPS optimum parking levels for a property of this size in this location. It is therefore considered that there will be no harm to Highway Safety caused by this application, therefore the proposal is in accordance with policy TA6 of the South Somerset Local Plan.

Other Considerations:

Most of the other comments received are not planning concerns as they would be civil issues regarding private property - the lane. The site has a large rear garden and it is considered the plot can comfortably withstand the proposed size of the extension. The planning site notice was pinned to a telegraph pole immediately opposite the application property.

RECOMMENDATION

Grant permission for the following reason:

01. The proposal by reason of its location, size, materials and design will have no substantial adverse impact on visual or residential amenity or highway safety in accordance with the aims and objectives of policies EQ2 and SD1 of the South Somerset Local Plan (2006-2028) and the relevant sections of the National Policy Planning Framework 2012.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the approved plans received 2 June 2016.

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

03. The external surfaces of the development hereby permitted shall be of materials as indicated in the application form and no other materials shall be used without the prior written consent of the local planning authority.

Reason: To ensure that the local character and distinctiveness of the area is not adversely affected in accordance with Policy EQ2 of the South Somerset Local Plan (2006-2028).

04. The accommodation to be provided within the development hereby permitted shall remain as permanent ancillary accommodation to the dwelling known as Casa Mdena and shall be occupied only by persons of the same household. There shall be no subdivision of this single residential planning unit.

Reason: The accommodation is not considered suitable for separate use, because of the relationship between it and adjacent dwelling(s), in line with the aims and objectives of policy EQ2 of the South Somerset Local Plan (2006-2028).

05. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed in the south elevation of the extension hereby approved, or other external alteration made without the prior express grant of planning permission.

Reason: To safeguard the amenity of the neighbouring properties in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028).

Agenda Item 17

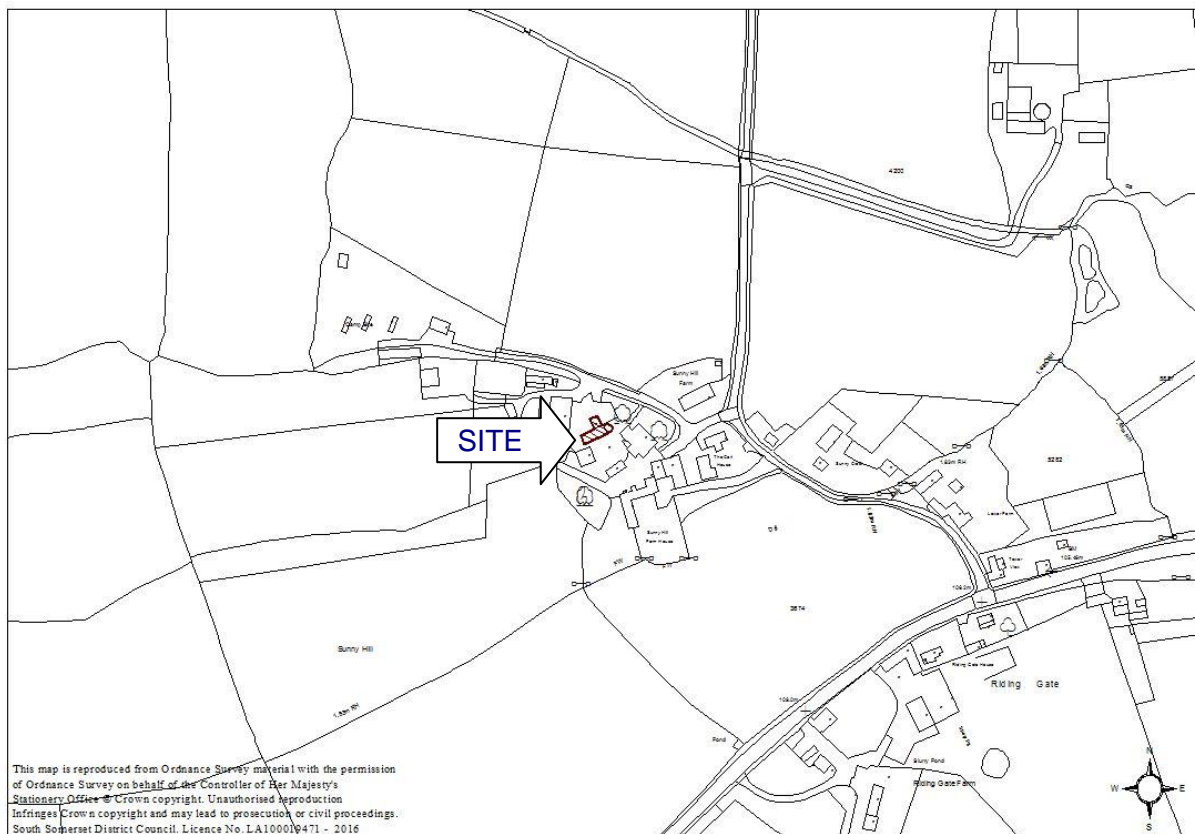
Officer Report On Planning Application: 16/02257/FUL

