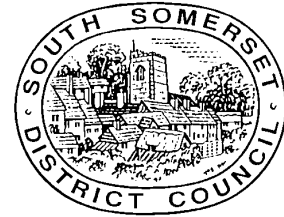


**South Somerset District Council**

*Notice of Meeting*



# Area North Committee

*Making a difference where it counts*

**Wednesday 19th December 2018**

**2.00 pm**

**Council Chamber, Council Offices,  
Brympton Way, Yeovil BA20 2HT**

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



The following members are requested to attend this meeting:

Clare Paul  
Neil Bloomfield  
Adam Dance  
Graham Middleton  
Tiffany Osborne

Stephen Page  
Crispin Raikes  
Jo Roundell Greene  
Dean Ruddle  
Sylvia Seal

Sue Steele  
Gerard Tucker  
Derek Yeomans

Consideration of planning applications will commence no earlier than **3.15pm**.

For further information on the items to be discussed, please contact the Case Services Officer (Support Services) on 01935 462596 or [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk)

This Agenda was issued on Tuesday 11 December 2018.

**Alex Parmley**, *Chief Executive Officer*



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 North Committee are held monthly, usually at 2.00pm, on the fourth Wednesday of the month (except December) in village halls throughout Area North (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 North Committee

## Wednesday 19 December 2018

### Agenda

#### *Preliminary Items*

**1. Minutes**

To approve as a correct record the minutes of the previous meeting held on 26 September 2018.

**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 Clare Paul, Graham Middleton and Sylvia Seal.

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**

Councillors are requested to note that the next Area North Committee meeting is scheduled to be held at 2.00pm on **Wednesday 23 January 2019** at the **Edgar Hall, Somerton**.

**5. Public question time**

**6. Chairman's announcements**

**7. Reports from members**

*Items for Discussion*

8. **Grant to Stoke sub Hamdon Parish Council (Executive Decision)** (Pages 6 - 10)
9. **Local Government Boundary Commission - New Ward Arrangements Between Area North and East Committees** (Pages 11 - 18)
10. **Area North Draft Chapter of the Council Plan 2019/20** (Pages 19 - 22)
11. **Langport Community Office Impact Assessment and future provision for Customer Access** (Pages 23 - 25)
12. **Area North Committee Forward Plan** (Pages 26 - 27)
13. **Planning Appeals** (Pages 28 - 39)
14. **Schedule of Planning Applications to be Determined By Committee** (Pages 40 - 41)
15. **Planning Application 18/02064/FUL - Land rear of 1-3 Westover, Langport.** (Pages 42 - 50)
16. **Planning Application 18/03055/HOU - 1 Church View, Church Street, Kingsbury Episcopi.** (Pages 51 - 59)

**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

## Grant to Stoke sub Hamdon Parish Council (Executive Decision)

*Director:* Martin Woods, Service Delivery  
*Manager / Lead Specialist:* Tim Cook, Locality Manager  
*Lead Officer:* Mary Ostler, Neighbourhood Development Officer (North)  
Adrian Moore, Locality Officer  
*Contact Details:* [mary.ostler@southsomerset.gov.uk](mailto:mary.ostler@southsomerset.gov.uk) or 01935 462123  
[adrian.moore@southsomerset.gov.uk](mailto:adrian.moore@southsomerset.gov.uk) or 01935 462409

### Purpose of the Report

Councillors are asked to consider the awarding of a grant of £11,586 towards the costs of creating the Stoke Adventure and Activity Hub on the village recreation field.

### Public Interest

Stoke sub Hamdon Parish Council has applied to the Area North community grants programme for financial assistance with the costs of landscaping and purchase and installation of equipment to create the Stoke Adventure and Activity Hub on the recreation field at West Street, TA14 6QE.

The hub will have three elements: an Outdoor Gym; Balance and Agility Trail; and an Adventure Play Area, installed on an area of the field adjacent to the football pitches and skate park. In addition to the installation of the equipment, the ground will be landscaped, with safety matting or chippings provided around the equipment.

The application has been assessed by the Neighbourhood Development Officer / Locality Officer who is submitting this report to enable the Area North Committee to make an informed decision about the application.

### Recommendation

It is recommended that Councillors award a grant of £11,586 to Stoke sub Hamdon Parish Council, the grant to be allocated from the Area North capital programme (Local Priority Projects) and subject to SSDC standard conditions for community grants (appendix A) and the following special condition:

- Access review of the Stoke Sports & Recreation Trust's new five-year plan for the site.

### Application Details

Name of applicant:	Stoke sub Hamdon Parish Council
Project:	Stoke Adventure & Activity Hub
Total project cost:	£117,615
Amount requested from SSDC:	£11,586 (9.8%)
Recommended special conditions:	Access review of the new Stoke Sports & Recreation Trust five-year plan
Application assessed by:	Mary Ostler / Adrian Moore

## Community Grants Assessment Score

The table below shows the grant scoring for this application. Applications must meet the minimum score of 22 to be considered for SSDC funding under Community Grants policies.

Category	Actual score	Maximum score possible
A Eligibility	Y	Y/N
B Equalities Impact	4	7
C Need for project	4	5
D Capacity of organisation	14	15
E Financial need	6	7
F Innovation	3	3
<b>Grand total</b>	<b>31</b>	<b>37</b>

## Parish information

Parish*	Stoke sub Hamdon
Parish population	1,968
No. of dwellings	905

\*Taken from the 2011 census profile

## Background

### Village context

Stoke sub Hamdon has a diverse population of approximately 2000 residents. Within this figure, the numbers of 10 to 15 year olds, and of people aged 65+, are higher than the national average. The numbers of unemployed people in both the 16 to 24 and 50+ age groups are higher than the national average and the number of people aged 16 to 64 whose day to day activities are limited a lot, is higher than the Somerset average.

Similar to other villages in the locality, there are pockets of deprivation and areas of high wealth. The number of social rented properties is higher than the county average and there is limited public transport which affects, in particular, young people and the older generation who are less likely to be able to travel independently.

Stoke is a growing community. Within the District Council Local Plan, 51 new homes were proposed for the village, alongside a minimum of 1.09 hectares of employment land to be developed. In reality 74 new houses have already been developed or are currently being built and other potential sites are being looked at.

These developments are significantly impacting the size of the village and the demand for services, infrastructure and facilities, which are under strain.

The District Council's Infrastructure Delivery Plan also shows that the development proposed for Stoke sub Hamdon in the Local Plan generates the need for additional open space and outdoor play space. This is on top of the existing Council Summary of Needs Assessment, which identifies a shortfall of

2,378 sq.m. of equipped play areas for Stoke sub Hamdon, being the 5th highest deficiency in Area North.

## **Research into need**

In 2005, a Village Plan was published providing a five year rolling plan for developments within the parish, based on the issues which had arisen through community consultation events and activities. The issues included lack of amenities for young people and the need for improved facilities for recreation.

In 2012, a comprehensive survey was carried out with young people in the village by Hamdons Youth Group and this identified a desire from young people for additional, free-to-use, recreational facilities.

A village-wide community consultation took place in 2013 to identify local requirements for sports and recreation facilities and amenities. This echoed the Youth Group survey, showing that local people of all ages wanted additional free-to-access sports and play facilities which would make the recreation ground a more inclusive area providing opportunities for all residents. The main facilities identified were an outdoor gym and more adventurous activity and play equipment for older young people.

An additional open consultation was held to look specifically at equipment options and led to the development of a preferred equipment list in early 2016 and ultimately into the final project, the Activity and Adventure Hub.

## **The Project**

### **Site & development**

The recreation ground land is owned by the Duchy of Cornwall and leased to Stoke Parish Council on a renewable lease currently running to 2031. The Duchy is being fully informed and consulted about development of the Hub.

The Hub project is being developed by the Stoke Sports and Recreation Trust, a voluntary organisation and registered charity (number 1063874) formed in 1997 to develop, support and provide sport and recreation facilities for the Stoke sub Hamdon area.

The Trust manages the recreation ground through a contract of service with the Parish Council and has accomplished a number of successful projects including a new sports pavilion; a new football pitch; the purchase of grounds maintenance equipment; portable floodlights; a BMX track; skateboard park; boules court and picnic tables.

The Trust operates the Stoke Charity Shop and organises the village May Fayre and, since 2011, has provided over £75,000 in funding to the community, through grants to organisations, individuals and projects. It has also raised over £70,000 to cover maintenance, repair and upkeep of the existing facilities on the Recreation Ground.

The Trust has carried out consultation for the Hub project, liaising with SSDC and other local partners, developing the final specification and plans, obtaining planning permission, tendering and procuring a preferred supplier and securing a large proportion of the partnership funding. Attracting the level of funding needed for the project has been a challenge and Trust members have worked with dedication to achieve this.

The Parish Council is fully supportive of the Trust's role and work and the Trust will continue to lead on the project, on behalf of the Parish Council, by acting as project managers. Long-term the Trust will also



be responsible for promoting the new facilities, whilst the Parish Council and the Trust will be responsible for insurance and maintenance costs.

## **The Hub**

There will be three main elements:

### **Outdoor Gym:**

Eight pieces of steel construction equipment including an Air Walker, a Ski Stepper and an Air Skier which improve both flexibility and strength in the legs and hips as well as giving the user a lower body workout. The nature of the equipment means that anyone can use it safely with little previous knowledge, using his or her own body weight as resistance. There are no age limits and no limits on ability – it can be used by both able bodied and people with disabilities, young and old, mobile and those who are a little unsteady and those who have used gym equipment before, alongside complete novices.

### **Balance and Agility Trail:**

A series of five pieces of wooden equipment to build balance and agility within safe boundaries. The Trail will create a unique facility for young people aged 8+ that will challenge them physically and mentally. It will be located with the Adventure Play Equipment.

### **Adventure Play Equipment:**

A mixture of five pieces of wooden and steel equipment designed to challenge, help develop gross motor skills, aid development and promote fitness and core body strength.

