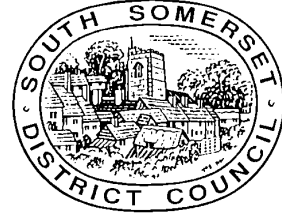


**South Somerset District Council**

*Notice of Meeting*



# Area East Committee

*Making a difference where it counts*

**Wednesday 11th October 2017**

**9.00 am**

**Council Offices, Churchfield,  
Wincanton BA9 9AG**

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



The following members are requested to attend this meeting:

Mike Beech  
Hayward Burt  
Tony Capozzoli  
Nick Colbert

Sarah Dyke  
Anna Groskop  
Henry Hobhouse  
Mike Lewis

David Norris  
William Wallace  
Nick Weeks  
Colin Winder

Consideration of planning applications will commence no earlier than 10.15am.

For further information on the items to be discussed, please contact the Democratic Services Officer on 01935 462038 or [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk)

This Agenda was issued on Monday 2 October 2017.

**Ian Clarke, Director (Support Services)**

**This information is also available on our website  
[www.southsomerset.gov.uk](http://www.southsomerset.gov.uk) and via the mod.gov app**



## **Information for the Public**

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

Decisions made by area committees, which include financial or policy implications are generally classed as executive decisions. Where these financial or policy decisions have a significant impact on council budgets or the local community, agendas will record these decisions as “key decisions”. The council’s Executive Forward Plan can be viewed online for details of executive/key decisions which are scheduled to be taken in the coming months. Non-executive decisions taken by area committees include planning, and other quasi-judicial decisions.

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

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

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

Agendas and minutes of meetings are published on the council’s website  
[www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions](http://www.southsomerset.gov.uk/councillors-and-democracy/meetings-and-decisions)

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

## **Public participation at committees**

### **Public question time**

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

### **Planning applications**

Consideration of planning applications at this meeting will commence no earlier than the time stated at the front of the agenda and on the planning applications schedule. The public and representatives of parish/town councils will be invited to speak on the individual planning applications at the time they are considered.

Comments should be confined to additional information or issues, which have not been fully covered in the officer’s report. Members of the public are asked to submit any additional documents to the planning officer at least 72 hours in advance and not to present them to the Committee on the day of the meeting. This will give the planning officer the opportunity to respond appropriately. Information from the public should not be tabled at the meeting. It should

also be noted that, in the interests of fairness, the use of presentational aids (e.g. PowerPoint) by the applicant/agent or those making representations will not be permitted. However, the applicant/agent or those making representations are able to ask the planning officer to include photographs/images within the officer's presentation subject to them being received by the officer at least 72 hours prior to the meeting. No more than 5 photographs/images either supporting or against the application to be submitted. The planning officer will also need to be satisfied that the photographs are appropriate in terms of planning grounds.

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

The order of speaking on planning items will be:

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

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

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

## **Recording and photography at council meetings**

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

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

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

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

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# **Area East Committee**

## **Wednesday 11 October 2017**

### **Agenda**

#### ***Preliminary Items***

#### **1. Minutes of Previous Meeting**

To approve as a correct record the minutes of the previous meeting held on Wednesday 13<sup>th</sup> September 2017.

#### **2. Apologies for absence**

#### **3. Declarations of Interest**

In accordance with the Council's current Code of Conduct (as amended 26 February 2015), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting.

Members are reminded that they need to declare the fact that they are also a member of a County, Town or Parish Council as a Personal Interest. Where you are also a member of Somerset County Council and/or a Town or Parish Council within South Somerset you must declare a prejudicial interest in any business on the agenda where there is a financial benefit or gain or advantage to Somerset County Council and/or a Town or Parish Council which would be at the cost or to the financial disadvantage of South Somerset District Council.

#### **Planning Applications Referred to the Regulation Committee**

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

Councillors Sarah Dyke, Tony Capozzoli, Nick Weeks and Colin Winder.

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

#### **4. Date 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 8<sup>th</sup> November at 9.00am.

#### **5. Public Question Time**

#### **6. Chairman Announcements**

## **7. Reports from Members**

### *Items for Discussion*

- 8. Business Rates Relief - New Local Discretionary Relief** (Pages 6 - 10)
- 9. Endorsement of Bruton Town Plan 2017 (Executive Decision)** (Pages 11 - 13)
- 10. Area Development Plan and Budget - Half Year Progress Report** (Pages 14 - 24)
- 11. Area East Committee Forward Plan** (Pages 25 - 26)
- 12. Planning Appeals (For Information Only)** (Page 27)
- 13. Schedule of Planning Applications to be Determined by Committee** (Pages 28 - 29)
- 14. 17/02712/FUL - 52 Ash Walk, Henstridge, Templecombe** (Pages 30 - 39)
- 15. 17/03155/OUT - Land Adjacent To Wykeham, Old Hill, Charlton Musgrove** (Pages 40 - 45)
- 16. 17/03245/COU - Victoria House, 27 High Street, Wincanton** (Pages 46 - 50)

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

**This does not apply to decisions taken on planning applications.**

# Agenda Item 8

## **Business Rates Relief – New Local Discretionary Relief**

*Director:* Ian Clarke, Support Services  
*Service Manager:* Ian Potter, Revenues and Benefits Manager  
*Lead Officer:* Sharon Jones, Revenues Team Leader  
*Contact Details:* Sharon.jones@southsomerset.gov.uk or 01935 462256

### **Purpose of the Report**

1. In the Chancellor's Spring Budget, the Government announced a package of measures to support business rate payers following the introduction of the new rating list. This report is to update on the reliefs available as a result of these measures.

### **Public Interest**

2. The Rating List contains details of the rateable value assigned to all types of premises subject to Business Rates. The rateable value is used to calculate the Business Rates charge for each entry in the list. A Business Rates Revaluation normally takes place every five years resulting in a new Rating List being introduced. The latest revaluation was due to take effect from 01 April 2015 but was delayed by two years. This means the new rating list came in to effect from 1 April 2017. A Transitional Relief Scheme is introduced with each new rating list. These phases in the changes to rateable values. In the Spring Budget the Government announced a Discretionary Relief Scheme and package of funding to support those businesses most adversely affected by the revaluation. The design and administration of these schemes is for authorities to decide.

### **Recommendation**

3. The District Executive and Full Council have already approved these measures, therefore Area East Committee are requested to note and comment on the report.

### **Background**

4. In the Chancellor's Spring Budget, the Government announced a package of measures to support business rate payers following the introduction of the new rating list. The measures are detailed in the report.

### **Report Detail**

5. Supporting Small Businesses relief  
The Supporting Small Businesses Relief is designed to help ratepayers who as a result of the change in their rateable value at the revaluation are losing some or all of their Small Business or Rural Rate Relief and, as a result, are facing large increases in their bills.
6. The Supporting Small Businesses Relief will ensure that the increase per year in the bills of these ratepayers is limited to the greater of £600 per year (£50 per month). This cash minimum increase ensures that those ratepayers currently paying nothing or very small amounts are brought into paying something.

7. We have 56 ratepayers entitled to this relief and they been informed and their instalments reduced. We are now testing the software to give us the ability to award the relief on our system and hope to send bills out showing this new relief by the end of September.
8. Of the 56 ratepayers, 13 are in Area East.
9. Business Rate Relief Scheme for Pubs  
The Government introduced a new relief scheme for pubs that have a rateable value of below £100,000. Under the scheme, eligible pubs will receive a £1000 discount on their 2017/18 bill. This is a one year relief scheme. DCLG have now published guidance as shown below:
10. The Government's policy intention is that eligible pubs should:
  - be open to the general public
  - allow free entry other than when occasional entertainment is provided
  - allow drinking without requiring food to be consumed
  - permit drinks to be purchased at a bar.

For these purposes, it should exclude:

  - restaurants
  - cafes
  - nightclubs
  - hotels
  - snack bars
  - guesthouses
  - boarding houses
  - sporting venues
  - music venues
  - festival sites
  - theatres
  - museums
  - exhibition halls
  - cinemas
11. There are 115 pubs in our area that would be eligible for this relief and applications have been sent to all ratepayers. We have had around 70% applications back. We will be sending following up applications to everyone except the national companies due to state aid limits.
12. Of the 115 pubs, 21 are in Area East. We are still waiting for 10 forms (3 are national companies) to be returned and will be asking area team to helps us engage with customer to ensure they get this relief.
13. Revaluation Support Relief

South Somerset's scheme has been designed to primarily follow the criteria used by the government when allocating the funding to local authorities. The proposed scheme for SSDC to adopt is as follows:

14. Conditions of the relief

- There has been an increase in liability of more than 12.5% after transitional relief, small business rate relief, mandatory rural rate relief and mandatory charity relief have been applied.
- The ratepayer must have been registered on our IT System and in continuous occupation since 31 March 2017 (Relief will not be applied where a ratepayer claims occupation retrospectively)
- Those properties entitled to Supporting Small Business Rate relief or Small Business extension relief will not be entitled to this relief
- Properties must be on the rating list as at 1 April 2017. (Relief will not apply where properties are entered into the list retrospectively).

15. Where a qualifying ratepayer's 2017/18 and, or 2016/17 rates bill is reduced for any of the following reasons, the amount of their relief will be reduced or removed accordingly:

- A change in rateable value in the 2010 and, or 2017 rating lists will reduce the relief received. Relief will only be reduced and not increased from any changes in rateable value
- The application of any additional rate relief or exemption
- Vacation of the property
- Where a change in rateable value results in a higher percentage increase in rates bill no more relief will be applied however if they have suffered hardship as a result they may make an application for relief from the reserve fund (see below).

16. Based on the available funding, it is proposed that discretionary relief at the following percentages of the net increase in the bill for 2017/18 would be granted:

<b>Financial year</b>	<b>Percentage relief of net increase for those with RV under 200,000</b>	<b>Percentage relief of net increase for those with RV over 200,000</b>
2017/18	43%	15%
2018/19	21%	7%
2019/20	8.5%	3%
2020/19	0%	0%

17. If we are permitted to transfer funds between years, or if the take up of the relief is low or if the policy is not meeting the objectives, then a review of the policy and the level of assistance that can be provided will be undertaken.

18. A reserve fund will be retained for those businesses (i) that do not qualify for Revaluation Support Relief and (ii) who have experienced an increase in business rates due to the revaluation, and (iii) who have suffered hardship as a result and (iv) whose circumstances are such that the authority wishes to provide them with assistance. This is a limited fund



which is retained from the government allocation each year and once the fund has been spent no further applications will be considered. Hardship applications will be managed in the same manner as other reliefs.