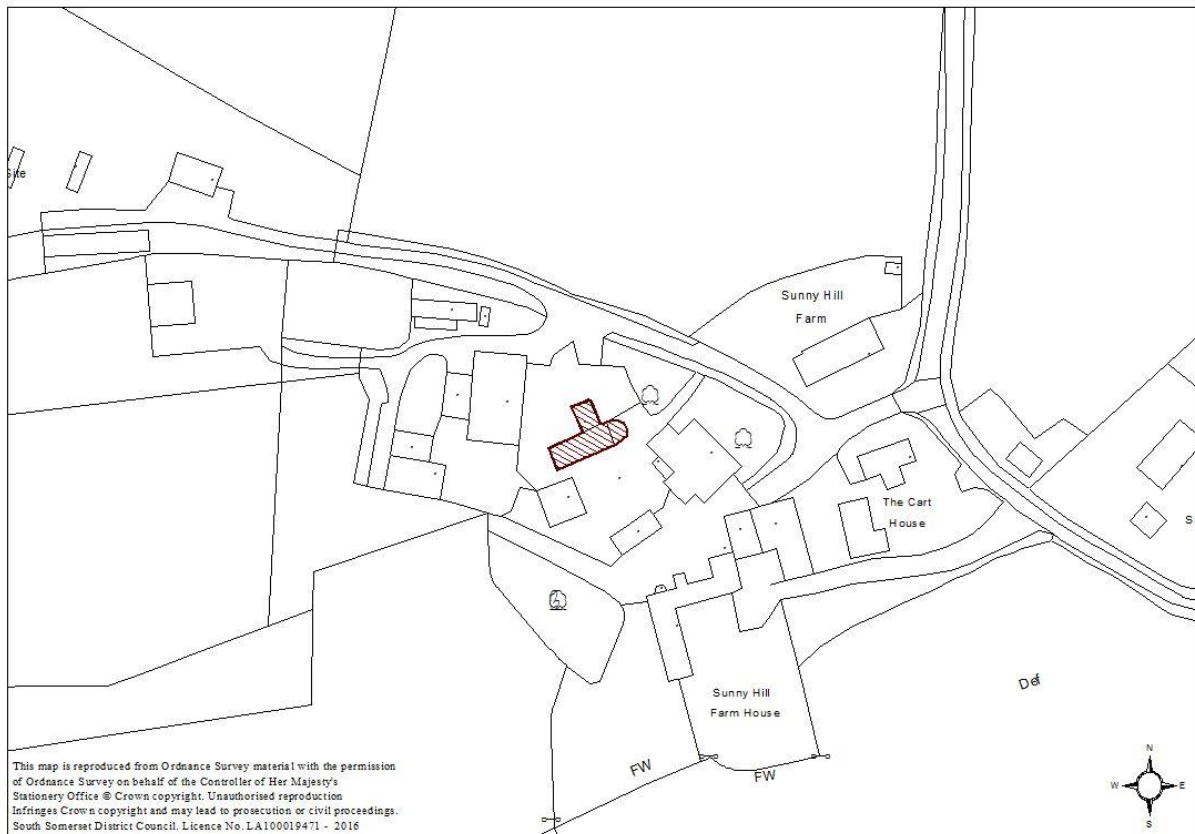
Proposal :	Conversion of barn to dwelling (alternative scheme) to include the erection of a conservatory and to retain changes to approved scheme (retrospective) (GR 373244/129833)
Site Address:	New Barn Sunnyhill Farm Riding Gate
Parish:	Charlton Musgrove
TOWER Ward (SSDC Member)	Cllr Mike Beech
Recommending Case Officer:	Adrian Noon Tel: 01935 462370 Email: adrian.noon@southsomerset.gov.uk
Target date :	5th August 2016
Applicant :	Mr W Hookins
Agent: (no agent if blank)	Mr C Winder Winder Design 2 Mill Street Wincanton Somerset BA9 9AP
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This applicant is referred to Committee as the agent is an elected member of the Council.

SITE DESCRIPTION AND PROPOSAL





Sunnyhill farm is located outside settlement limits, at the western end of the loose group of properties known as Riding Gate. It is accessed via an unclassified road leading north off the old A303. The nearest third party property is Old Sunnyhill Farm, a grade 2 listed dwelling approximately 35m to the south. There is a bungalow and a converted barn to the east and a small caravan site to the northwest, apart from which the site is surrounded by open countryside.

The building in question is a stone built, split level, former agricultural building now converted to residential use under a previous permission, however it is accepted that the conversion works are still on-going. This application seeks approval for an alternative conversion scheme that would retain a conservatory that has been commenced to the west elevation, although work was ceased once it was pointed out that this is unauthorised.