## **Promotion**

The Hub concept is already well known within the local area having been in development over a period of time and discussed at parish council meetings and in the monthly village newsletter. There is detailed information on the Sports and Recreation Trust webpages including copies of the plans and designs.

When installation is completed, the Trust intends to hold an open event with local organisations at the recreation ground. The supplier of the equipment will provide clear usage instructions on all the equipment and discussions are underway about running introductory sessions for the Outdoor Gym, to help people familiarise themselves with the equipment so that they use it safely and for maximum benefit.

## **Project costs**

<b>Project costs</b>	<b>Cost £</b>
Outdoor gym	13,115
Balance and agility trail	4,660
Adventure play area	99,840
<b>Total</b>	<b>117,615</b>

## Funding plan

Funding source	Secured or pending	%	Amount £
Anonymous grant	Secured	6.8	8,000
Battens Trust Fund	Secured	0.5	200
Leonard Laity Stoate Charitable Trust	Secured	1.0	1,195
National Lottery Awards for All	Secured	8.5	10,000
Stoke Parish Council	Secured	8.5	10,000
Stoke Sports and Recreation Trust	Secured	20.8	24,580
SSDC Community Health & Leisure	Secured	8.5	10,000
Section 106 funding	Secured	18.9	22,230
Yarlington Housing	Secured	1.2	1,500
Other applications awaiting decision	Pending	15.5	18,324
SSDC Community Grant	Pending	9.8	11,586
<b>Total</b>		<b>100</b>	<b>117,615</b>

## Financial implications

The balance in the Local Priority Projects – enhancing facilities and services budget - is £152,321. If the recommended grant of £11,586 is awarded, £140,735 will remain.

## Council Plan Implications

The project supports:  
Focus Five: Health & Communities

Area North priorities  
Self-help and community facilities

## Carbon Emissions and Climate Change Implications

People who are fit and healthy are more likely to travel by bicycle or on foot with subsequent reductions in carbon emissions from car use.

## Equality and Diversity Implications

The project aims to provide for people across all age and interest groups in the local community.

## Background Papers

None

# Agenda Item 9

## **Local Government Boundary Commission - New Ward Arrangements Between Area North and East Committees**

*Ward Member(s)* Cllrs Jo Roundell Greene, Tony Capozzoli, David Norris  
*Director:* Netta Meadows, Strategy and Support Services  
*Service Manager:* Lisa Davis, Specialist Services Manager (Support Services)  
*Lead Officer:* Angela Cox, Specialist – Democratic Services  
*Contact Details:* angela.cox@southsomerset.gov.uk or 01935 462148

### **Purpose of the Report**

1. Following the final recommendations of the Local Government Boundary Review of South Somerset, several new Wards have been created. One new Ward has been created which crosses both Areas North and East and, in order to retain Area based working, it is proposed that the whole of the new Ward be encompassed within one Area Committee.

### **Public Interest**

2. The Local Government Boundary Commission for England (LGBCE) is an independent body set up by Parliament whose main role is to carry out electoral reviews of local authorities throughout England. This electoral review was carried out to ensure that:
  - The wards in South Somerset are in the best possible places to help the Council carry out its responsibilities effectively.
  - The number of voters represented by each councillor is approximately the same across the district.

### **Recommendations**

3. That subject to confirmation by Full Council, the Area North Committee agree that:-
  - a. the newly created Northstone / Ivelchester / St Michael's Ward (NIST) be wholly within Area East Committee for the purpose of Area Committee working from May 2019.

### **Background**

4. In May 2017 a review of South Somerset's electoral arrangements commenced with a review of the number of District Councillors. This review concluded that the Councils should retain 60 Councillors as the electorate forecasts projected 5 years ahead suggested that the councillor:elector ratio would increase from 2,196 electors at present to 2,290 in 2023.
5. The next stage was to invite proposals on a warding pattern to accommodate 60 Councillors. Submissions were made by the Liberal Democrat group, the Conservative group, an officers submission, individual District Councillors, Parish and Town Councils and local residents. In January 2018, the Boundary Commission published their draft recommendations based on these submissions and invited comments on them.
6. Following the consultation period, in May 2018, the Boundary Commission published their final recommendations. In these final recommendations, several Ward boundaries had changed and some Wards had been amalgamated. However, the new three member Ward of Northstone / Ivelchester / St Michael's (NIST) has been proposed which currently straddles two Area Committees.

## The Ward of Northstone / Ivelchester / St Michael's (NIST)

7. The newly proposed Ward of Northstone / Ivelchester / St Michaels (NIST) had not been considered previously in the consultation process and as such, had not been consulted upon. Both officers and Councillors questioned this and the Boundary Commission response was:-

“While geographically large, this ward will be well connected throughout by the A303 and A37. We acknowledge that some of the communities within this ward may feel that they have little in common. However, we will always endeavour to keep communities together and avoid splitting any parishes wherever possible. The Commission will, on occasion, place seemingly disparate communities within the same ward if necessary to achieve what we consider to be the best balance of our statutory criteria. The only other option would have been to create smaller district wards but divide parishes between them in order to secure good electoral equality.

Our proposals now largely follow as requested by the submissions received, the existing Ward Boundaries for Cary, Camelot, Blackmore Vale and Milborne Port. We acknowledge that our recommendations have brought together the existing Wards of Northstone, Ivelchester and St Michael's into a single ward, but, we have retained the wider external boundary lines for this area subject to a minor alteration in the south west which reunites the parish of Stoke-sub-Hamdon into a single ward.

The Commission did consider the warding pattern proposed by the Conservative group very carefully. However, we also received, what was in our opinion, a very strong and well evidenced submission from Yeovil Without Parish Council that did not support any warding pattern that would cross its existing ward boundaries.”

8. The draft Order was laid in Parliament on 15 October 2018 for 40 days. The Order completed its passage through Parliament on 3 December 2018.
9. It is prudent to consider that the Order will be completed and it will provide for the new electoral arrangements for South Somerset District Council to come into effect at the local elections in May 2019.
10. Currently, Area North Committee has 13 Councillors and Area East has 12 Councillors. If the new Northstone / Ivelchester / St Michael's Ward (NIST) was moved wholly within Area North, there would be 15 Councillors in this Area and it would leave 10 Councillors in Area East. To achieve a better balance of representation, it is proposed that the newly created Northstone / Ivelchester / St Michael's Ward (NIST) be wholly within Area East Committee for the purpose of Area Committee working from May 2019. There would then be 13 Councillors in Area East and 12 in Area North.

### Current number of Councillors on each Area Committee

Area North	Area South	Area East	Area West
13	19	12	16

Proposal	Councillors in Area North	Councillors in Area East
NIST Ward in Area North (not proposed)	15	10
NIST Ward in Area East (preferred proposal)	12	13

11. Although this proposal would increase the geographical area of the Area East Committee, it does create a more equitable divide of Councillors across the four Area Committees.
12. This proposal may create some local issues for the residents of Chilthorne Domer, Montacute and Tintinhull in the current St Michaels Ward who would have to travel to the venue for Area East Committee meetings (currently at Churchfields in Wincanton) to speak to their Area Committee or hear a planning application within their parish being determined. An Equality Impact Assessment has been completed on this issue. The impact of the new Ward and Area Committee will also need explaining to the 3 affected Parish Councils in the current St Michaels Ward.

### **Financial Implications**

13. There are no direct financial implications as a result of this proposal.

### **Council Plan Implications**

- To build healthy, self-reliant, active communities
- Supporting people and communities, enabling them to help themselves

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

14. There are no carbon emission or climate change implications associated with the recommendations of this report.

### **Equality and Diversity Implications**

15. An Equality Impact Assessment has been completed and is attached to this report.

### **Privacy Impact Assessment**

16. No personal data was involved in the compilation of this report or the review by the Local Government Boundary Commission for England (LGBCE)

### **Background Papers**

- Final Report of the Local Government Boundary Commission for England (LGBCE)
  - Letter from Local Government Boundary Commission for England (LGBCE) dated 07 June 2018 to Alex Parmley, CEO.
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Map referred to in the South Somerset (Electoral Changes) Order 2018  
Sheet 1 of 1