19. Reserve fund

<b>Financial year</b>	<b>Total reserve fund</b>
2017/18	£44,000
2018/19	£22,000
2019/20	£10,000
2020/21	£15,000

20. Relief from taxes, including non-domestic rates, can constitute state aid. Therefore the granting of this relief will be subject to the business having received less than €200,000 state aid in the current and previous 2 years. In all cases ratepayers will be required to provide the Council with sufficient information to determine whether these provisions are applicable in their case.

21. We have identified 252 cases will qualify for this relief and applications have been sent to each of them. A follow up applications will be sent to everyone except nationals companies due to state aid limits.

22. Of the 252 cases, 68 of these cases are located in Area East and around 50% of these are factories, warehouses and workshops. There are 6 pubs in Area East also entitled to this relief, of which 4 are also entitled to the pub relief.

23. Future Changes

A new measure for a relief for Public Toilets is due to be introduced from April 2018.

This measure would allow local authorities to grant discretionary business rate relief on public toilets that they own and maintain.

Legislation states that a local authorities cannot award discretionary relief to a hereditament (business premises) occupied by either a Billing or Precepting Authority which includes parish and town councils. Therefore none to the relief talked about above (with the exception of the new public toilet relief from April 2018) can be awarded on council occupied business premise such as cemeteries, libraries or car parks.

**Financial Implications**

24. Where the Council uses its local discount powers to introduce the Supporting Small Business, Pub relief and New Local Discretionary relief to be known as “Revaluation Support Relief” as described above the cost will be reimbursed in full by Government.

25. Any amendments to the proposed scheme which would increase the cost of it above the government allocation will result in a direct cost to SSDC.

**Council Plan Implications**

26. The proposed policy supports the “Economy” Priority - To promote a strong economy with thriving urban and rural businesses.

### **Carbon Emissions and Climate Change Implications**

27. None

### **Equality and Diversity Implications**

28. Equality Analysis completed and there is no impact on this report.

### **Background Papers**

29. Business Information letter confirming Sprint Budget measures  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/598272/BRI\\_L\\_2-2017\\_Budget\\_Measures.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/598272/BRI_L_2-2017_Budget_Measures.pdf)
  30. Business Information letter confirming guidance for spring budget measures  
<https://www.gov.uk/government/publications/42017-spring-budget-update>
  31. Confirmation of the fund to be allocated to Authorities  
<https://www.gov.uk/government/consultations/discretionary-business-rates-relief-scheme>
  32. District Executive report where approval was given for Supporting Small Business Relief and Pub Relief  
<http://modgov.southsomerset.gov.uk/documents/s15395/8%20Business%20Rates%20Relief%20-%20Spring%20Budget%20Measures%202017.pdf>
-

# Agenda Item 9

## **Endorsement of Bruton Town Plan 2017 (Executive Decision)**

*Assistant Director:* Helen Rutter, Communities Lead  
*Service Manager:* Tim Cook, Area Team Lead (East)  
*Lead Officer:* James Divall, Neighbourhood Development Officer  
*Contact Details:* James.divall@southsomerset.gov.uk or (01935) 462261

### **Purpose of the Report**

The purpose of this report is to present a summary of the findings and actions from the Bruton Town Plan and to ask members to formally endorse the plan.

Representatives of the steering group will be at the meeting to present the plan for endorsement.

### **Public Interest**

Communities establish their own priorities and achieve their goals by mobilising residents and businesses. The priorities and issues for Bruton, identified through consultation, are set out along with specific solutions, actions and policies in a published document.

### **Recommendation**

That Area East Committee formally endorses the Bruton Town Plan 2017.

### **Background**

Parish & Town Plans are effectively commissioned by the town/parish council and produced by local steering group with parish/town council representation. They are local documents, drawn up and adopted by Town/Parish councils. The endorsement of community plans by Area Committees has no legal status, but ensures that the community planning process is used to influence policy and action plans via the Area Development Plan (ADP).

Endorsement by Area East Committee (AEC) confers recognition that a sound process has been followed to deliver the plan. It does not imply support for any land use allocation that would pre-empt a planning application. The full document has been circulated to members and can be viewed on the Parish Council website: <https://brutontowncouncil.gov.uk/the-bruton-town-plan-2017-is-here/>. The background evidence base that informs the plan is also available on the website.

### **The Process**

A steering group, established with representation from the Town Council and led by the Council, wrote a Town Plan Survey, which was delivered to all 1082 households in the Parish in October 2016. (The survey was also available for online completion.) The survey questions had been developed following comprehensive analysis of previous Town Plans, census and other information about Bruton and preliminary consultation with over 200 residents at the Packhorse Fair 2016. By the closing date, 33% of households had completed the survey. The results were collated and analysed in January and December 2017.

Further important feedback and intelligence was gathered from the Chamber of Commerce survey of local businesses in October 2016, and from a series of 'Town Plan Live' events held

in March 2017, and attended by 67 residents. The Town Council also commissioned an independent company to benchmark Bruton against similar small towns.

With this full evidence base available, the working group developed draft actions for each of the key themes of the Plan:

- How the Town looks
- Getting around
- Leisure and places to go
- Living and working in Bruton

These 15 draft actions were discussed with the Town Council, the Chamber of Commerce and Bruton Community Partnership and amended by the steering group in the light of the feedback received. 15 actions were then adopted by the Town Council meeting on the evening of 30 May 2017.

The result is a high-quality Town plan document with associated actions, underpinned by an evidence base, which should be useful for guiding local decision making on a range of issues including a strong basis on which to reach a view on the value to the community of future planning applications.

### **Actions based on key findings/major Issues**

The final report survey findings and actions have been arranged under the themes: How the Town looks, Getting around, Leisure and places to go and Living and working in Bruton.

#### **How the Town looks**

The Plan reflects the strong view of residents that the Town Council should take an active role in relation to future development in the Town, pro-actively working with landowners and developers, and considering taking over land itself where necessary. Residents expressed a clear view about which parts of the Town they would wish to see protected, and where on the other hand significant development might be entertained.

#### **Getting around**

Road safety, and particularly the speed and volume of vehicles moving through the town was the single biggest issue raised through consultation. The Town Council has already worked with SCC Highways to take a number of steps to improve the situation. The Plan aims to build on this work by making Bruton 'a place where it feels easy and safe to walk around, but wrong to drive fast'.

Other themes including green travel routes (walking and cycling) and public transportation came out high on the action list.

#### **Leisure and places to go**

The consultation process identified aspiration and potential need for additional facilities including facilities for children & young people, additional sports facilities and the development of a new community hall. The Town Council intends to facilitate further investigations to ascertain the actual level of need for the above and to encourage volunteers to lead on the various elements of the plan including setting up two new community groups 'friends of the River Brue' and a group to oversee Bruton's footpaths. (The first of these groups has already been established).

#### **Living and working in Bruton**

The evidence of the Town's Benchmarking Report is that the town is thriving with few vacant shops and high levels of employment. With the arrival of Hauser & Wirth and its 130,000 visitors per year, Bruton has seen increased prosperity and employment. Visitor numbers are predicted to grow even further with the opening of the Emily Estate in Hadspen. Tourism has become and will continue to be Bruton's growth industry. Actions within the Town Plan very much support improving the image of the Town, its information sharing and visual welcoming environment.

### **Implementation of the Town plan**

The plan has been adopted by Bruton Town Council and the responsibility of reviewing and monitoring the success of the actions rests with the Council. The plan is very clear that the delivery on many of the actions and projects will only be possible with support of volunteers and partnership working with outside agencies and funders.

The Area Neighbourhood Development Officer has worked with the Town Council and has provided advice and guidance at various stages of the process. Initially Officer support was high in the planning stages but since then the Town Council have worked hard liaising with the local community to come up with the final document you see in front of you today. The group has demonstrated that they have followed a sound process and that the conclusions and actions are underpinned by local evidence.

### **Financial Implications**

There are no direct financial implications as a result of this report however, if members agree the recommendation to endorse the plan, actions and projects identified will become eligible for support from the Community Planning Implementation budget, subject to application.

### **Corporate Priority Implications**

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

### **Carbon Emissions and 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**

The community planning process supported by SSSC aims to give every local resident the opportunity to have an input into the way in which their town or Parish develops.

**Background Papers:** *Bruton Town Plan 2017*

# Agenda Item 10

## **Area East Development Plan and Budget - Half Year Progress Report**

*Assistant Director:* Helen Rutter, Communities  
*Service Manager:* Tim Cook, Area Development Team Lead – East  
*Lead Officer:* Tim Cook, Area Development Team Lead – East  
*Contact Details:* [tim.cook@southsomerset.gov.uk](mailto:tim.cook@southsomerset.gov.uk) or 01963 435088

### **Purpose of the Report**

To provide an update on the progress of projects taking place in Area East, including those resourced through the Area and Corporate Capital Programmes. To give an overview of the Area East Reserve and Grants Programmes at the half way point of the 2017/18 year.

### **Public Interest**

The Area Development Service supports the Council's 4 Area Committees (North, South, East & West) to work closely with local communities to create better places in which to live and work.

Area East Committee has the freedom to use its resources, both financial and through its team of Development staff, to understand what matters to local people and address this by offering support, encouragement and direct financial & practical help. Advice and support to the public is provided at Churchfield Wincanton. SSDC led Regeneration projects are delivered through the Development team.

The report gives a half year position on progress with implementing the Area Development Service Plan and gives Members the opportunity to consider any adjustments they might wish to make at this point during the year.

### **Recommendations**

That the Area East Committee:-

- (1) note the current position on community grants and other project budgets held by Area East Committee.
- (2) note and comment on progress with projects in the Area Development Plan
- (3) note and comment on the current Area East Capital Programme and Reserve

### **Background**

Budgets are approved in February each year. Each of the 4 Area Committees has delegated responsibility for monitoring budgets within its control. Area East considers all decisions relating to grant requests over £1,000, its Capital Programme and the allocation & spending of its Reserve. The Executive continues to monitor all budgets on a quarterly basis.

The Area East Committee focuses its resources to address local needs in order to promote improved quality of life in Area East. The Area Development Plan 2017/18 contains a set of local priorities, agreed by the Committee and a work programme with targets, to carry these forward throughout the year. A half year progress report is brought to the Area Committee.

## Area Development Plan

Area East priorities for 2017-18 and progress against projects in the Area East Development Plan are attached in Appendix 1.