This conservatory comprises a timber framed structure under a tiled roof.

HISTORY

- | | |
|--------------|---|
| 13/00109/FUL | Permission granted for conversion of barn to dwelling (alternative scheme) to retain changes to the approved scheme without previous holiday let restriction. |
| 12/02106/FUL | Application for the erection of conservatory withdrawn once it became apparent that there are other departures from the approved plan and the occupation of the barn that need to be regularised. |
| 03/03247/COU | Planning permission granted for conversion of redundant stone barn to holiday accommodation and demolition of dutch barn (06/11/03) |

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S.54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

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

The policies of most relevance to the proposal are:

EQ2 – General Development
EQ3 – Historic Environment
TA5 – Transport Impact of New Development

National Planning Policy Framework

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

Other Material Considerations

The Conversion of Barns and Other Historic Buildings 1991.
Somerset County Council Parking Strategy

CONSULTATIONS

Charlton Musgrove Council: agree to the changes made if the planning officer is happy with them.

Highways Officer: standing advice applies with regard to access and parking standards.

Representations

1 local resident has raised the following objections:-

- The conservatory would block view of King Alfred's Tower
- Applicant's caravan site remains occupied in breach of holiday permission
- Planning laws should be abided with by all and enforced.

CONSIDERATIONS

The conversion of this stone barn to some form of residential use has been accepted by the 2003 grant of permission, as amended by the approval of 13/00109/FUL. This application now simply seeks to agree a curtilage for the barn conversion and to retain and complete the conservatory.

Domestic Curtilage:

The 2003 permission included the removal of a dutch barn and should have led to the wider tidying up of the site. Whilst it is regrettable that this has only been partially achieved this

application now seeks to establish a curtilage that would then be used in conjunction with the barn conversion.

It is considered that this is commensurate with the nature of the property and would have no adverse impact on the setting of the nearby listed building, the character of the area or visual amenity, being essentially the same as the original farm yard. Whilst some former agricultural outbuildings remain they are not considered to be in such a state that action is justified to secure their removal.

Addition of conservatory:

This was originally included in the previous application (13/00109/FUL), but was considered objectionable due to its original design with a glazed roof. The applicant has amended this to a tiled roof.

It is not considered that the proposed structure, a timber frame on a stone wall, with a tiled roof, is objectionable and the proposal complies with policy EQ2.

Other Issues:

It is not considered that the proposed conservatory and domestic curtilage would have any adverse impact on residential amenity or highways safety. There is ample room on site for car parking and the access remains as previously approved. Nevertheless given the proximity of the listed building it is considered prudent to remove permitted development rights for extensions and outbuildings to ensure that an appropriate degree of control is exerted to safeguard its setting and the character of the locality.

Whilst the applicant's approach to barn conversion is somewhat unorthodox, it is not considered that this partially retrospective application is unacceptable or that the circumstances in which it arrives justify withholding permission.

The neighbour is concerned about a view toward King Alfred's Tower, however the proposed conservatory is set well below the roof line of the converted barn. Whilst the neighbour's view would change, it is not considered that the conservatory would unduly impinge on their outlook.

Finally, whilst it is unfortunate that this application is retrospective, this cannot be held against the applicant. In all planning respects, the proposal is acceptable. Any enforcement issues in relation to the applicant's other site are not material to the determination of this application.

RECOMMENDATION

That planning permission be granted subject to the following conditions.

Justification

Notwithstanding local concerns the proposed curtilage and conservatory would have no adverse impact on the setting of the listed building, the character and appearance of the locality, residential amenity or highways safety. As such the proposal complies with policies EQ2, EQ3 and TA5 of the South Somerset Local Plan 2006-2028.

SUBJECT TO THE FOLLOWING:

01. The development hereby permitted shall not be carried out otherwise than in complete accordance with the following plans:-

Location plan and site plan; roof plan; HCM/12/2/2A and HCH/12/2/4B and HCM/12/2/5A received 13/05/16.

Reason: To clarify the development hereby approved.

02. Prior to its completion, details of the external materials for the conservatory hereby approved shall be submitted to and approved in writing by the local planning authority. Once approved the conservatory shall be constructed used the approved materials and not subsequently altered without the prior express grant of planning permission.

Reason: In the interest of visual amenity and to safeguard the setting of the nearby listed building in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan 2006-2028.

03. 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 extensions, other than those agreed as part of this application, shall be erected without the prior express grant of planning permission.

Reason: In the interest of visual amenity and to safeguard the setting of the nearby listed building in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan 2006-2028.

04. 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 outbuildings, garages or other structures, other than those agreed as part of this application, shall be erected within the curtilage hereby approved without the prior express grant of planning permission.

Reason: In the interest of visual amenity and to safeguard the setting of the nearby listed building in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan 2006-2028.