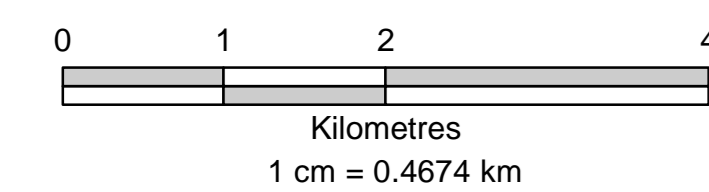
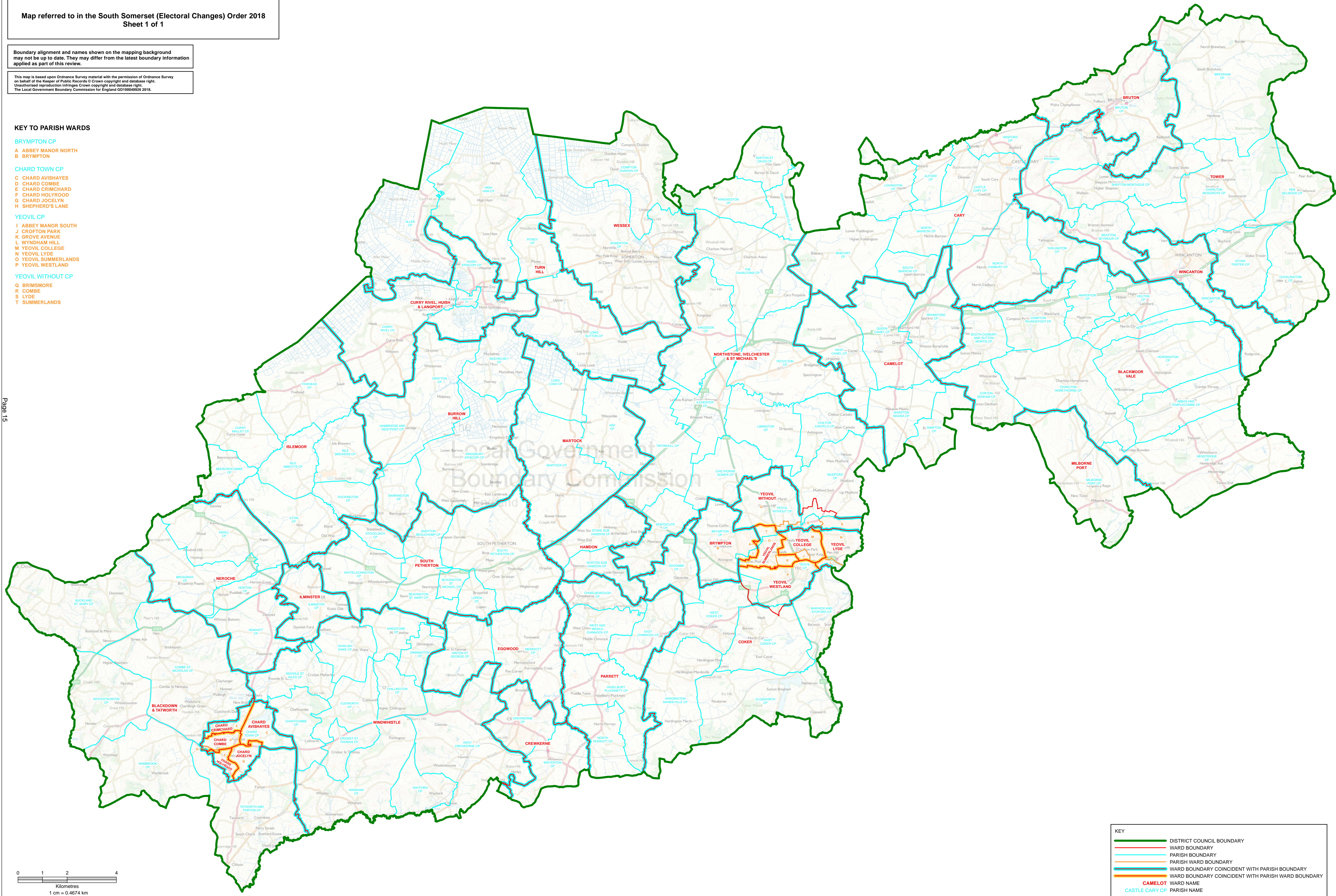
Boundary alignment and names shown on the mapping background may not be up to date. They may differ from the latest boundary information applied as part of this review.

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KEY TO PARISH WARDS

- BRYMPTON CP
- A ABBEY MANOR NORTH
- B BRYMPTON
- CHARD TOWN CP
- C CHARD AVISHAYES
- D CHARD COMBE
- E CHARD CRIMCHARD
- F CHARD HOLYROOD
- G CHARD JOCELYN
- H SHEPHERD'S LANE
- YEovil CP
- I ABBEY MANOR SOUTH
- J CROFTON PARK
- K GROVE AVENUE
- L WYNDHAM HILL
- M YEovil COLLEGE
- N YEovil LYDE
- O YEovil SUMMERLANDS
- P YEovil WESTLAND
- YEovil WITHOUT CP
- Q BRIMSORE
- R COMBE
- S LYDE
- T SUMMERLANDS

Page 15



KEY	
	DISTRICT COUNCIL BOUNDARY
	WARD BOUNDARY
	PARISH BOUNDARY
	PARISH WARD BOUNDARY
	WARD BOUNDARY COINCIDENT WITH PARISH BOUNDARY
	WARD BOUNDARY COINCIDENT WITH PARISH WARD BOUNDARY
	CAMELOT WARD NAME
	CASTLE CARY CP PARISH NAME

# SSDC Equality Analysis Template (2017)

## Page 1: What is Equality Analysis?

Q1. Q1.1 Please describe the change that is the subject of this EqA i.e. the introduction of a new, or significant change to an existing, policy strategy, service or function .

Following the final recommendations of the Local Government Boundary Review of South Somerset, a new Ward has been created which crosses both Areas North and East. In order to retain Area based working, it is proposed that the whole of the new Ward be encompassed within one Area Committee.

## Page 2: EQUALITY ANALYSIS (EA)

Q2. Q2.1 What information have you used to analyse the effects on equality, particularly in relation to protected groups?

The proposal to move the current St Michaels Ward into Area East Committee will mean that any Council related issue will be discussed at the Area East Committee meeting - currently held in Wincanton, rather than the Area North Committee meetings - currently held in Somerton.

The proposal will affect the residents of Chilthorne Domer, Montacute, Stoke Sub Hamdon, and Tintinhull who will have to travel a further 8 to 10 miles to attend their Area Committee meeting.

I have used the ward profile data on the Somerset Intelligence website, relating to the Population; Age; Adult Social Care; Health and Car Access of the residents of St Michaels Ward.

Q3. Q2.2 What has this information told you about the potential effect on equality, particularly in relation to the protected groups?

The usual resident population of St Michael's ward is 2,351 (mid 2016 estimates).

The St Michaels Ward has a higher than average population aged between 40 to 80 years and a lower than average population aged between 20 to 40 years.

The percentage of the population of the ward aged 65 years and above is 27.9% (655 people) which is higher than that for the District as a whole. This tells us that there are potentially a larger number of older residents who might be affected in terms of their ability to access Area Committee meetings in Wincanton once the ward has moved into Area East.

In terms of disability or long term limiting illness, the residents receiving adult social care within the Ward is significantly lower than that of the District. The number of people whose day to day activities are limited is consistent with that of the District, being 19% or 446 people. However the number of households with a car is higher than that of the District. This tells us that there may be more people with restricted ability to attend Area Committee meetings due to day to their day to day activities being limited.



Q4. Q2.3 The Equality Act Aims to: Eliminate unlawful discrimination, harassment and victimisation Advance equality of opportunity Foster good relations With these three aims in mind, what is your assessment of the likely impact of the policy, strategy, service or function on the following?:

	Likely to benefit (Positive Impact)	Likely to disadvantage (Negative Impact)	No specific impact
People from different age groups		X	
Men or women			X
Women who are pregnant or have recently given birth			X
People who have undergone, are proposing or are undergoing gender reassignment			X
People with disabilities or carers		X	
People from different religions, belief or faith (including those with no belief)			X
People of different race or ethnicity			X
People who are lesbian, gay or bisexual			X
Marriage/Civil Partnership			X
People who are serving or have served in the armed forces and their families* (* this group is not protected by the Equality Act but are still potentially vulnerable or at risk of exclusion)			X

Q5. Q2.4 Where you have indicated a Positive or Negative Impact in Q2.3, please describe in more detail what the specific Impacts are.

The potential negative impacts for elderly and disabled residents would be in terms of their ability to attend an Area Committee meeting if moved to Wincanton due to it being a greater distance to travel than when the ward was in Area North. This would be particularly true for those who may rely on taxis for transport due to the costs being higher.

Q6. Q2.5 What actions will be, or have been taken to either mitigate any negative impacts or create a positive impact as identified in Q4?

Although the ward has a higher number of older residents and residents with limited day to day activity, attendance at an Area Committee meeting would still require travel by car, whether the meeting was held in Somerton in Area North or in Wincanton once moved into Area East.

It is acknowledged that this proposal to move the St Michaels Ward into Area East would be less convenient for those residents but that is outweighed by the benefits of achieving a better balance of committee membership across the district.

Although it would be less convenient for residents to travel to Wincanton to attend an Area Committee meeting, the higher than average vehicle ownership in the ward suggests that residents would be able to attend utilising their own or a friend/neighbour's transport.

In view of the increased area/size of the Area East Committee consideration can be given to holding the occasional Area Committee meeting in a venue to the West of that Area.

Q7. Q2.6 If there is a need to review the EqA, when do you propose to do this?

\* 01/11/2019

Q8. Q2.7 How will you monitor the impact that the decision or policy has had on protected groups?

We keep a note of public attendance at our committee meetings and if there was an issue to be discussed relating to the St Michaels Ward area, we can gauge by the attendance (or lack of it) if the decision has had an impact.

### Page 3: Quality Check / Approval Log

Q9. Q3.1 Date and name of Officer Completing the EqA

\* 31/10/2018

**Name of Officer Completing the EqA and Date Completed**

Angela Cox

Q10. Q3.2 Date and name of the Line Manager/Senior Manager approving the EqA

\* 05/11/2018

**Name of the Line Manager approving the EqA**

Lisa Davis

Q11. Q3.3 Date and Name of the Equality Coordinator signing off the EA

\* 05/11/2018

**Name of the Equality Coordinator**

David Crisfield

Q12. Q3.4 Any Comments

*No Response*

# Agenda Item 10

## **Area North Draft Chapter of the Council Plan 2019/20**

*Service Manager: Jan Gamon, Lead Specialist Strategic Planning*  
*Lead Officer: Jan Gamon, Lead Specialist Strategic Planning.*  
*Chereen Scott Specialist, Strategic Planning (North/West)*  
*Tim Cook, Locality Manager*  
*Contact Details: chereen.scott@southsomerset.gov.uk*  
*tim.cook@southsomerset.gov.uk*

### **Purpose of the Report**

To present the draft Area Chapter for Area North.

### **Public Interest**

The new operating model will be introduced in January 2019 and the way that area priorities are identified and resourced will change. The Committee's priorities will become a chapter of the council plan with resources pulled from across the organisation in Area+ teams. This report gives members an opportunity to consider and agree the priorities that will be included in the Area Chapter for 2019/20.

### **Recommendation**

That members agree the priorities for the Area to be presented to District Executive for consideration for inclusion in the Council Plan.

### **Background**

The Area+ proposal states that "The Council will become strategy led and data informed", which puts the annual strategic planning process at the heart of driving delivery in the Areas.