The Area Development Team consists of 3 Neighbourhood Development officers (NDOs) who divide their time across patches and leading on particular themes. In addition there are 2 part time Community Support Assistants (CSAs). Lead responsibilities are summarised below:

	Place Leads	Theme Leads
Tim Cook (30hrs) AD Team Lead & NDO Communities	Wincanton Rural areas (shared)	<ul style="list-style-type: none"> <li>• Community research &amp; plans</li> <li>• Community grants programme</li> <li>• Community buildings</li> <li>• Rural services</li> </ul>
James Divall (18.5hrs) NDO Communities	Bruton Milborne Port Ilchester Rural areas (shared)	<ul style="list-style-type: none"> <li>• Health &amp; wellbeing</li> <li>• Local Information Centres (LIC)</li> </ul>
Pam Williams (28hrs) NDO Economy	Castle Cary Wincanton High Street	<ul style="list-style-type: none"> <li>• Economic &amp; business development</li> <li>• Infrastructure projects</li> <li>• Wincanton Town Team &amp; Retail Support Initiative</li> </ul>
Jackie Hatcher (29hrs) CSA	n/a	<ul style="list-style-type: none"> <li>• Car park and shop audits</li> <li>• Public front desk</li> <li>• LIC adviser</li> <li>• Officer project support</li> </ul>
Terena Isaacs (35 hrs) CSA	n/a	<ul style="list-style-type: none"> <li>• Car park and shop audits</li> <li>• Public front desk</li> <li>• RSI &amp; community grants</li> <li>• Officer project support</li> </ul>

Members can see from the table in Appendix 1 that the considerable resource, in terms of officer time needed to support establishing the mobile banking service in light of bank branch closures, has resulted in delays to some other work. Some elements of work in priority area 1 have been slowed down as a direct result. Transformation has also started to have an impact on staff time in Area Development and is clearly a consideration when taking on new work.

## Funding Overview

Appendix 2 gives a summary of all project and grants budgets for 2017/18. Appendix 3 gives an overview of all funding awards made from AEC budgets within the first 6 months of the 2017/18 year.

## **Area East Capital Programme**

The Area East capital programme supports investment in new or existing, locally important assets. These may be SSDC owned, community owned or privately owned. In the last 2 categories support will normally be via a grant scheme. Fuller detail on the spending across the capital programme is attached at Appendix 4. It shows live projects, their funding allocation and spending that took place to end of September 2017 with a progress report from the lead officer. In summary this shows that there is a total of £31,738 unallocated to projects & available for local priority schemes in 2017/18. In addition there is an allocation of £3,500 in the Parish Infrastructure Fund.

Community grant applications for capital projects are considered twice a year in June and December. If a grant request is urgent it may be considered at other times by agreement with the Chair and Vice Chair. At present there is £12,934 unallocated in 2017/18 for community capital grants (within the £31,738 mentioned above) and available for awards in December 2017.

## **Area East Reserve**

At the start of the year there was £49,190 in the Area East Reserve. Most of this is ring fenced for specific projects leaving £3,460 unallocated – see Appendix 2 for details.

The *Community Planning project budget* is only available to communities with endorsed parish/community plans but can be used for assisting the delivery of a range of priority projects where community grant budget is not available. Proposals can come forward in any month from this allocation.

The *derelict site* funding is available for essential works on a number of sites in Castle Cary with “at risk” historic buildings, it can be used if the owner is unwilling to comply with the relevant Order

## **Small Community Grants**

A small fund is set aside each year to support community projects. In addition a sum of £10,000 of health and wellbeing money supports project delivery from the Balsam Centre. The latter is subject to separate reporting and award by the Committee against an agreed work plan. See Appendix 3 for details of spending to date this year of community and other small grants.

## **Area East Discretionary Fund**

This annual budget is used, at the discretion of Members, to support partnership work, attract external funding and other regeneration work. Details of how this has been allocated is shown in Appendix 2.

## **Financial Implications**

The level of Area East funding is shown in the body of this report, and in the Appendices. There are no additional financial implications arising from this report.

## **Council Plan Implications**



The Area Development Plan and resources allocated by Area East Committee are in compliance with the current Council Plan.

### **Carbon Emissions and Climate Change Implications**

None arising directly from this report.

### **Equality and Diversity Implications**

None arising directly from this report.

### **Background Papers**

Area East Development Plan 2017-18.

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## Area East Development Service Plan 2017-18

Portfolio Holder – Councillor Nick Weeks

Team Lead – Tim Cook

Set out below are the key projects & programmes being undertaken by the team (either directly or in support of community groups & other partners) where we have a key role in the delivery of the projects. This Plan sits alongside our core work or responding to issues & problems on a day-to-day basis, working with Councillors & other services across the Authority and beyond, to try and resolve them.

Completed
In progress – on target
In progress – risk of missing target
Behind target
Future action – not started

**Service Action Plan: Top level actions – more detail is within individual work programmes/project plans**

Priority Area	Action	Lead Officer(s)	Milestone	Target Date	Current Progress
1. Town centre & neighbourhood management	Support local Chambers of Commerce and business associations in market towns	PW CSAs	Report to AEC on project performance	Ongoing	Three local business organisations working in support of forthcoming business event. Combined report Dec 2017
	Business network event arranged	PW CSAs	Report to AEC	Summer 2017	Arrangements in place and promotion underway for event at Haynes Motor Museum on 2 <sup>nd</sup> Nov. Combined report Dec 2017
	Tourist 'attractions' breakfast event arranged	PW CSAs	Positive response on feedback forms	Autumn 2017	Suggest reviewing this following above event – assess whether necessary if tourist sector well represented at above
(a) Transfer of specific SSDC town centre assets to local Councils & support the disposal of unwanted assets	Support projects that promote High Streets and encourage footfall. Investigate the appetite/cost etc. for a Wincanton Food Fair	PW CSAs	Report with proposal to AEC	July 2017	Unlikely to be able to report until Jan 17 Significant time commitment to support mobile bank provision for Wincanton following Nat West & Lloyds closure announcement
	Complete the transfer of Castle Cary Market House	PW	Asset transferred	July 2017	Advancing well. Discussion on draft lease largely concluded. Target for completion end 2017
	Progress the discussions about the transfer of assets including Dovecot Building & car parks in Bruton	HR	Report to AEC	Sep 2017	Delayed due to property review. Can pick up discussion now.

	Discuss transfer of village car parks with relevant Parish Councils	PW	Position agreed with each Parish	Dec 2017	Delayed due to property review.
2. Economic development, job creation & regeneration schemes	Progress local priority projects 1) Assessment of options & feasibility of extensions to existing Business Parks or new site, as appropriate	PW/ Economic Dev Team	Reports to AEC	Mar 2018	Priorities reviewed and focus now to facilitate scheme in town centre. Proposal to Regeneration Board Nov 2017
	2) Develop work space/hub - following Lime Room pilot assess suitability for corporate funding	PW	Receipt of the Workspace Demand Study report. Funding proposal developed for Regeneration Board	March 2018	Study completed. Ongoing marketing of Lime Room – wider space requirements at Area Offices under review pending further work on corporate property project.
	3) Respond to any renewed interest from owners of WSG – Business Unit feasibility – 3 days	PW	Outline planning application submitted	Not Known	Appraised new WSG committee of options for future consideration. (No immediate plans to dispose of land)
	Enhanced Retail Support Initiative in Wincanton & general RSI elsewhere in our Area	PW CSA	Number & leverage of investment reported to AEC. Analysis of car park usage & vacancies, to assist with targeting	Ongoing	Annual update report to AEC in June 2017.
	Support towns to take a full part in MTIG	PW/TC/JD	Attendance at MTIG meetings	Ongoing	All Market Towns in Area East took part in the Digital Audit work.
	Respond to the outcome of the Digital High Street	PW/TC/JD	Improved digital presence for our Market Towns	Jun 2017	Audits complete. Next steps to be agreed at the MTIG meeting in November.
	Encourage eligible projects to bid for Heart of Wessex LEADER funding	ADT	Report on performance of programme to AEC April 2017	Ongoing	
	Receipt of land & exercising option on car park at Waterside, Wincanton	PW	Post completion report	Mar 2018	With solicitors and on target to receive land and car park this year
	Work with others to establish viability and obtain accurate costing for the potential south access to Bruton Station & associated footpath	JD	Partnership report	Mar 2018	Report published – NDO going back to question elements of the report?
	3. Community-led planning & development	Support work to produce new plans in: Marston Magna	JD	Published Plan	Mar 2018

(a) Support parishes to carry out quality community research to prioritise & achieve planned projects or influence growth	The Charltons	TC	Published Plan	Sep 2017	Plan draft produced. To be finalised.
	Sparkford	JD/TC	Published Plan	Dec 2017	NDO presented to Parish.
	Support work to update community plans in: Bruton	JD	Completed parish plans are endorsed at AEC Published plan	July 2017	Bruton Community plan - completed
	Milborne Port	JD/CSAs	Published plan	Oct 2017	Consultation period completed – collecting and analysing data (taking some time)
	North Cadbury	TC	Published plan	Sep 2017	
	Kingsdon	JD	Published plan	Mar 2018	NDO presented to parish council. Parish Council deciding whether or not to continue
	Support NP groups in: Castle Cary	PW	Plans 'made' and incorporated into the LDF	Ongoing March 2018	Final revisions to draft policies following comments from strategic planning. SEA screening & further round of consultation planned for late Autumn
	Queen Camel	TC		Sep 2017	Work to allocate land for housing underway.
	Wincanton	TC		Jun 2017	Plan currently with the Examiner.
	(b) Support Towns and Parishes to take more of a lead in growth plans through Neighbourhood planning	Comment on impact of significant planning applications.	ADT	Updated S106 annual statement sent to Towns/ Parishes	Mar 2018
Encourage parish engagement with applications and S106 negotiations. Link community projects with locally available S106		ADT	Sep/Oct 2017		All accounts will be sent out by the end of October.
4. Improve access to services & facilities to reduce inequality	Run a high quality access point & advice service for the public at Churchfield	HR/LD CSAs	Annual report AEC. To achieve 98% customer satisfaction rate	Ongoing	Members received a detailed report on the service in August.
	Support development of Town/Parish led LICs	TC/JD/CSAs 3days	Reduce cost whilst improving service offered	Ongoing	Review complete. LIC visits to take place.
(a) Improved community buildings	Support Bruton & Wincanton Community Partnership to improve people's access to services & facilities	TC/JD	Projects supported. Progress report to AEC in March 2018	Mar 2018	BCP operating by-weekly, working along parish council and have raised £44,000 this year for a new MUGA. WCP established
	Limington to Yeovil multi-user path. Assess local support for the scheme. Scope potential external funding opportunities. Reach conclusion about the feasibility and deliverability	JD	Report to AEC on progress of scheme	Sep 2017	Support in place from SCC SIS but have costed it at £250k. Working with local Cllr & parishes to research lower cost options.