The Area+ Implementation plan sets out the new way of addressing area priorities and details how resources will be allocated from across the organisation to improve area working.

Area Plans will be developed for adoption as chapters of the Council Plan in February 2019 and will 'go live' in April of that year. The Senior Leadership Team (SLT) Sponsor for each area will have an overview of the emerging Area Plans.

Draft priorities were identified by members of Area North at a workshop before the July meeting of the committee. Content from the workshop, along with information from the latest Area Development plans and other service plans has been used as a starting point to develop the Area Chapter.

### **Draft Area Chapter - Area North**

The priorities for each area have been used to influence the development of the Council Plan for 2019/20. Some priorities identified are proposed as corporate projects and will be presented for consideration by District Executive in February 2019. Some priorities identified clearly have an area focus and are better placed in an Area Chapter. For the first time, the Area Chapter attempts to

present key projects and areas of work planned for the coming year by teams from across the whole organisation.

### **Delivery plan**

Once the priorities for the area have been agreed, officers with the knowledge, skills and experience will develop a delivery plan in consultation with ward members. Delivery plans will set out the outcomes, milestones, key activities and resources.

Progress of the delivery plan will be monitored by the Area Committee. The overall approach to delivery will be based on the principle that we will enable others to deliver where we can, partner where it makes sense and only deliver if absolutely necessary.

### **Area+ teams**

Officers required to deliver elements of the Area Chapter will become the Area+ team.

Area+ teams can begin to be established as soon as the details of the Area Plans are known. Input from Specialists will be needed in the development of the delivery plans. However, many people won't start new roles until January 2019 and the transition period will have an impact on when teams can make a start on delivery.

### **Budgets**

Work will be required to align the area budgets and available resources (capital programme, appropriate S106, etc) with the new Area Plans. There needs to be recognition that resources are finite and will be allocated according to need. Any new work will be assessed in order to establish relative priorities.

### **Next Steps**

- Draft council plan workshops with Scrutiny and District Executive in week beginning 7<sup>th</sup> January
- Final Council Plan for adoption in February (SLT: 21<sup>st</sup> January; Scrutiny: 5<sup>th</sup> February; District Executive 7<sup>th</sup> February; Full Council: 26<sup>th</sup> February).

The SLT sponsor for Area North is Netta Meadows (Director – Strategy & Support Services) who will be an advocate for the Area Plan through the adoption process and maintain an overview of progress. The SLT sponsor will provide high level input into the development of Area Plans making sure that they contribute towards the broader aims of the council and take account of relevant regional and national policy.

### **Financial Implications**

There are no new financial implications arising directly from this report.

### **Council Plan Implications**

The priorities have been developed taking into account the SSDC Corporate plan priorities.

## **Carbon Emissions & Climate Change Implications**

This is considered on an individual project and programme basis as appropriate. The overall priority is to seek to create more balanced communities where people can live, work and get access to the services and facilities they need on a daily basis. Area working (Area+) helps to improve access to facilities, activities and services, reducing the need to travel.

## **Equality and Diversity Implications**

This is considered on an individual project and programme basis as appropriate. All Area Plans will have an Equality Impact Assessment.

**Background Papers:** *Area+ proposal, Area + Implementation Plan*

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# Area Chapter –Area North

The area chapter presents the priority work in Area North for the coming year. Many of the projects are led by others working in our communities and SSDC will take an enabling approach to provide advice and practical support to help others deliver.

Area+ teams are made up of officers from across the council with specific knowledge, skills and experience needed to support the delivery of the Area Chapter. Details of the Area+ team, key activities, and milestones to be presented in the delivery plan.

## Key priorities for Area North:



### Economy

Attract tourists and increase spend in and visits to the area and wider district.

Develop and refurbish Cartgate Tourist Information Centre, creating a hub for tourists and encouraging visitors to stop in Somerset.

Continue to support individual businesses including local food and drink producers.

Encourage shop front improvements.

Encourage small and artisan businesses.

Bring forward suitable land for small business units.



### Environment

Support the delivery of a Community/ Neighbourhood Plan to address balance of housing/employment land in Curry Rivel.

Promote opportunities for enhanced service delivery through SSDC Environmental Services offer including parish warden scheme.

Develop a round one Heritage Lottery Fund bid to cover a range of elements of heritage and visitor management at Ham Hill, ensuring its sustainable management for the future.

Tourism and Countryside will work with SCC to deliver a project to rebrand and relaunch the River Parrett Trail.



### Housing

Promote and support new Community Land Trusts where appropriate.

Complete Housing Needs Surveys when requested.



### Healthy, Self-reliant Communities

To deliver improvements to Somerton Memorial Field

Support a range of improvements to community buildings. - Programme of live schemes to be set out in the delivery plan.

Increase the network of volunteer led health walks through promotion, training and support.

Deliver 8 Play days in towns/villages in Area North

Improve community transport links to address issues of loneliness and isolation

Support the existing youth delivery organisations.

Work with partners to tackle rural crime

# Agenda Item 11

## **Langport Community Office Impact Assessment and future provision for Customer Access**

*Strategic Director:* Martin Woods, Service Delivery  
*Assistant Director:* Helen Rutter, Communities Lead  
*Lead Officer:* Debbie Haines, Locality Team Leader  
*Contact Details:* [debbie.haines@southsomerset.gov.uk](mailto:debbie.haines@southsomerset.gov.uk) 01460 260449

### **Purpose of the Report**

To update Committee on the impact following the withdrawal of face to face contact at Langport Community Office and the future provision for customer access and locality working.

### **Public Interest**

With an increase in digital access, there is a continuing need to support customers to access services online and raise awareness of alternative methods to access information and services, to ensure that the service provided by SSDC best meets the needs of the customer. SSDC also needs to actively manage assets and resources to ensure the best financial or community return. This reports shows the impact relating to the closure of Langport Community Office.

### **Recommendation**

Members are asked to note the report.

### **Background**

Langport Community Office provided a face to face service and enabled customers to receive advice and assistance to many SSDC services, as well as referral or signposting to other agencies where necessary.

Due to increasingly low footfall within the office a report was taken to the Area North Committee and members agreed to withdraw from the Community Office and provide services in an alternative way. Over a lead in period Customer Advisors would focus on encouraging and supporting customers to access services online and to raise awareness of all alternative methods. There would also be an appointment based offer to customers who required further assistance in a location suitable to them.

The proposal was also endorsed by the Senior Leadership Team as a good way of testing various aspects of service delivery through transformation.

### **Lead up to office closure**

Langport Community Office was based within the Langport Information Centre (LIC) and closed at the end of December 2017. During the 3 month lead up to the closure customers were assisted and encouraged to move, where possible, to alternative methods.

24 customers were seen during this period. 14 customers moved to digital, phone or post access. Other customers were either returning equipment, were able to visit another office or were one off visits.

Of the 24 customers who visited the office, 13 lived in Langport / Huish, 7 Curry Rivel / Hambridge and 4 High Ham /Long Sutton.

SSDC services were advised of the office closure and provided with guidance on how to assist customers to access an appointment based visit.

Signs and leaflets were provided within the Community Office to advise customers and offer support. Information and leaflets were also supplied to Langport LIC to support any future enquiries.

SSDC released a press statement highlighting the closure.

### **Impact of closures**

Following the closure, customers were initially advised by some SSDC departments that they could still visit the Langport office, this was highlighted by the Town Council and rectified.

Langport LIC and Langport Town Council felt there had been little impact with regard to additional assistance provided to customers since the closure. Although there wasn't any footfall information recorded, the LIC continue to signpost and hand out leaflets where necessary.

There has been one occasion to date where an appointment was provided to a customer and this was held at our local office.

We will continue to liaise with Langport LIC and the Town Council to provide assistance and leaflets where required.

Impact regarding additional phone calls was considered to be minimal by the Customer Focus team.

Below is some data regarding the proportion of people who have completed online forms themselves and also forms which have been completed with the help of an SSDC officer either by phone or face to face. There have been a number of initiatives over the last 9 months to help customers to self-serve.

	Feb-18	Sept-18 (to date)
% of forms completed by self-serve	37.8%	50.8%
% of forms completed by SSDC officer	62.2%	49.2%

### **Future provision**

As part of the Council's Access Strategy, Area+ report and channel shift initiative, provision throughout the district is being made to provide Customer Access Points (CAP) within our existing buildings and other appropriate locations within market towns. A new CAP is due to be trialled within in Crewkerne Community Office and there will be a staff presence to help customers self-serve.

CAP's will consist of slim-line touch screen computers. They will include scanning and skype facilities and customers will be able to book appointments if further assistance is required.

We are also looking into the possibility of providing access and support to SSDC services within the County's network of Libraries but this will be dependent on the outcome of the current Library consultation.

Touchdown spaces for the Locality Team will be available within existing council buildings and also market town premises from January 2018.



There will be a number of channel shift campaigns and marketing materials produced between now and the launch of SSDC's new website. This will inform customers, businesses and residents about the opportunity to create personal accounts and how to interact with the council digitally – for simpler, faster and more efficient 24/7 access to service requests and reporting.

### **Financial Implications**

None from this report.

### **Council Plan Implications (2016-21)**

- Transform customer services through technology
- Provide access to services to suit out customers' needs
- Actively manage assets and resources to ensure the best financial or community return

### **Carbon Emissions & Climate Change Implications**

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

### **Equality and Diversity Implications**

Equality Analysis Assessments were completed for original report.

**Background Papers:** *Community Office Update Area North 2016/2017 September 2017*

# Agenda Item 12

## **Area North Committee – Forward Plan**

*Lead Officer:* Helen Rutter, Communities Lead  
*Officer:* Becky Sanders, Case Services Officer (Support Services)  
*Contact Details:* becky.sanders@southsomerset.gov.uk or (01935) 462596

### **Purpose of the Report**

This report informs Members of the Area North Committee Forward Plan.

### **Public Interest**

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 North Committee agenda, where members of the committee may endorse or request amendments.