	Support ongoing development of Wincanton Rec Trust and the Sports Ground/pavilion	TC	Report to AEC on progress	Oct 2018	Briefing sheet circulated to all members.
	Common Lane multi-user path	PW/CSAs	Route opened	Oct 2018	Consultation route revision requested ahead of submission of Planning Application Nov 2017
	Respond to changes to rural transport provision. Support the SSCAT to develop new services and sources of income to secure the long term financial future of the scheme	TC	Annual report to AEC	Mar 2018	Members received a report on the SSCAT scheme in September. ADT working with Strategic Transport Officer to support the organisation through challenging financial circumstances.
	Model a new approach to travel plans	TC	Annual report to AEC	Mar 2018	Desk based research started but the work is progressing slower than hoped. AEC could consider commissioning some work.
	Create an area wide youth activity signposting tool to support parish information including websites	JD/TC	Launch of the webpage	Jun 2017	Initial work completed, scoping of ideas. Confirmation needed for host but progressing well.
	Support the delivery of the MUGA in Bruton	JD	Funding secured. MUGA completed	Sep 2017	On track for completion – funding secured
	Support development of Balsam Centre services in response to local needs	TC	Report to AEC	Ongoing	£10,000 grant approved towards 'Like Minds' project.
	New pavilion for Ilchester – support the project to build stage	JD	Report to AEC	Mar 2018	Designs being drawn up for discussion with TC and recreation ground trust
	Sparkford Cricket Club – new pavilion – support the project to build stage	JD	Report to AEC	Mar 2018	Designs being drawn up to identify cost ready for funding applications
	Improvements to Milborne Port Town Hall to include access and potential for LIC service	JD	Improved access and use of the facility	Autumn 2017	New accessibility equipment funded and secured. Further research needed into the big scheme of restoration & LIC inclusion.
5. Effective democratic engagement	Arrange Annual Parish Meeting & workshops in response to demand from AEC, Parishes & community organisations	ADT Democratic Services Officer	Report to AEC	Jan 2018	Provisional Date agreed

In addition, the service will deliver actions to deliver key corporate strategies, comply with corporate policies, deliver savings, monitor performance, review and monitor complaints and manage risk within the service.

## Appendix 2

## AE Budget Summary with Remaining Available Resources – 2017/18

1	Budget type	AE Capital Programme	AE Reserve	AE Community Grants	AE Discretionary
		<ul style="list-style-type: none"> <li>• Rolled forward annually</li> <li>• £25k top up by DX each year</li> </ul>	<ul style="list-style-type: none"> <li>• Revenue budget</li> <li>• Not replenished</li> </ul>	<ul style="list-style-type: none"> <li>• Annual revenue fund</li> <li>• Must be spent or committed in year</li> <li>• Renewed annually</li> </ul>	<ul style="list-style-type: none"> <li>• Annual revenue</li> <li>• Must be spent or committed in year</li> <li>• Renewed annually</li> </ul>
2	Year start position 2017/18	<b>£ 95,215</b>	<b>£49,190</b>	<b>£19,870 inc £10,000 HLC grant</b>	£10,200 (+ £20,346 allocated to projects carried forward) = <b>£30,546</b>
3	Commitments to projects	£59,977 For detail please see Appendix 4	RSI spend £4,190	£14,980	HoW LAG £6,626 The Growing Space £5,000 Lamp £2,700 Work Hub £6,020 (spent) HoWRP £2,000
4	Allocations not yet committed to individual projects	Parish Infrastructure £3,500 Community Grants £12,934	Community Planning £15,930 Derelict sites, C Cary £4,000 Rural business units £15,800 RSI £5,810	N/A	N/A
	Uncommitted balance at: 1 <sup>st</sup> October 2017	<b>£31,738</b>	<b>£3,460</b>	<b>£4,890</b>	<b>£8,200</b>

### Appendix 3 – Community Grants

Ward	Name of Group	Project description	Amount awarded	Total Amount of Project	Comments
<b>Community Grants</b>					
Blackmore Vale	Charlton Horethorne PC	Charlton Horethorne Water Houses restoration	650	1300	Complete
Camelot	North Cadbury Allotment Assoc	Purchase of petrol mower and fruit trees	552.5	1105	Complete
Camelot	Rimpton Parish Council	Rimpton Play Area Improvements	467		Complete
Camelot	North Cadbury Parish Council	North Cadbury Community Plan	500	1000	Complete
Castle Cary	Caryford Community Hall Association	Seed funding for Caryford Community Hall extension	1000	17000	Complete
Ivelchester	Chilton Cantelo	Community Heritage Book project	365	200	TBC
Northstone	Kingsdon PC	Recreation field notice board	250	500	Complete
Wincanton	King Arthurs Community School	Taiko Drum Ensemble	1000	4155	TBC
			<b>£ 4,784.50</b>		
<b>LIC support (Members Discretionary)</b>					
Bruton	Bruton Town Council	Bruton LIC	500		
Castle Cary	Castle Cary Town Council	Castle Cary LIC	500		
Wincanton	Wincanton Town Council	Wincanton LIC	500		
			<b>1500</b>		
<b>RSI</b>					
Bruton	Michael Lewis Gallery	Redecorate Shop front	690	1380	
Castle Cary	Retail Therapy	Redecorate Shop front	475	950	
Wincanton	15 High Street	Redecorate Shop front	2500	6500	
Wincanton	The Small Cake Shop	Redecorate Shop front	525	1050	
			<b>£ 4,190.00</b>		

Appendix 4

**AREA CAPITAL PROGRAMMES 2017/18**

**AREA EAST**

	2017/18 Estimated Spend £	Actual Spend to 27/09/2017 £	2017/18 Remaining Budget £	Future Spend £	Responsible Officer (s)	Responsible Officer's Comment on Slippage & Performance Against Targets
<b>Capital Programme</b>						
Galhampton-New Village Hall	12,500	0	12,500		T Cook	Approved June 12. Reconfirmed June 17. Fundraising is ongoing. Passed stage 1 of Big Lottery Fund.
Wincanton-Pedestrian/Cycle Link Common Lane	4,650	0	4,650		P Williams	Legal agreements finalised. Planning application to be submitted Winter 2014
Retail Support Initiative Schemes	1,213	0	1,213		P Williams	Balance available to allocate
RSI-Alex Appleton Jewellers	1,000	0	1,000		P Williams	Awarded June 15
Castle Cary Market House	5,000	0	5,000		P Williams	Awarded Mar 2013 as project contingency. Major works completed programme of minor of finishing largely complete. £5K transferred to corporate project Sep 15.
Loan Wincanton Memorial Hall Trustees-New heating & air conditioning	5,000	0	5,000		J Divall	Awarded June 17
<b>Parish Infrastructure Fund</b>						
Parish Infrastructure Fund	3,500	0	3,500		H Rutter	
<b>Community Grants</b>						
Kingsdon Village Shop refurbishment	1,985	0	1,985		J Divall	Awarded Dec 15
Castle Cary-Fair Field Project	0	0	0		T Cook	Awarded June 16. Return to unallocated reserve June 17.
Castle Cary-Purchase of Moat Garden	5,800	0	5,800		T Cook	Awarded Dec 16
Carymoor Environment Centre-Going underground project	5,326	0	5,326		T Cook	Awarded Dec 16
Henstridge-Village hall furniture	1,937	957	980		T Cook	Awarded Dec 16
Ilchester PC-Play equipment	2,221	0	2,221		J Divall	Awarded June 17
Milborne Port PC-Stair lift Market House	2,845	0	2,845		J Divall	Awarded June 17
Wincanton Memorial Hall Trustees-New heating & air conditioning	2,000	2,000	0		J Divall	Awarded June 17
Bruton TC-New MUGA	5,000		5,000		T Cook	Awarded August 17
<b>Total East Capital Programme</b>	<b>59,977</b>	<b>2,957</b>	<b>57,020</b>	<b>0</b>		
<b>Reserve Schemes Awaiting Allocation But Approved in Principle</b>						
Unallocated Capital Reserve	18,804	0	18,804	6,252	H Rutter	£25,000 awarded for 2016/17 at DX Feb 2016. AEC June 2017 agreed for £25k to be allocated to Comm & Leisure Grants.
Parish Infrastructure Fund	0	0	0	7,971	H Rutter	Rolling fund including eligibility for supporting affordable housing approved at AEC June 2010. AEC agreed Dec 16 to trf £17k to Comm & Leisure
Community & Leisure Grants	12,934	0	12,934	0	H Rutter	Full balance awarded at June 17 AEC.
<b>Total Reserve Schemes</b>	<b>31,738</b>	<b>0</b>	<b>31,738</b>	<b>14,223</b>		
<b>Summary</b>						
East Capital Programme	59,977	2,957	57,020	0		
Reserve Schemes (Unallocated)	31,738	0	31,738	14,223		
<b>Total Programme to be Financed</b>	<b>91,715</b>	<b>2,957</b>	<b>88,758</b>	<b>14,223</b>		



# Agenda Item 11

## **Area East Forward Plan**

*Assistant Directors: Helen Rutter, Communities*  
*Service Manager: Tim Cook, Area Development Lead (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*

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## Appendix A

### Area East Committee Forward Plan

Meeting Date	Agenda Item	Background and Purpose	Lead Officer
8 November 17	A303 upgrade	To consider the proposed scheme	Tim Cook
8 November 17	Wincanton Community Hospital	Response to consultation on closure of Wincanton Community Hospital	Helen Rutter
8 November 17	Superfast Broadband	Report on the provision of superfast broadband in Area East	Tim Cook
8 November 17	S106 update / CIL update	CIL update and summary of local accounts	Neil Waddleton/ Tim Cook
6 December 17	Regeneration Update – inc. Workspace Progress, LEP & Event Update	Annual update report	Pam Williams
6 December 17	Area East Policing	Annual Update on Area East Policing	Avon and Somerset Constabulary
6 December 17	Community Grant Applications	To consider any SSDC community grant applications	Tim Cook
6 December 17	Highways update	To update members on the total works programme and local road maintenance programme	John Nicholson
10 January 18	Buildings at Risk/Conservation Team Update	Annual report to provide updates on buildings at risk and work of the Conservation team	Rob Archer
10 January 18	Wincanton Sports Ground	To update members on the progress of the centre	Tim Cook

# Agenda Item 12

## **Planning Appeals**

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

## **Purpose of the Report**

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

## **Recommendation**

That the report be noted.

## **Background**

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

## **Report Detail**

### **Appeals Received**

16/02621/OUT - Land OS 8565, West of Pilgrims Way, Lovington, Castle Cary, Somerset BA7 7PP  
Six open market dwellings with land for up to four affordable dwellings and construction of new access and footway.

### **Appeals Allowed**

None

### **Appeals Dismissed**

None

***Background Papers:*** None

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# Agenda Item 13

## Schedule of Planning Applications to be Determined by Committee

Director: Martin Woods, Service Delivery  
Service Manager: David Norris, Development Manager  
Contact Details: david.norris@southsomerset.gov.uk or 01935 462382

### Purpose of the Report

The schedule of planning applications sets out the applications to be determined by Area 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 10.00am.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
14	BLACKMOOR VALE	17/02712/FUL	The erection of 3 No. dwellings along with associated access and parking.	52 Ash Walk, Henstridge, Templecombe	Mr Paul Kellaway-Moore
15	TOWER	17/03155/OUT	The erection of 1 No. dwelling (Outline).	Land Adjacent To Wykeham, Old Hill, Charlton Musgrove	Mr T Baylis
16	WINCANTON	17/03245/COU	Change of ground floor use from Office to Takeaway	Victoria House, 27 High Street, Wincanton	Mr Mehmed Mehmedov

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.

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# Agenda Item 14

## Officer Report on Planning Application: 17/02712/FUL

<b>Proposal:</b>	The erection of 3 No. dwellings along with associated access and parking.
<b>Site Address:</b>	52 Ash Walk, Henstridge, Templecombe
<b>Parish:</b>	Henstridge
<b>BLACKMOOR VALE Ward (SSDC Member)</b>	Cllr W Wallace Cllr Hayward Burt
<b>Recommending Case Officer:</b>	Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk
<b>Target date:</b>	23rd August 2017
<b>Applicant:</b>	Mr Paul Kellaway-Moore
<b>Agent: (no agent if blank)</b>	
<b>Application Type:</b>	Minor Dwellings 1-9 site less than 1ha

### REASON FOR REFERRAL TO COMMITTEE

The application is before the committee at the request of the ward members, and with the agreement of the area chair, in order to allow the local concerns regarding density and road safety to be debated.

### SITE DESCRIPTION AND PROPOSAL





This application seeks full permission for the erection of three two storey dwellings. The site consists of an area of land, which was formerly part of the garden serving a two storey semi-detached house, finished in brick, with a clay tiled roof. The site is broadly level and has been recently cleared of vegetation. The site is located outside of any development area as defined by the local plan. The site is close to various residential properties and is close to grade II listed buildings.

Plans show the erection of a terrace of three two storey dwellings at western side of the plot, with a new vehicular access at the eastern end of the plot opening onto a shared parking area to serve all three dwellings. The proposed dwellings would be finished in brick and stone, under a plain tiles and slate roof. The plan shows the provision of seven parking spaces on site.

## HISTORY

None relevant

## 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)**

Policy SD1 - Sustainable Development

Policy SS1 - Settlement Strategy

Policy SS2 - Development in Rural Settlements  
Policy SS5 - Delivering New Housing Growth  
Policy EQ2 - General Development  
Policy EQ3 - Historic Environment  
Policy TA5 - Transport Impact of New Development  
Policy TA6 - Parking Standards  
Policy HG4 - Provision of Affordable Housing: Sites of 1-5 Dwellings

### **National Planning Policy Framework**

Chapter 6 - Delivering a Wide Choice of High Quality Homes  
Chapter 7 - Requiring Good Design  
Chapter 12 - Conserving and Enhancing the Historic Environment

### **CONSULTATIONS**

#### **Henstridge Parish Council -**

*"It was proposed and unanimously agreed that the Parish Council recommends refusal of this application on the grounds that access to the site and the turning area present serious and significant highway safety issues, the proposal represented over-development of the site and that the design of the dwellings is inappropriate."*

**County Highway Authority -** Standing advice applies

**SSDC Highways Consultant -** Initially raised concerns in a number of areas. On the receipt of various sets of amended plans and additional information from the applicant he has confirmed, verbally, that his concerns have been addressed, subject to a condition to secure appropriate visibility splays.

**SSDC Environmental Protection Unit -** No comments

**SSDC Conservation Officer -** Initially stated:

*"I have reviewed the proposal in light of the listed properties opposite, to consider whether the proposal will harm the setting of these designated buildings. Historically the setting of the listed buildings has been heavily altered over the last century. Prior to this the field opposite the buildings was undeveloped. Either side of the listed pair large areas of land have been opened up for car parking and to form various commercial and industrial uses, leaving the historic buildings looking quite isolated. Inserting a row of modest and traditionally designed dwellings onto the application site will help to better contain the setting of the historic buildings, by giving good definition to the street frontage on the opposite side. The proposed buildings have modest proportions (narrow gable widths etc) and simple cottage detailing. I am satisfied that it is possible for them to sit here without harming the setting of the listed buildings.*

*There are however a few things that need further thought. I am concerned about the extent of mature hedgerow that has already been lost across the front of the site, and lack of information relating to boundary treatment on the site layout plan. I suggest a decent hedge is reinstated across the front boundary. This is likely to have an impact on the suggested visibility splays, but I feel this is an essential part of the scheme, as it will help anchor the new buildings into the site, and also avoid further expanse of open leaky undefined spaces within the environs of the listed buildings. Beyond the western corner of the site there may be scope to add one or two trees. The old maps indicate that there was a substantial tree here that was perhaps the 'Henstridge Ash'.*

*On a similar theme I am concerned about the layout and expanse of car parking, that appears to be open to the road. The proposed area seems very large. It needs to be re-thought so that the frontage of the site is not dominated by a large parking court. The large expanses of tarmac that*



*already exist either side of the listed buildings are negative components of the building's setting. We do not want to see a third area.*

*Turning to the building design, further clarification is needed relating to materials. The west gable will be quite prominent. This, and the projecting utility portion, should be stone. No lintel expression is shown over the window openings on the side elevations. Again, given that these will be readily viewed from the highway, lintels should be expressed over these openings.*

*Providing these things are properly address I should be able to support the scheme."*

On the receipt of amended plans he verbally confirmed that he was content that his concerns had been satisfactorily addressed, subject to conditions to control detailing of the buildings and details of the proposed landscaping.

## **REPRESENTATIONS**

Letters of objection were received from the occupiers of 8 neighbouring properties. Objections were raised in the following areas:

- Highway safety
- Exacerbating congestion
- Overdevelopment
- Lack of garden for the original dwelling
- Not in keeping with the character of the area or neighbouring properties
- Overlooking of neighbouring properties
- Overshadowing of neighbouring properties
- Disturbance during the construction phase
- Lack of infrastructure
- Loss of existing hedgerows
- Potential contaminated land
- Land ownership issues
- Loss of views

One letter was received from the occupier of a neighbouring property that expresses no objection or support, but questions why no design and access statement has been submitted, and whether the correct notices have been served on landowners.

## **CONSIDERATIONS**

### **Principle of Development**

The site is located outside of any development areas or directions of growth as defined by the local plan. As such, policy SS2 of the South Somerset Local Plan is of most relevance. However, elements of policy SS2 must be considered out of date, as SSSDC cannot currently demonstrate a five year supply of housing land. It is noted that Henstridge is a broadly sustainable location, with several services and facilities contained within the settlement. It has reasonably good transport links and is very close to a variety of employment opportunities. The principle of some residential development within the village must therefore be considered acceptable, subject, of course, to full consideration of site specific impacts.

It is therefore considered that the principle of the proposed development is acceptable in accordance with the aims and objectives of the NPPF and policies SD1, SS1, SS2 and SS5 of the South Somerset Local Plan.

### **Highways**

The highway authority was consulted and has referred to their standing advice, which the scheme largely complies with. As such, the SSDC Highway Consultant has considered the scheme in detail. He initially raised a number of concerns with the proposal, but on the receipt of several sets of amended plans and additional information, he has concluded that his objections have all been addressed, subject to a condition to secure the visibility splays shown on the final amended plan.

It is therefore considered that, subject to the visibility condition suggested by the highway consultant, along with conditions to secure the proposed parking and turning in perpetuity, to control the surfacing and drainage of the parking area and to secure the proposed 'Keep Clear' markings, there will be no significant adverse impact on highway safety in accordance with policies TA5 and TA6 of the South Somerset Local Plan. As such, notwithstanding the significant local concern in this area, highway safety impacts should not constrain the proposed development.

### **Visual Amenity**

The site is located close to number of listed buildings and in a prominent location. As such, the SSDC Conservation Officer was consulted as to the impact of the scheme on visual amenity. He welcomed the proposal to introduce built form in this location, stating that the insertion of *"...a row of modest and traditionally designed dwellings onto the application site will help to better contain the setting of the historic buildings, by giving good definition to the street frontage on the opposite side."* He noted that the proposed buildings would have modest proportions and simple cottage detailing. He concluded that he was satisfied that it is possible for them to sit on the site without harming the setting of the listed buildings. He did initially raise some concerns with the extent of the parking area, the loss of vegetation from the site, and some minor design issues with the proposed buildings. On the receipt of amended plans, he confirmed that all of his concerns had been satisfactorily addressed, subject to conditions to control detailing of the buildings and details of the landscaping. Such conditions are considered to be reasonable and necessary. Furthermore, due to the sensitivity of the location it is considered to remove the majority of permitted development rights on any permission issued.

Therefore, notwithstanding local concern as to the visual amenity impacts of the development, the proposal is considered to be of a satisfactory standard of design and materials that would have no adverse impact on visual amenity in compliance with policies EQ2 and EQ3 of the South Somerset Local Plan.

### **Residential Amenity**

Neighbouring occupiers have raised objections to the proposals on the grounds of potential overlooking and overshadowing. In regards to overlooking, any potential overlooking from side elevation windows can be controlled through an obscure glazing condition on any permission issued, as the only first floor side elevation windows open onto landings. Similarly, in regard to the windows on the rear elevation, the only one with any significant potential to cause overlooking issues serves an en-suite, and can be obscurely glazed. In regards to the front elevation, there will be first floor windows that are only approximately 15 metres from facing windows on the opposite side of the road. However, the windows on the facing properties already face onto to the public highway, and therefore have very limited privacy in any case. It is therefore considered that the impact of facing windows on the opposite side of the road on the occupiers' privacy will be limited and certainly not significant enough to warrant refusal of the scheme.

In regards to overshadowing, the objector's position is noted but, due to the size, design and position of the proposed dwellings, it is not considered that there would be any demonstrable

harm to the residential amenity of adjoining occupiers by way of overshadowing or overbearing.

A neighbour has raised a concern with changes to the view from their property. However, it is a long established principle of the planning system that it cannot protect the private views of individual occupiers.