### **Recommendation**

Members are asked to:  
Note and comment upon the Area North Committee Forward Plan as attached, and identify priorities for further reports to be added to the Area North Committee Forward Plan.

### **Area North Committee Forward Plan**

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 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 and SCC corporate aims and objectives.

Further details on these items, or to suggest / request an agenda item for the Area North Committee, please contact one of the officers named above.

***Background Papers:*** None

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## Area North Committee Forward Plan

Further details on these items, or to suggest / request an agenda item for the Area North Committee, please contact the Agenda Co-ordinator; at [democracy@southsomerset.gov.uk](mailto:democracy@southsomerset.gov.uk)

Items marked in italics are not yet confirmed, due to the attendance of additional representatives. Key: SCC = Somerset County Council

<b>Meeting Date</b>	<b>Agenda Item</b>	<b>Background / Purpose</b>	<b>Lead Officer(s) SSDC unless stated otherwise</b>
Jan '19	Community Grant	To consider a request for grant funding by the Lethbridge Recreation Field Committee (Shepton Beauchamp)	Adrian Moore, Locality Officer
<i>Feb '19 TBC</i>	<i>Community Safety &amp; Neighbourhood Policing</i>	<i>Annual update from representatives of Avon and Somerset Police.</i>	<i>Avon and Somerset Police.</i>
<i>Mar '19 TBC</i>	<i>Somerton Conservation Area</i>	<i>Report regarding the Somerton Conservation Area Appraisal and designation of extensions to the Conservation Area.</i>	<i>Charlotte Stranks, Conservation Officer</i>
<i>Mar '19 TBC</i>	<i>Buildings at Risk (Confidential)</i>	<i>Routine update report.</i>	<i>TBC</i>
<i>TBC</i>	<i>Community Grants</i>	<i>Consideration of Community Grant applications.</i>	<i>Locality Team</i>
<i>Apr' 19</i>	<i>Please note - due to the local elections, this meeting will only be held if there are planning applications to be determined.</i>		

# Agenda Item 13

## **Planning Appeals**

*Director:* Martin Woods, Service Delivery  
*Service Manager:* Simon Fox, Lead Specialist (Planning)  
*Contact Details:* simon.fox@southsomerset.gov.uk or 01935 462509

## **Purpose of the Report**

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

## **Public Interest**

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.

## **Recommendation**

That members comment upon and note the report.

## **Appeals Lodged**

17/04870/OUT – Land OS 6730 Henley, Langport.  
Outline application for alterations to existing accesses and erection of 2 No. dwellings (Revised application)

## **Appeals Dismissed**

None

## **Appeals Allowed**

17/04060/FUL – Land opposite Autumn Leaves, Pibsbury, Langport TA10 9EJ.  
The erection of 1 No. detached dwelling.

17/04236/S73 – Plot 1, Land opposite Autumn Leaves, Pibsbury, Langport TA10 9EJ.  
Application to vary condition no. 02 (approved plans) of 17/00167/FUL for the re-siting and design of dwelling.

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

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## Appeal Decisions

Site visit made on 16 October 2018

by **M Bale BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23<sup>rd</sup> November 2018.

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### APPEAL A:

**Appeal Ref: APP/R3325/W/18/3202355**

**Land Opposite Autumn Leaves, Pibsbury, Langport, Somerset TA10 9EJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
  - The appeal is made by S Rolli against the decision of South Somerset District Council.
  - The application Ref 17/04236/S73, dated 21 September 2017, was refused by notice dated 1 March 2018.
  - The application sought planning permission for the erection of a new detached dwelling with garaging and parking without complying with a condition attached to planning permission Ref 17/00167/FUL, dated 22 March 2017.
  - The condition in dispute is No. 2 which states that: The development hereby permitted shall be carried out in accordance with the following approved plans: '3590/1a', '3590/16/4', '3590/16/5', '3590/16/6', '3590/16/7', '3590/16/8' and '3590/16/9', received 9th January 2017, and '3590/16/3b', received 21st February 2017.
  - The reason given for the condition is: For the avoidance of doubt as to the development authorised and in the interests of proper planning.
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### APPEAL B:

**Appeal Ref: APP/R3325/W/18/3202365**

**Land Opposite Autumn Leaves, Pibsbury, Langport, Somerset TA10 9EJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by S Rolli against the decision of South Somerset District Council.
  - The application Ref 17/04060/FUL, dated 21 September 2017, was refused by notice dated 1 March 2018.
  - The development proposed is the erection of a new detached dwelling with garaging and parking on plot 1.
- 

### Decisions

1. **Appeal A:** The appeal is allowed and planning permission is granted for the erection of a new detached dwelling with garaging and parking at Land Opposite Autumn Leaves, Pibsbury, Langport, Somerset TA10 9EJ in accordance with the application Ref 17/04236/S73, dated 21 September 2017, without compliance with condition number 2 previously imposed on planning permission Ref 17/00167/FUL dated 22 March 2017 and subject to the conditions in the attached Schedule A.

2. **Appeal B:** The appeal is allowed and planning permission is granted for the erection of a new detached dwelling with garaging and parking on plot 1 at Land Opposite Autumn Leaves, Pibsbury, Langport, Somerset TA10 9EJ in accordance with the terms of the application, Ref 17/04060, dated 21 September 2017, subject to the conditions in the attached Schedule B.

### **Application for costs**

3. An application for costs was made by S Rolli against South Somerset District Council. This application is the subject of a separate Decision.

### **Procedural Matters**

4. Planning permission was previously granted for the erection of a single dwelling at the appeal site, known as 'plot 1'. Collectively, the two applications subject to these appeals sought to amend the layout to plot 1 in order to accommodate a second dwelling at the site.
5. The application subject to Appeal A effectively seeks a minor material amendment to the earlier permission to amend the design to a smaller plot and relocate the dwelling, whilst that relating to Appeal B is a stand-alone full application for a new dwelling.
6. I have considered both appeals separately. However, there is considerable commonality in the main issue for appeal A and the first main issue for appeal B. To avoid unnecessary duplication, I have, therefore, prepared a single decision letter for both appeals.
7. The appellant's evidence makes reference to a S106 agreement relating to application 17/00167/FUL tying the dwelling to a holiday cottage. Neither the agreement nor its precise terms are before me. A new permission granted under S73 would not necessarily be bound by the terms of such an agreement and, therefore, I sought clarification as to its relevance from the parties. The appellant responded to confirm that it was not, in actual fact, relevant and I subsequently asked the Council specifically to respond if they disagreed. No response was received and, accordingly, I have concluded that the absence of a fresh S106 agreement is not a reason to withhold planning permission.

### **Main Issues**

8. **Appeal A:** The main issue is the effect of the proposed amended design and siting on the character and appearance of the area.
9. **Appeal B:** The main issues are (i) the effect on the character and appearance of the area; (ii) whether the site is an appropriate location for new housing with particular regard to development plan policies relating to the accessibility of services and facilities; and (iii) whether any material considerations, such as housing land supply in the district indicate otherwise that development should be allowed.

### **Reasons**

#### *Character and appearance*

10. Pibsbury is a small settlement of mainly ribbon development stretching along the A372. Travelling through the settlement from Huish Episcopi, most of the development is on the left hand side of the road. Many of the dwellings here

are of an individual design but fairly large and are irregularly spaced. Towards the appeal site, which is at the furthest end of the settlement from Huish Episcopi, is modern development at Level View, where the dwellings are relatively close together.

11. The right hand side of the road, by contrast, is more open. Primarily it is seen as a mix of small fields and paddocks with sporadic groups of buildings interspersed amongst these field systems. The largest of these building groups is around the appeal site which marks the end of the settlement and adjoins open fields.
12. A large dwelling has been built adjoining the appeal site and a further one is under construction next to that. There are gaps between them through which limited views to the countryside beyond are available. The proposed two additional dwellings at the appeal site would result in smaller dwellings than these, with smaller gaps between them. However, whilst a number of dwellings in the settlement have wider frontages, the dwellings would still be detached and not so small as to appear incongruous with Pibsbury when viewed as a whole. The gaps between the dwellings would not be dissimilar to many others on the opposite side of the road.
13. Smaller gaps between buildings would reduce views of the open countryside. However, the character of the right hand side of the road is not based upon views of the countryside between buildings. Rather, as described above, it is of groups of buildings amongst relatively undeveloped fields and paddocks. These paddocks and fields which provide something of a buffer between the main string of dwellings and the wider open moor beyond would be unaffected by the development.
14. Whilst the development would be closer to the site boundaries than if a single dwelling were built, the effect on the overall character and appearance of the area would be very similar. The two-storey dwellings would sit comfortably in scale alongside their recently constructed neighbours and would not appear intrusive in the street scene.
15. The dwellings around the appeal site are clearly visible from within and outside the settlement and are not heavily screened by trees. The dwelling adjoining the open fields on the opposite side of the road presents an exposed gable end to the adjoining field, although it is softened by roadside planting to the front. Whilst space for additional planting to the side of the proposed new dwellings would be limited, there is scope for planting to the front which would provide a similar effect to those existing dwellings opposite. Therefore, whilst the National Planning Policy Framework (the Framework) indicates that well-conceived landscaping schemes should be a constituent part of new development, the limited ability for planting alongside the dwellings would not cause harm to the overall character and appearance of the area in this case.
16. The proposals, taken together, would result in a pair of dwellings and an associated unit of holiday accommodation, that is proposed to be formed by converting a barn on the road frontage, being served by a single point of access. I did not see examples of this shared arrangement elsewhere in Pibsbury. However, whilst the shared access would create a wide expanse of parking and turning to the front of the dwellings, it would be partially screened by the existing building and, therefore, not intrusive in the street scene. Whilst not numerous, there are other examples of extensive parking areas in front of

dwelling and so the character and appearance of the settlement would not be harmed by the proposed parking and access arrangement.