Therefore, notwithstanding neighbouring concerns, the proposal is considered to have no significant adverse impact on residential amenity in compliance with policy EQ2 of the local plan.

### **Contributions**

Policies HG3 and HG4 of the adopted South Somerset Local Plan requires either on site provision of affordable housing (schemes of 6 or more units) or a financial contribution towards the provision of affordable housing elsewhere in the district.

In May 2016 the Court of Appeal made a decision (SoS CLG vs West Berks/Reading) that clarifies that Local Authorities should not be seeking contributions from schemes of 10 units or less.

It is considered that whilst policies HG3 and HG4 are valid, the most recent legal ruling must be given significant weight and therefore we are not seeking an affordable housing obligation from this development.

We will also not be seeking any contributions towards Sports, Arts and Leisure (Policy SS6) as the same principle applies.

The scheme is however liable for the Community Infrastructure Levy (CIL).

### **Other Matters**

A concern has been raised regarding the lack of garden left for the original dwelling. However sufficient amenity has been retained to serve the dwelling.

Concerns have been raised as to the potential for disturbance during the construction phase. However, whilst all development will cause disturbance to some degree, such disturbance is transitory and there is no reason why this development would cause more disturbance than any other development of a similar scale. However it is accepted that, due to the proximity of the development to a significant junction of two main roads, construction traffic should be carefully controlled. As such a condition to secure a construction management plan is considered to be reasonable and necessary.

A concern has been raised as to whether existing infrastructure can cope with the development. However, no consultees or other agencies have raised concerns in this regard, and the quantum of development is relatively small. As such, it would be unreasonable to withhold development on this ground.

A concern has been raised regarding the loss of existing hedgerows and vegetation. However, the applicants have proposed a new hedge across the frontage of the site, which can be secured by a landscaping condition on any permission issued.

A concern has been raised that the site may contain contaminated land. However, the SSDC Environmental Protection Unit was consulted, and raised no objections in this regard.

Concerns have been raised in regard to land ownership issues and whether the applicants have signed the correct certificates on the application form. However, the LPA has no reason to

doubt the applicant's claims in this regard.

## **CONCLUSION**

Accordingly the proposal is considered to be acceptable in this location, and to cause no significant adverse impact on the character of the area, the setting of the nearby listed buildings, highway safety, or residential amenity.

## **RECOMMENDATION**

Grant permission for the following reason:

01. The benefits to housing supply in South Somerset are considered to outweigh the lack of local benefits arising from the scheme, and as such the principle of residential development is considered acceptable. The proposed dwellings on this site would respect the character of the locality with no demonstrable harm to residential amenity, the setting of the nearby listed buildings, or highway safety. As such the proposal complies with policies SD1, SS1, TA5, TA6, EQ2, and EQ3 of the local plan, and the aims and objectives of the NPPF.

## **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 following approved plans: AH/5 received 15 June 2017, and AH/6A and AH/7C received 23 August 2017.

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

03. 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 windows/roof lights/dormer windows other than those expressly authorised by this permission shall be constructed in the dwellings hereby approved without the prior written consent of the local planning authority.

Reason: In the interests of residential amenity and in accordance with policy EQ2 of the South Somerset Local Plan.

04. 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 extensions or other alterations to the exterior of the buildings shall be made to the dwellings hereby approved without the prior written consent of the local planning authority.

Reason: In the interests of residential and visual amenity and in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

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 outbuildings or fences other than those expressly authorised by

this permission shall be erected within the curtilages of the dwellings hereby approved without the prior written consent of the local planning authority.

Reason: In the interests of residential and visual amenity and in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

06. 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 entrance gates shall be erected at the vehicular access hereby approved without the prior written consent of the local planning authority.

Reason: In the interests of highway safety and in accordance with policy TA5 of the South Somerset Local Plan.

07. Before the dwellings hereby permitted is first occupied, the approved access over the first 5m of its length shall be properly consolidated and surfaced (not loose stone or gravel) details of which shall have been submitted to and approved in writing by the Local Planning Authority, before works are carried out on the access.

Reason: In the interests of highway safety and in accordance with policy TA5 of the South Somerset Local Plan.

08. Before the dwellings hereby permitted is first occupied, the 'Keep Clear' markings shown on drawing AH/7C shall be installed on the highway details of which shall have been submitted to and approved in writing by the Local Planning Authority, before such works are carried out, unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of highway safety and in accordance with policy TA5 of the South Somerset Local Plan.

09. Notwithstanding the visibility splays shown on drawing AH/7C, there shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2.4m back from the carriageway edge on the centre line of the access and extending to points one metre from the nearside carriageway edge 43m either side of the access. Such visibility shall be fully provided before the development hereby permitted is first brought into use and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and in accordance with policy TA5 of the South Somerset Local Plan.

10. The area allocated for parking and turning on the submitted plan, drawing no. AH/7C received 23 August 2017, shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles used in connection with the development hereby permitted.

Reason: In the interests of highway safety and in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

11. No work shall be carried out on site to any external walls or roofs unless particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Such particulars will include the detailed finish (rough sawn, hand tooled, etc.) Slate hooks shall not be used.

Reason: In the interests of visual amenity and in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

12. No new stonework shall be constructed on site unless full details of the new natural stonework walls, including the materials, coursing, bonding, mortar profile, colour, and texture along with a written detail of the mortar mix, have been provided in writing; this shall be supported with a sample panel to be made available on site and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the agreed details, and the sample panel shall remain available for inspection throughout the duration of the work.

Reason: In the interests of visual amenity and in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

13. No work shall be carried out to fit any doors, windows, boarding or other external opening unless details of the design, materials and external finish of these elements have been submitted to and approved in writing by the Local Planning Authority. This will include detailed drawings including sections of at least 1:5. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

14. No work shall be carried out to form any new window or door opening unless details of the expressed lintel have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

15. No work shall be carried out in relation to roof eaves, verges and rainwater goods unless the design details of all roof eaves, verges and abutments, all new cast metal guttering, down pipes, other rainwater goods, and external plumbing have been submitted to and approved in writing by the Local Planning Authority. Such details once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

16. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of the development, as well as details of any changes proposed in existing ground levels; all planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of ten years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity and in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

17. Before the first occupation of the dwellings hereby permitted the windows(s) at the first floor on the east and west elevations, along with the rear facing en suite window on plot 1 shall be fitted with obscure glazing and shall only open via top hung fan lights and shall be permanently retained in that condition thereafter.

Reason: In the interests of residential amenity and in accordance with policy EQ2 of the South Somerset Local Plan.

18. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i. the parking of vehicles of site operatives and visitors
  - ii. loading and unloading of plant and materials
  - iii. storage of plant and materials used in constructing the development
  - iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  - v. wheel washing facilities
  - vi. measures to control the emission of dust and dirt during construction
  - vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: In the interests of residential and visual amenity and in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

**Informatives:**

01. Please be advised that approval of this application by South Somerset District Council will attract a liability payment under the Community Infrastructure Levy. CIL is a mandatory financial charge on development and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice.

You are required to complete and return Form 1 Assumption of Liability as soon as possible and to avoid additional financial penalties it is important that you notify us of the date you plan to commence development before any work takes place. Please complete and return Form 6 Commencement Notice.

You are advised to visit our website for further details <https://www.southsomerset.gov.uk/cil> or email [cil@southsomerset.gov.uk](mailto:cil@southsomerset.gov.uk)

# Agenda Item 15

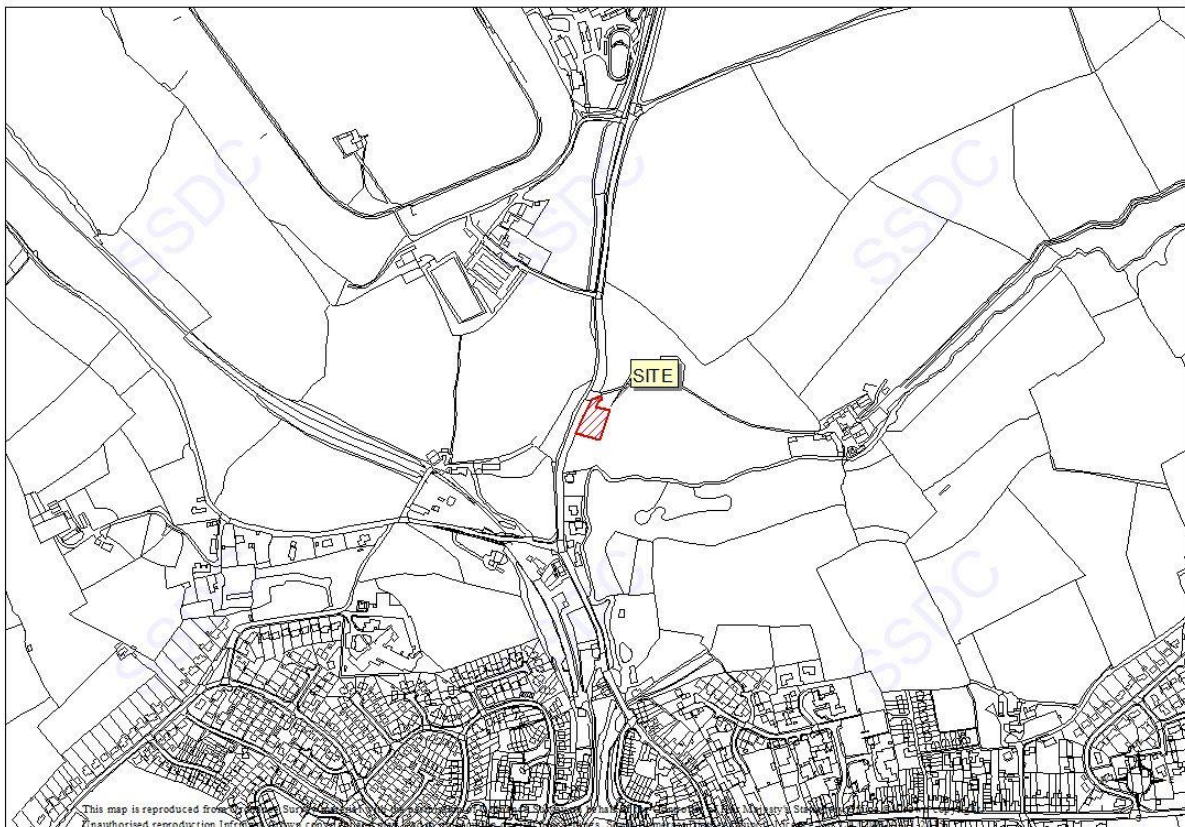
## Officer Report on Planning Application: 17/03155/OUT

<b>Proposal:</b>	The erection of 1 No. dwelling (Outline).
<b>Site Address:</b>	Land Adjacent To Wykeham, Old Hill, Charlton Musgrove
<b>Parish:</b>	Charlton Musgrove
<b>TOWER Ward (SSDC Member)</b>	Cllr Mike Beech
<b>Recommending Case Officer:</b>	Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk
<b>Target date:</b>	22nd September 2017
<b>Applicant</b>	Mr T Baylis
<b>Agent: (no agent if blank)</b>	Mr Matt Williams, Brimble Lea & Partners Wessex House High Street Gillingham SP8 4AG
<b>Application Type:</b>	Minor Dwellings 1-9 site less than 1ha

### REASON FOR REFERRAL TO COMMITTEE

The application is before the committee at the request of the ward member, and with the agreement of the Area Chairman, in order to allow the views of the parish council, local occupiers, and members to be heard.

### SITE DESCRIPTION AND PROPOSAL







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

Policy SD1 - Sustainable Development

Policy SS1 - Settlement Strategy

Policy SS2 - Development in Rural Settlements

Policy EQ2 - General Development

Policy TA5 - Transport Impact of New Development

Policy TA6 - Parking Standards

Policy HG4 - Provision of Affordable Housing: Sites of 1-5 Dwellings

## **National Planning Policy Framework**

Chapter 6 - Delivering a Wide Choice of High Quality Homes

Chapter 7 - Requiring Good Design

## **CONSULTATIONS**

**Charlton Musgrove Parish Council** - Recommends approval

### **County Highway Authority -**

*"I note that the application is outline only with all matters reserved. The proposed development is just north of Wincanton on B3081 Old Hill, and it is a matter for the Local Planning Authority to determine whether the provision of an additional 3 bedroomed dwelling is appropriate at this site, bearing in mind its location to existing facilities and services.*

*While access is a reserved matter, the Highway Authority would have no objection in principle to the use of the existing access to the north of the site to serve this additional dwelling. However, it is noted that some of the width of the access is currently loose stone rather than having a properly consolidated surface such as concrete or bitmac, and this should be addressed in the detail design of the proposal.*

*In addition, while it is noted that grass/ hedge trimming is being undertaken to maintain the visibility splays conditioned at this entrance as part of the planning approval for the property 'Wykeham' that uses the same access, it is not clear if the visibility splay that was required to the south (2.4m by 120m, with no obstruction over 900mm in height) is currently achieved in full, and again this should be addressed in the proposals details.*

*With the above in mind the Highway Authority has no objection in principle to this outline application.*

*However, the Highway Authority would look to all issues relevant within Somerset County Council's Highways Development Control Standing Advice, including those highlighted above, to be addressed within any future reserved matters application or be conditioned within any approval to such an application."*

**SDDC Ecologist** - No comments or recommendations to make.

### **SDDC Landscape Architect -**

*"I recollect the earlier planning approval for Wykeham, which necessitated the construction of the lengthy access track off which this proposal would be served. With no credible correspondence with the town; the need for substantial engineering intervention on the hillside to create both a level platform for the house, and the parking area; a design that does not relate to the character of housing to the south; and a singular placement on a rising hillside that is not*

*otherwise characterised by built form once east of the B3081, this proposal fails to either conserve or enhance local character, as is required by LP policy EQ2. Consequently there are clear landscape grounds on which to base a refusal of this application."*

**SCC Rights of Way** -Notes that a public footpath runs across the site. They state that they have no objections to the proposal, but note the duties of the developer in relation to the right of way.

## **REPRESENTATIONS**

Letters of support were received from the occupiers of 2 properties close to Wincanton. Support was expressed in the following areas:

- In keeping with the character of the area/enhance local character
- Other development already agreed near the site
- Wincanton requires housing
- Owner has a good track record of development

## **CONSIDERATIONS**

### **Principle of Development**

The site is located outside the development are of Wincanton, where development is normally strictly controlled. Policy SS1 of the local plan directs development to existing settlements and identifies Wincanton as a Primary Market Town. Policy SS5 outlines a "permissive approach" for the consideration of planning applications for housing adjacent to the development area of Wincanton. However, on a nearby site, which is slightly closer to the town, the SSDC Policy Planner has suggested that the permissive approach does not apply, as the site is approximately 128 metres from the closest edge of the Wincanton development area. Notwithstanding the above, the application site is within relatively easy walking distance of Wincanton town centre and, as such, it is difficult to argue that the location is unsustainable in terms of its accessibility to facilities, services and employment opportunities. The quality of pavement to the town centre is not perfect, with several areas being quite steep and one place having steps. However, whilst the pavement is not perfect, it is not considered to be so substandard that people would not use it. SSDC cannot currently demonstrate a five-year housing land supply and consequently the proposal should be considered in the context of the presumption in favour of sustainable development - granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Without a five-year housing land supply, the policies of the local plan that restrict the supply of housing cannot be considered up-to-date and can, therefore, only be afforded limited weight.

In this context, the principle of residential development in this location is considered to be acceptable, and to accord with the up-to-date policies of the local plan and the aims and objectives of the NPPF.

### **Highways**

The highway authority was consulted as to the impact of the scheme on the local highway network, and considered the scheme in detail. Access is a matter reserved for future consideration. However, the highway authority concluded that it would be possible to achieve a safe means of access to the highway, subject to certain enhancements being imposed at the reserved matters stage.

As such, subject to suitable details at reserved matters stage, there would be no adverse

impact on highway safety in accordance with policies TA5 and TA6 of the South Somerset Local Plan.

### **Visual Amenity**

The SSDC Landscape Architect was consulted as to the impact of the development on the landscape character of the area. Whilst the appearance, landscaping, and scale are all reserved matters, the landscape architect has considered the impact of any development on this location, including the scheme shown on the indicative drawings. He stated that the site has no credible correspondence with the town, the development will require substantial engineering intervention on the hillside to create both a level platform for the house, and the parking area, and the proposal will result in a singular placement on a rising hillside that is not otherwise characterised by built form once east of the B3081. In regards to the indicative scheme he noted that the design does not relate to the character of housing to the south. He therefore concluded that the proposal fails to either conserve or enhance local character, as is required by LP policy EQ2 of the South Somerset Local Plan.

### **Residential Amenity**

Due to the size and position of the proposed dwelling and the position of neighbouring dwellings, it is considered that the proposed dwelling could be comfortably accommodated on site without causing demonstrable harm to the residential amenity of adjoining occupiers.

Therefore, the proposal is considered to have no adverse impact on the residential amenity of adjoining occupiers in compliance with policy EQ2 of the South Somerset Local Plan.

### **Contributions**

Policies HG3 and HG4 of the adopted South Somerset Local Plan requires either on site provision of affordable housing (schemes of 6 or more units) or a financial contribution towards the provision of affordable housing elsewhere in the district.

In May 2016 the Court of Appeal made a decision (SoS CLG vs West Berks/Reading) that clarifies that Local Authorities should not be seeking contributions from schemes of 10 units or less.

It is considered that whilst policies HG3 and HG4 are valid, the most recent legal ruling must be given significant weight and therefore we are not seeking an affordable housing obligation from this development.

We will also not be seeking any contributions towards Sports, Arts and Leisure (Policy SS6) as the same principle applies.

The proposed development would however be liable for the community infrastructure levy.

### **Conclusion**

Whilst the impacts of the development are considered to be acceptable in relation to residential amenity, the principle of development, and highway safety, the proposal will have an adverse impact on visual amenity by failing to respect local landscape character. It is considered that this identified adverse impact would significantly and demonstrably outweigh the limited benefits of the scheme.

The support from the parish council and the occupiers of two properties near Wincanton is noted, but does not outweigh the conclusions reached above.

## **RECOMMENDATION**

Refuse for the following reasons:

### **SUBJECT TO THE FOLLOWING:**

01. The proposed site has no credible correspondence with the town, and the development will require substantial engineering intervention on the hillside, and will result in a singular development on a rising hillside that is not otherwise characterised by built form. As such the scheme would not accord with local settlement and landscape character, contrary to policy EQ2 of the South Somerset Local Plan and to the aims and objectives of the National Planning Policy Framework. This identified harm is not outweighed by the contribution of the proposal towards the supply of housing in the district or by any other benefit arising from the scheme.

### **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 and there were no minor or obvious solutions to overcome the significant concerns caused by the proposals.

# Agenda Item 16

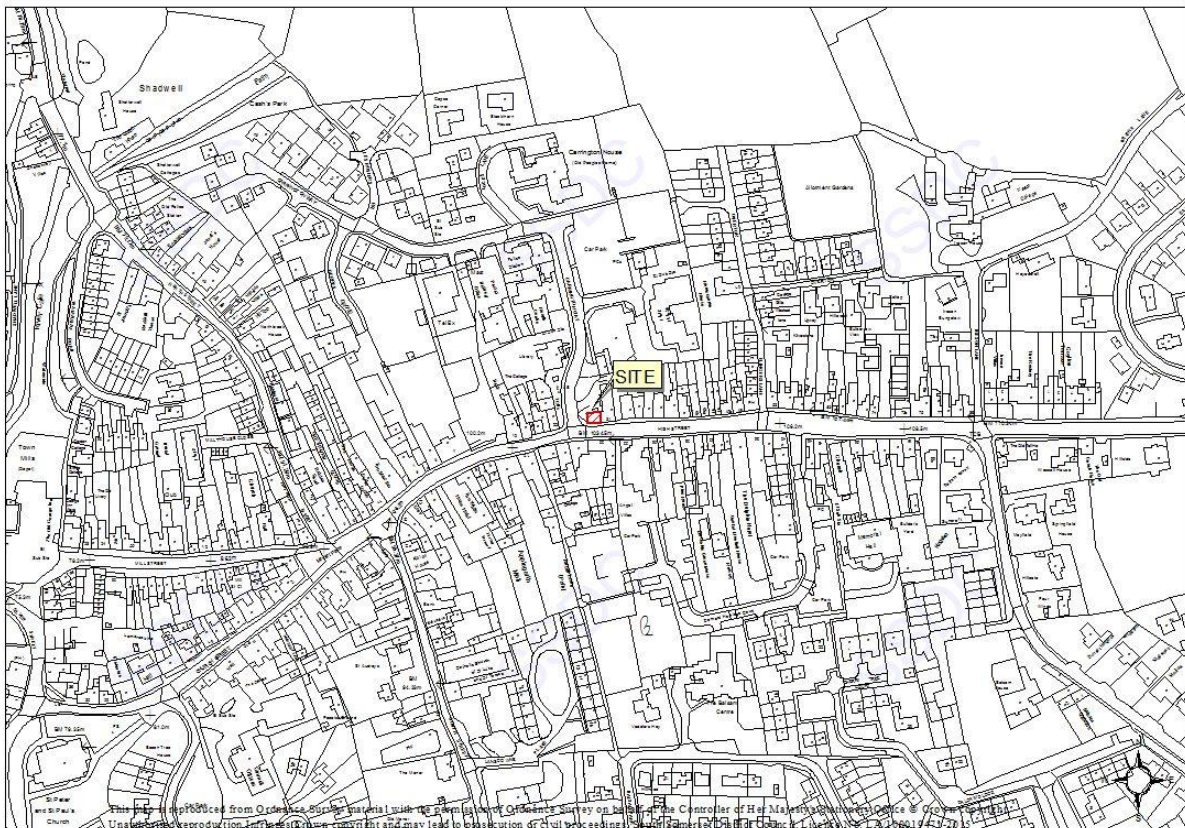
## Officer Report on Planning Application: 17/03245/COU