17. I note that some concern has been raised in the representations about the colour of the roof tiles. The plans indicate that natural slate would be used for the roofs of both dwellings. Whilst slate does not appear to be common in the area, the Council has raised no objection to this. From my observations at the site visit, I do not consider that these materials would harm the overall character and appearance of Pibsbury, especially when seen in context with the predominantly stone-faced front elevations.
18. I note suggestions that other planning permissions that have been given in the area were for larger dwellings centrally positioned on their plots. My attention has also been drawn to a nearby refusal of planning permission<sup>1</sup> where the Council considered that the construction of two dwellings would be harmful to the character and appearance of the area. However, I have not been provided with any details of this case and so I can only attach very limited weight to it. In any case, I have determined the appeal based upon the evidence and my own observations at the site visit.
19. Overall, whether the appeals are considered in isolation or together, I find that they would not harm the character and appearance of the area. They would, therefore, comply with those aims of Policies EQ2, SD1 and SS2 of the South Somerset Local Plan 2006-2028 (LP) which seek to ensure that development is of a high quality that promotes local distinctiveness, protects the character and appearance of the area and improves the environmental conditions within the district. It would also comply with those aspects of the Framework that seek to ensure that development is well designed and respects its local context.

#### *Location of development*

20. LP Policy SS1 sets out the settlement strategy for the South Somerset District. It indicates that development should be focussed on the strategically significant town of Yeovil with other development permissible in various listed primary and local market towns and rural centres. Elsewhere countryside protection policies should apply, other than in certain exceptions set out in LP Policy SS2.
21. Policy SS2 sets out circumstances under which development is permissible in rural settlements. As a general rule, the policy dictates that development should be strictly controlled and limited (in summary) to the provision of employment opportunities, community facilities, or meeting identified housing needs, particularly for affordable housing. It goes on to say that housing development should only be permitted in rural settlements that have access to two or more key services listed in the supporting text to the policy.
22. Whilst the provision of smaller houses than those previously intended at the site could appeal to a wider demographic and provide additional family housing, there is no substantive evidence that they would meet an identified housing need for the settlement. Importantly, Pibsbury does not contain two or more of the required key services that would make it an appropriate location for housing development. Therefore, whilst the site is fairly close to a public house, church and secondary school in Huish Episcopi and is linked to those

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<sup>1</sup> Application number 16/03605/FUL



facilities by a footpath, Policy SS2 does not permit development in this location.

23. The appeal site may be previously developed land and permission has been granted for a single dwelling at the site. However, this does not automatically mean that further residential development should be allowed. Policies SS1 and SS2 aim to guide development in the rural area to the most appropriate locations, fundamentally where future residents would have access to appropriate levels of facilities within the settlement. The circumstances required to demonstrate acceptability in this regard are clearly laid out as described above, and the proposal is in clear conflict with them. Therefore, LP policy indicates that it is not an appropriate location for additional development.

*Material considerations and planning balance*

24. Whilst the above analysis indicates that the proposals would not have a harmful effect on the character and appearance of the area, the location of the site is not in an appropriate location for residential development when considered against the settlement policies of the development plan. This brings Appeal B into conflict with the development plan when considered as a whole.
25. Against, this, the Council accepts that it cannot currently demonstrate a 5 year supply of deliverable housing land as required by the Framework. This means that the 'tilted balance' outlined in paragraph 11 (d) of the Framework is engaged whereby permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Such an approach is also endorsed by LP Policy SD1 which sets out a similar presumption in favour of sustainable development.
26. The provision of an additional dwelling would contribute to the housing supply and represents a benefit. In respect of the location of development, the Framework seeks to ensure that development is located where services and facilities are easily accessible. However, it also indicates that development in the rural area can help to support services in other nearby settlements.
27. I have already noted that there are a number of facilities in Huish Episcopi and that a footpath links the site to them. Whilst the distance may deter some, it would clearly be possible to make this journey on foot if desired. In this regard, future residents would have choice in their modes of transport. As the main aims of LP Policies SS1 and SS2 are to ensure that services and facilities would be accessible to residents, this reduces the weight that I attach to the conflict with them.
28. In this context, the harm that would arise in terms of accessibility from one additional dwelling at the appeal site would not significantly and demonstrably outweigh the benefits of granting permission when the Framework is considered as a whole. Whether or not Huish Episcopi has already accommodated its forecast number of dwellings set out in the LP, the development, therefore, benefits from the presumption in favour of sustainable development outlined at paragraph 11 of the Framework. I attach this substantial weight, which outweighs the conflict that I found with the development plan.

29. My attention has been drawn to a nearby appeal decision<sup>2</sup> where, despite the housing land supply situation, the adverse impacts of granting permission were found to significantly and demonstrably outweigh the benefits. However, the Inspector in that case found that there was intervening countryside between Pibsbury and that appeal site and that there was no footpath between the two. The scenario at this site is, therefore, different and as such the other Inspector's findings do not lead me away from my own findings in the present case.

### **Other matters**

30. A badger sett is located at the rear of the site. A mitigation strategy has been prepared to prevent harm to badgers that the Council's ecologist considers to be appropriate. This can be secured by planning condition.

31. My attention has been drawn to a drainage ditch alongside the site that may ultimately drain to the River Yeo. However, despite suggestions to the contrary, there is no substantive evidence that any third party organisations or statutory drainage bodies require access to the ditch for maintenance, nor that construction activities would lead to downstream pollution or affect ecologically sensitive areas. I, therefore, attach limited weight to these matters.

32. It has also been suggested in the representations that the site is not physically large enough to accommodate the development described in the plans. However, there is no substantive evidence that this is the case and I did not see anything at my site visit to suggest that the extent of the site was not properly described in the plans.

33. I note that an oak tree has been previously felled at the site, but this has little to do with the merits of these cases which I have assessed based upon the current situation. Whether or not it would be possible to conceive a larger single house development that also provided a competitive return to the developer, I have nevertheless found the appeal proposals to be acceptable on their individual planning merits.

### **Conclusions and conditions**

34. In respect of Appeal A, I have found that the proposed dwelling, would not harm the character and appearance of the area and complies with the development plan. Therefore, for the reasons given above I conclude that the appeal should succeed. I will grant a new planning permission without the disputed condition but substituting it for a new one listing the alternative plans. I shall and restate those undisputed conditions that are still subsisting and capable of taking effect.

35. The effect of allowing the appeal is the grant of a new planning permission. The Planning Practice Guidance makes clear that decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged. As I have no information before me about the status of the other conditions imposed on the original planning permission, I shall impose all those that I consider remain relevant. In the event that some have in fact been discharged, that is a matter which can be addressed by the parties. I have amended the Council's suggested time limit condition to reflect the date

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<sup>2</sup> APP/R3325/W/17/3168105

of the original planning permission and altered the timing in the landscaping condition as it does not need to be pre-commencement. I have also made slight revisions to the wording in the interests of clarity.

36. The Council has suggested two new conditions. The first relates to the on-going maintenance of the parking area clear from obstruction. Given that the site is smaller and more constrained than under the previous permission, such a condition is reasonable and necessary. The second relates to the need to obtain a badger license from Natural England. A condition requiring approval from an outside organisation does not comply with the tests for conditions outlined in the Framework. However, a condition to secure badger mitigation is necessary to protect wildlife interests and, therefore, having sought the views of the Council and appellant, I have amended the condition accordingly.
37. Turning to Appeal B, whilst the proposal conflicts with the development plan in respect of policies relating to the location of housing, material considerations indicate otherwise that the development should proceed. Therefore, for the reasons given above, I conclude that the appeal should be allowed.
38. A plans condition is required in the interests of certainty. A condition clarifying the external materials and securing a landscaping scheme are also necessary in the interests of protecting the character and appearance of the area. I have made minor revisions to the Council's suggested landscaping condition in the interests of clarity and because it does not need to be a pre-commencement condition. As with Appeal A, conditions are required to safeguard the parking and turning areas in perpetuity and to ensure protection of badgers. Again, I have amended the condition suggested by the Council to ensure compliance with the Framework.

*M Bale*

INSPECTOR

**Schedule A: Conditions in respect of Appeal A.**

- 1) The development hereby permitted shall begin not later than 3 years from 22 March 2017.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 3645/17/1; 3645/17/2; 3645/17/3; 3645/17/4; 3645/17/5; 3645/17/9.
- 3) The materials to be used in the construction of the external surfaces of the development hereby approved shall be those indicated on the approved plans and detailed within the design and access statement. The materials shall be installed prior to the occupation of the dwelling hereby permitted and shall thereafter be retained as such.
- 4) Prior to the occupation of the dwelling hereby permitted, 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 proposed planting, seeding, turfing or earth moulding shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be carried out in the first planting and seeding season after the development hereby permitted is first brought into use; and if any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
- 5) The area allocated for parking and turning on the approved plans shall be provided prior to the occupation of the dwelling hereby permitted and shall thereafter be retained as such and shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.
- 6) Prior to the commencement of the development hereby permitted, a detailed mitigation strategy for the protection of badgers shall be submitted to and approved by the Local Planning Authority in writing. The strategy shall set out the required works, the timing for such works and measures for their future maintenance. The approved strategy, timings and maintenance measures shall thereafter be strictly adhered to at all times.

**Schedule B: Conditions in respect of Appeal B.**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 3645/17/1; 3645/17/2a; 3645/17/6; 3645/17/7; 3645/17/8; 3645/17/9.
- 3) The materials to be used in the construction of the external surfaces of the development hereby approved shall be those indicated on the approved plans and detailed within the design and access statement. The materials shall be installed prior to the occupation of the dwelling hereby permitted and shall thereafter be retained as such.
- 4) Prior to the occupation of the dwelling hereby permitted, 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 proposed planting, seeding, turfing or earth moulding shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be carried out in the first planting and seeding season after the development hereby permitted is first brought into use; and if any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
- 5) The area allocated for parking and turning on the approved plans shall be provided prior to the occupation of the dwelling hereby permitted and shall thereafter be retained as such and shall be kept clear of obstruction and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.
- 6) Prior to the commencement of the development hereby permitted, a detailed mitigation strategy for the protection of badgers shall be submitted to and approved by the Local Planning Authority in writing. The strategy shall set out the required works, the timing for such works and measures for their future maintenance. The approved strategy, timings and maintenance measures shall thereafter be strictly adhered to at all times.



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## Costs Decisions

Site visit made on 16 October 2018

by **M Bale BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23<sup>rd</sup> November 2018.

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### **Costs applications in relation to Appeal Ref: APP/R3325/W/18/3202355 (Appeal A) and Appeal Ref: APP/R3325/W/18/3202365 (Appeal B) Land Opposite Autumn Leaves, Pibsbury, Langport, Somerset TA10 9EJ**

- The applications are made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
  - The applications are made by S Rolli for a full award of costs against South Somerset District Council.
  - Appeal A was against the refusal of planning permission for the erection of a new detached dwelling with garaging and parking without complying with a condition attached to planning permission Ref 17/00167/FUL, dated 22 March 2017.
  - Appeal B was against the refusal of planning permission for the erection of a new detached dwelling with garaging and parking on plot 1.
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### **Decisions**

1. The applications for an award of costs are refused.

### **Reasons**

2. The Planning Practice Guidance (PPG) advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. Both applications subject to the two appeals alleged harm to the character and appearance of the area. Whilst I have not agreed with the Council in respect of that main issue, the Council's officer report did clearly set out the reasoning behind the Council's decision on the matter. I find that the reasoning was sufficiently robust to substantiate the Council's position in respect of the appeals.
4. Turning to the second main issue, in respect of Appeal B, I have broadly agreed with the Council's reasoning regarding the accessibility of services and the suitability of the location for new development. The Council did not act unreasonably in this regard.
5. In making the overall planning balance, the Council's appeal statement explains that they did consider the operation of what is now paragraph 11 of the National Planning Policy Framework (the Framework). Whilst I differ from the Council in the weight to be attributed to that material consideration, that is a matter of planning judgement and again, the Council's reasoning is sufficiently robust to substantiate their position.

6. Overall, the Council has presented an objective analysis to support its reasons for refusal and has had due regard to the Framework. I therefore find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not been demonstrated.

*M Bale*

INSPECTOR

# Agenda Item 14

## Schedule of Planning Applications to be Determined by Committee

Director: Martin Woods, Service Delivery  
Service Manager: Simon Fox, Lead Officer (Development Management)  
Contact Details: simon.fox@southsomerset.gov.uk or 01935 462509

### Purpose of the Report

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

### Recommendation

Members are asked to note the schedule of planning applications.

**Planning Applications will be considered no earlier than 3.15pm.**

Members of the public who wish to speak about a particular planning item are recommended to arrive for 3.10pm.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
15	CURRY RIVEL	18/02064/FUL	Erection of 4 no. dwellings and the formation of access road.	Land Rear of 1-3 Westover, Langport.	Mr M Knight
16	BUROW HILL	18/03055/HOU	Erection of a single storey extension (part existing) to the side and front of dwelling.	1 Church View, Church Street, Kingsbury Episcopi.	Mr & Mrs Westlake

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 15

## Officer Report On Planning Application: 18/02064/FUL

<b>Proposal :</b>	The erection of 4 no dwellings and the formation of access road.
<b>Site Address:</b>	Land Rear Of 1 - 3 Westover, Langport, Somerset.
<b>Parish:</b>	Curry Rivel
<b>CURRY RIVEL Ward (SSDC Member)</b>	Cllr T Osborne
<b>Recommending Case Officer:</b>	John Millar Tel: (01935) 462465 Email: john.millar@southsomerset.gov.uk
<b>Target date :</b>	27th August 2018
<b>Applicant :</b>	Mr M Knight
<b>Agent: (no agent if blank)</b>	Wright Consult LLP, Bay Tree, Cooks Lane, West Cranmore, Somerset BA4 4RH
<b>Application Type :</b>	Minor Dwellings 1-9 site less than 1ha

### REASON FOR REFERRAL TO COMMITTEE

This application is referred to committee at request of the Ward Member with the agreement of the Area Chair to enable the issues raised to be fully debated by Members. The areas of particular concern relate to the impact of the proposed development on residential amenity, highway safety, flood risk and on the character and appearance of the conservation area.

### SITE DESCRIPTION AND PROPOSAL





The site comprises a parcel of land to the rear of a group of dwellinghouses on the north side of the A378, to the west of Langport, and opposite the Westover Trading Estate. The site is partly made up of former gardens of some of the adjoining properties, and includes a single storey outbuilding.

The application is made for planning permission to demolish the existing building and erect a three bedroom one and a half storey chalet bungalow with detached garage, and a terrace of three two bedroom properties. The dwellings are proposed to be built with red brick and clay tiles.

## HISTORY

No relevant history on the application site.

The following history relates to land to the north of the existing group of dwellings:

- 16/04346/FUL: Proposed erection of a dwelling - Permitted with conditions 15/12/2016.
- 04/00317/OUT: Erection of a dwelling and amendments to parking at former railway hotel - Refused 11/05/2004.
- 893455: Dwelling (Outline) - Refused 24/01/1990 - Subsequent appeal dismissed.
- 870807: The conversion of barn/store into two dwellings - Permitted with conditions 29/05/1987.
- 86951/A: Erection of a bungalow and private garage and use of existing access - Refused 20/07/1972.
- 86951: Development of land for residential purposes, demolition of existing buildings and use of existing access - Refused 12/10/1971.
- 53727: Conversion of a partially demolished house into a store - Permitted with conditions 08/11/1961.

## **POLICY**

The South Somerset Local Plan (2006 - 2028) was adopted on the 5th March 2015. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and Section 70(2) of the Town and Country Planning Act 1990 (as amended), the adopted local plan now forms part of the development plan. As such, decisions on the award of planning permission should be made in accordance with this development plan, unless material considerations indicate otherwise. Legislation and national policy are clear that the starting point for decision-making is the development plan, where development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.

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

SD1 - Sustainable Development  
SS1 - Settlement Strategy  
SS4 - District Wide Housing Provision  
SS5 - Delivering New Housing Growth  
HG4 - Affordable Housing Provision  
TA5 - Transport Impact of New Development  
TA6 - Parking Standards  
EQ2 - General Development  
EQ3 - Historic Environment  
EQ7 - Pollution Control

### **National Planning Policy Framework**

Chapter 2 - Achieving sustainable development  
Chapter 4 - Decision-making  
Chapter 5 - Delivering a sufficient supply of homes  
Chapter 8 - Promoting healthy and safe communities  
Chapter 9 - Promoting sustainable transport  
Chapter 11 - Making effective use of land  
Chapter 12 - Achieving well-designed places  
Chapter 14 - Meeting the challenge of climate change, flooding and coastal change  
Chapter 15 - Conserving and enhancing the natural environment  
Chapter 16 - Conserving and enhancing the historic environment

### **National Planning Practice Guidance**

Conserving the Historic Environment  
Design  
Natural Environment  
Rural Housing  
Planning Obligations

### **Policy-related Material Considerations**

Somerset County Council Parking Strategy (September 2013)  
Somerset County Council Highways Development Control - Standing Advice (June 2017)

## **CONSULTATIONS**

**Curry Rivel Parish Council:** The Parish Council have advised that they are supportive of the concept of two houses, especially the two-bedroom units, however feel that the proposal as submitted is overdevelopment of the site. Concerns are also raised in respect to highway safety with the Parish Council being of the opinion that the access road is too narrow and will cause problems. They are also concerned about the access onto the main road and have advised that they would want a detailed report

from the Highway Authority before changing their mind.

**SCC Highway Authority:** No objections in principle, subject to the imposition of relevant highway related conditions. The proposed access arrangements are considered to be satisfactory. It is expected that the development as a whole would generate approximately 32 vehicle movements. It is the Highway Authority's view that the existing visibility in place at the junction of the A378 is sufficient, and the increase in vehicle movements would not represent a significant increase that would be detrimental to highway safety. Concerns were initially raised about the provision of give way signs at the newly proposed access onto the access road between the site and the A378, resulting in these being removed from the proposed plans.

**SSDC Highway Consultant:** Refer to SCC advice.

**SW Heritage:** It is advised that the site lies within the medieval town and as such there is a likelihood that archaeological evidence from the medieval settlement may be affected. It is therefore requested that a standard archaeological monitoring condition is imposed.

**Wessex Water:** No objections in principle, however it is advised that the proposed disposal of surface water via sustainable drainage systems is not currently going to be acceptable to Wessex Water due to known high levels of groundwater. A condition is requested requiring the applicant to investigate alternative options for surface water disposal. Otherwise, Wessex Water remind the applicant of their need to apply for any new drainage and water supply connections, and likely drainage apparatus requirements, such as the need for completely watertight drainage systems.

**SSDC Ecologist:** No objection.

## REPRESENTATIONS

Ten letters of objection were received from eight local residents. The main points raised relate to the following areas:

- Four houses is over development of the site.
- Highway safety concerns as a result of increased vehicular movements using substandard access, including construction traffic.
- There is also insufficient parking proposed and parking spaces have been lost for properties 1 and 2 Westover.
- Safety of existing occupiers using existing access, including the ability for emergency services to use the access appropriately. The new access is also of insufficient size to allow medium/large delivery vehicles to access the properties.
- Impact on residential amenity due i.e. loss of privacy and overshadowing.
- Adverse impact on local rural character and the adjoining conservation area.
- Planning permission has previously been refused for additional dwellings of the A378 junction, for highway safety reasons. In approving a recent permission on land to the north, it was determined that one additional property would not lead to a significant increase in vehicle movements.
- The increase in impervious surfacing could lead to an increased risk of surface water flooding.