<b>Proposal:</b>	Change of ground floor use from Office to Takeaway
<b>Site Address:</b>	Victoria House, 27 High Street, Wincanton
<b>Parish:</b>	Wincanton
<b>WINCANTON Ward (SSDC Member)</b>	Cllr N Colbert Cllr C Winder
<b>Recommending Case Officer:</b>	Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk
<b>Target date:</b>	12th October 2017
<b>Applicant:</b>	Mr Mehmed Mehmedov
<b>Agent: (no agent if blank)</b>	
<b>Application Type:</b>	Other Change Of Use

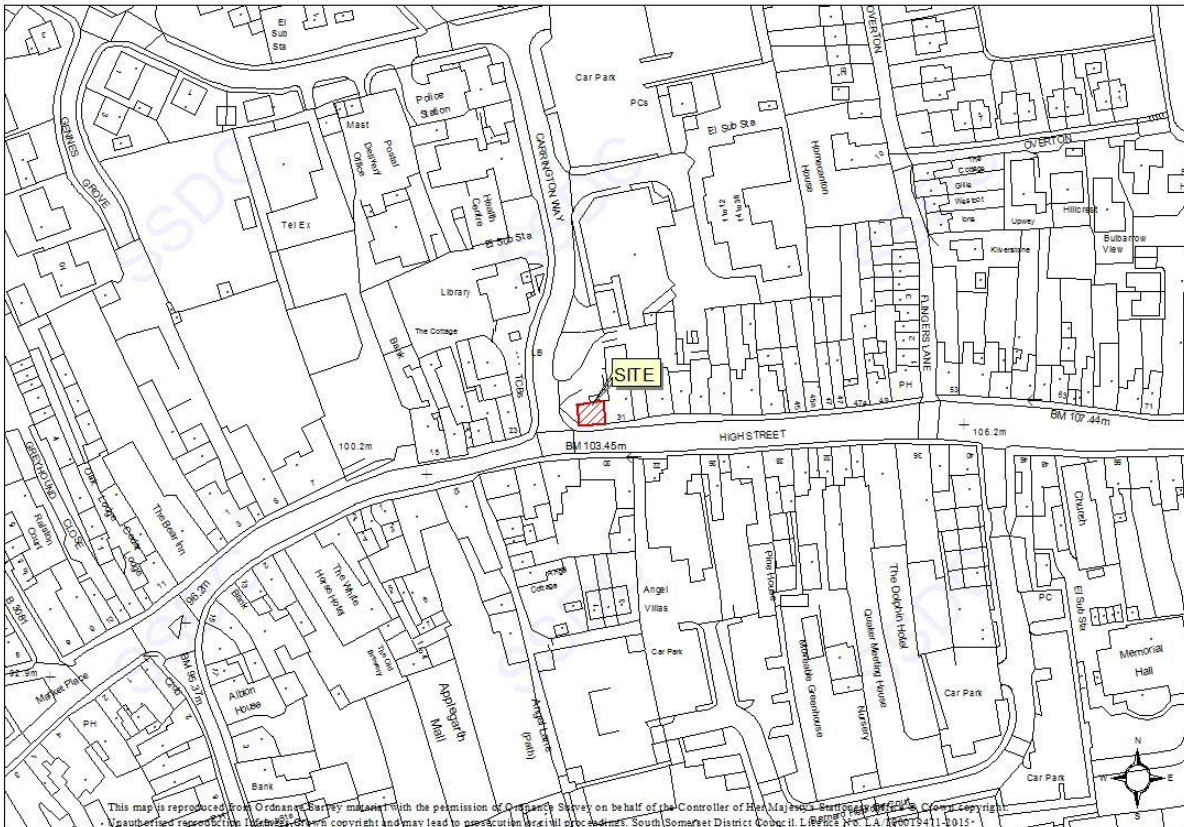
### REASON FOR REFERRAL TO COMMITTEE

The application is before the committee as the owner of the property is a District Councillor.

### SITE DESCRIPTION AND PROPOSAL







This application seeks permission for the change of use of premises from an (A2) office (former estate agents office) to a hot food takeaway (A5). The site consists of a ground floor office unit in a two storey attached building, which is finished in render with clay roof tiles. The first floor contains residential flats. The site is located within a development area and a conservation area as defined by the local plan. The site is within the town centre as defined by the local plan. The site is close to various residential and commercial properties, and is close to several grade II listed buildings.

## HISTORY

13/00890/NMA - Application for a non-material amendment to planning approval 11/02197/FUL to replace dormer windows on front elevation with rooflights - Application permitted 07/05/2013

11/02197/FUL - Extension to form ground floor shop/office and second floor conversion and extension to form three flats (revised scheme) - Application permitted with conditions 15/07/2011

10/04660/FUL - Extension to form ground floor shop/office and first and second floor conversion and extensions to form four flats - Application refused 28/01/2011

04/00457/ADV - The erection of a projecting sign and non-illuminated panel - Application permitted with conditions 16/04/2004

98/00594/ADV - The display of an internally illuminated wall mounted sign - Application permitted with conditions 23/06/1998

## 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)**

Policy SD1 - Sustainable Development  
Policy SS1 - Settlement Strategy  
Policy EQ2 - General Development  
Policy EQ3 - Historic Environment  
Policy TA5 - Transport Impact of New Development  
Policy TA6 - Parking Standards

#### **National Planning Policy Framework**

Chapter 2 - Ensuring the Vitality of Town Centres  
Chapter 7 - Requiring Good Design

#### **CONSULTATIONS**

**Wincanton Town Council** - Recommends approval

**County Highway Authority** - Refers to standing advice

**SSDC Highways Consultant** - Notes that the site is located close to a controlled pedestrian crossing and a road junction. He notes that hot food takeaways can lead to indiscriminate on-road parking. In this case, he suggests that the highway markings and existing traffic regulation orders should deter any such indiscriminate parking. He also notes that there is a public car park located a short distance away. Therefore, on balance, he considers the scheme to be acceptable.

#### **SSDC Environmental Protection Unit -**

*"After careful consideration of this application and a site visit on the 31st August 2017, I note that there is a residential premises situated above this premises. The applicant has not provided any information concerning odour or noise control that may arise from the COU and the potential detrimental effect this may have on the first floor residential property.*

*I would therefore recommend refusal of this application on the grounds that it would be detrimental to the amenity of nearby residences."*

On the receipt of further information from the applicant she stated that her concerns regarding noise and odour had not been alleviated.

**Avon and Somerset Police Crime Prevention Design Advisor** - He objects on the following grounds:

- "o *Proposed take away is likely to attract vehicles to park adjacent to the building, on the road junction to make & collect orders. This will almost certainly cause vehicle's to park on the footway, contravene double yellow lines and zebra crossing zig-zag lines with the potential to put other vehicle users and pedestrians at risk*
- o *Vehicles could also obstruct the tactile paving (blister surface for sensory crossing points for the visually impaired) provided at the junction on Carrington Way."*



## **REPRESENTATIONS**

One letter of objection received from the occupier of a neighbouring property. Objections were raised in the following areas:

- Potential parking problems due to location.

## **CONSIDERATIONS**

### **Principle of Development**

There are no local plan policies that seek to maintain particular uses in the town centre of Wincanton. The NPPF contains a general requirement to maintain the vitality and viability of town centres, but there is nothing to suggest that a change from an A2 office to a hot food takeaway would harm the vitality or viability of Wincanton town centre.

It is therefore considered that the principle of development is acceptable in accordance with the policies of the local plan and aims and provisions of the NPPF.

### **Highways**

The highway authority was consulted as to the impact of the scheme on the local highway network, and they referred to their standing advice. The SSDC Highway Consultant has raised no objections to the scheme from a highway safety of point view. He did note that takeaways can lead to indiscriminate on-road parking, but was satisfied that the highway markings and existing traffic regulation orders should deter any such indiscriminate parking. He also noted that there is a public car park located a short distance away. His opinion in this area is considered to outweigh the concerns of the Police Crime Prevention Design Advisor and a local occupier in this regard.

As such, it is not considered that there would be any severe adverse impact on highway safety in accordance with the aims and objectives local plan policies TA5 and TA6, and the NPPF.

### **Visual Amenity**

No external alterations are proposed. As such, there will be no impact on the visual amenity of the area in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan.

### **Residential Amenity**

The site is located in close proximity to third party residential properties and in particular to the residential flats above. Despite requests to do so, no meaningful or coherent information has been supplied in relation to how nuisance odour and noise will be prevented. The SSDC Environmental Protection Unit was consulted and has raised objections to the scheme on this basis.

As such, it is considered that it has not been demonstrated that there will be no demonstrable harm to the residential amenity of neighbouring occupiers by way of odour and disturbance, contrary to policy EQ2 of the South Somerset Local Plan and the aims and provisions of the NPPF.

### **Conclusion**

Whilst the impacts of the development are considered to be acceptable in relation to principle, visual amenity, and highway safety, the potential impacts in relation to residential amenity are

not considered to be acceptable. There are no public benefits to the scheme to weigh against the identified harm.

## **RECOMMENDATION**

Refuse for the following reason:

### **SUBJECT TO THE FOLLOWING:**

01. It has not been demonstrated that the proposal would not have an unacceptable adverse impact on the residential amenity of adjoining occupiers by way of disturbance and nuisance odour. The proposal would therefore be contrary to policy EQ2 of the South Somerset Local Plan (2006-2028) and the aims and objectives of the National Planning Policy Framework.

### **Informatives:**

01. Note: 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 and did not provide sufficient information during the application process to enable a positive decision to be made.