One letter of support was received from another local resident, and two other letters were received making general comments. The main points made are as follows:

- The site is well-related to Langport and the infilling of a currently derelict area should not impact negatively.
- The proposal will provide much needed small homes, providing a good mix of housing type, in

easy walking distance of the town.

## **CONSIDERATIONS**

### **Principle of Development**

The site is located within the defined development area of Langport, although it is within the parish boundaries of Curry Rivel. Langport is designated as a Market Town within the South Somerset Local Plan (2006-2028), and as such is a location where development is considered to be acceptable in principle where this "meets local housing need, extends local services and supports economic activity appropriate to the scale of the settlement." Policy SS5 identifies strategic housing targets for Yeovil, the Market Towns and Rural Centres. The proposed development will contribute to the levels of housing proposed for Langport, thereby supporting district-wide housing provision, however in considering the change of use of local services (including public houses). Due to the location within the defined development area of a Market Town, the proposed residential development is acceptable in principle subject of course to the assessment of other appropriate local and national policy considerations, such as highway safety, character and appearance of the local area, design and residential amenity, among other matters.

### **Scale and Appearance**

The proposal seeks to redevelop the site, which comprises part former gardens and outbuildings to provide 4 new dwellings, and associated gardens and parking.

Objections have been received, raising concerns that the proposal constitutes an over development of the site. Notwithstanding these concerns, it is noted that the prevailing character of development in the immediate vicinity is mainly made up of relatively high density development in depth. The proposed development is seen in relation to the other existing development to surrounding the site and is considered to be appropriately sited in respect to existing built form so that it satisfactorily respects and relates to the character of the area. Furthermore, the site is considered to be of suitable size to accommodate the development proposed. The proposed terrace of three houses, and the detached dwelling are of a suitable design to respect the character of the area. The proposed brick and clay tiles also accord with some of the materials used prominently in the local vicinity.

The application seeks to remove an existing outbuilding to the side of one of the properties to the south (1 Westover) to provide access to the site. This is considered to be acceptable from a visual point of view.

It is noted that the site is with a conservation area, however it is not considered that the development would harmful to the character and appearance of this heritage asset.

Subject to a condition agreeing the final material finishes, the proposed design, scale and materials are considered to be acceptable.

### **Residential Amenity**

Concerns have also been raised in respect to the potential impact on adjoining properties through loss of light/overshadowing and overlooking. It is considered that the proposed dwellings are sited appropriately, and of an acceptable scale, to avoid any overshadowing or general overbearing impact.

It is noted that there are roof lights to the rear of the two properties immediately to the east of the proposed detached dwelling, as well as there being a small enclosed courtyard area to the rear of one (Withy Cottage). Site visits have been taken to view the development site from one of these neighbouring

properties and as a result, it is not considered that there would be any harm generated to cause an unacceptable impact on residential amenity to the occupiers of these properties. As originally submitted, it was felt that the dwelling on plot 3 would potentially overshadow, and have an overbearing impact on the adjoining courtyard area, however the plans have been amended to set plot 3 back level with the rear wall of Wither Cottage. This is considered to satisfactorily address this concern.

Other than one roof light on the east facing roof slope of the detached dwelling, there are no first floor openings facing directly towards the properties around the site. The roof light in question is proposed to be set a minimum of 1.7m above the floor of the room that it will serve, which is accepted to be appropriate and satisfactorily reduce the risk of overlooking. Concerns have been raised that light will be reduced for the occupiers of other nearby properties, however it is considered that they are of adequate distance to avoid this harm.

If the scheme is approved, a condition would be imposed to prevent the addition of new openings, extensions or outbuildings without the prior grant of planning permission to ensure that any future harmful additions can be appropriately controlled and assessed, where necessary.

Due to the constrained nature of the site and access, it is also considered reasonable to impose a condition requiring the approval of a Construction and Environmental Management Plan (CEMP) that could include the agreement of construction hours, methods of accessing the site and contractor parking arrangements.

Overall, there is considered to be limited harm to residential amenity, such that it would not be appropriate to recommend refusal.

### **Highway Safety**

A number of objections have been received in respect to highway safety. The main issues relate to the width of the shared access track and the substandard nature of the access from this track onto the A378, which has reduced visibility and poor alignment. It is also noted that the Highway Authority previously raised concerns about highway safety, recommending refusal last in 2004. There has been a more recent approval of one dwelling to the north of the application site, with the decision being made that vehicle movements associated with one further dwelling using the existing access would have been so significant to warrant refusal on highway safety grounds. It is suggested that the introduction of additional vehicle movements associated with a further four dwellings would be harmful to highway safety.

In this case, the application has been fully assessed by the Highway Authority, who raise no objections subject to the imposition of standard highway related conditions. The existing and proposed access arrangements have been considered and the Highway Authority have advised that the increase in vehicle movements associated with the development (approximately 32) does not represent a significant increase, and that there are satisfactory levels of visibility at the existing access onto the A378, so that there would not be a detrimental impact on highway safety.

The proposed layout provides appropriate turning space. There is a slight under provision of parking in relation to the terraced properties, with two spaces provided for each, however the Highway Authority have raised no objections to this, and it is noted that the site is in easy walking distance of the key services available in Langport.

Concerns have been raised that the existing properties 1 and 2 Westover will no longer have parking spaces, with parking previously available within the application site. While this is noted, these cottages are in the process of being refurbished and have consequently been separated from the application site. While not ideal, the separation of the sites does not require planning permission and as such there is no control in this respect.

Noting the comments of the Highway Authority, the proposed development is considered to be acceptable from a highway safety point of view.

### **Other Issues**

It is understood that the wider is occasionally subject to localised surface water flooding, with high groundwater levels during times of prolonged wet weather. Concerns are raised that the increase in hard surfacing could exacerbate this issue. Details have been submitted for on-site attenuation, although Wessex Water have raised concerns at this stage, with their particular concern being that any surface water disposal scheme is not connected to the existing foul water network, as they would not wish to see an increased risk of flooding within the existing foul network. Wessex Water do not object however, with a condition proposed for details of surface water disposal to be finalised. This is considered reasonable, and is agreed to by the applicant. Ultimately disposal of surface water ought not to be a constraint to development, however it is reasonable to impose a condition that requires details of foul and surface water disposal to be provided and agreed prior to commencement.

SW Heritage Trust have noted that the site is within the local Area High Archaeological Potential, which includes the medieval settlement. As such, an archaeological monitoring condition has been requested.

As of 3rd April 2017, the Council adopted CIL (Community Infrastructure Levy), which is payable on all new residential development (exceptions apply). The appropriate Form 0 has been completed and returned by the applicant. An appropriate informative will be added, advising the applicant of their further obligations in this respect.

### **Conclusion**

Despite concerns raised locally, the proposed residential development of the site is considered to be acceptable in this location, as it respects the character of the area, and is not considered to cause demonstrable harm to residential amenity and highway safety, and will not increase flood risk locally.

### **RECOMMENDATION**

Grant approval with conditions.

01. The proposed development, by reason of size, scale and materials, is acceptable as it respects the character of the local area, does not adversely affect the setting of nearby conservation area and has no unacceptable impact on residential amenity, highway safety or local flood risk. As such, the proposed development is considered to accord with the aims and objectives of policies SD1, SS1, SS4, SS5, TA5, TA6, EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

### **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: '2018/KNIGHTM/01/RevA', '2018/KNIGHTM/02/RevA' and '2018/KNIGHTM/03'.



Reason: For the avoidance of doubt as to the development authorised and in the interests of proper planning.

03. No work shall be carried out in respect to the construction of the external surfaces of the development hereby permitted unless particulars of materials (including the provision of samples) to be used for the external surfaces have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity, in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

04. The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice and pollution prevention measures. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason: To safeguard residential amenity and highway safety, in accordance with policies EQ2 and TA5 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

05. Before the commencement of the development hereby permitted the applicant, or their agents or successors in title, shall have secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) which has been submitted and approved in writing by the Planning Authority. The WSI shall include details of the archaeological excavation, the recording of the heritage asset, the analysis of evidence recovered from the site and publication of the results. The development hereby permitted shall be carried out in accordance with the approved scheme.

Reason: In the interests of safeguarding any archaeological remains on the site and in accordance with Policy EQ3 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

06. The development hereby permitted shall not commence until details of foul and surface water drainage to serve the development, shall be submitted to and approved in writing by the Local Planning Authority. Such approved drainage details shall be completed and become fully operational before any part of the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: In the interests of highway safety and to ensure that the development is served by a satisfactory system of drainage, in accordance with policies TA5, EQ1, EQ2 and EQ7 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

07. The area allocated for parking and turning on the approved plans, shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the occupation of the dwellinghouse hereby permitted.

Reason: In the interests of highway safety, in accordance with policies TA5 and TA6 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

08. Before any of the dwellings hereby permitted are first occupied, a properly consolidated and surfaced access shall be constructed (not loose stone or gravel) details of which shall have been submitted to and approved in writing by the Local Planning Authority. The access shall be constructed in accordance with the agreed design and shall be maintained in the agreed form thereafter at all times.

Reason: In the interests of highway safety, in accordance with policy TA5 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

09. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, including dormer windows, or other openings (including doors) shall be formed in the dwellings hereby permitted without the prior express grant of planning permission.

Reason: In the interests of visual and residential amenity, in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwellings hereby permitted and no buildings or other to be built within the curtilage of any of the dwellings without the prior express grant of planning permission.

Reason: In the interests of visual and residential amenity, in accordance with policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and the provisions of the National Planning Policy Framework.

#### **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).

02. In seeking to discharge conditions 6 (foul and surface water disposal), the applicant is reminded of the comments of Wessex Water, in their letter dated 13th August 2018, which is available on the Council's website.
03. The applicant will be required to enter into a suitable legal agreement or license with the Highway Authority to secure the construction of the highway works necessary as part of this development. Please ensure that an advisory note is attached requesting that the developer contact the Highway Authority to progress this agreement well in advance of commencement of development.

# Agenda Item 16

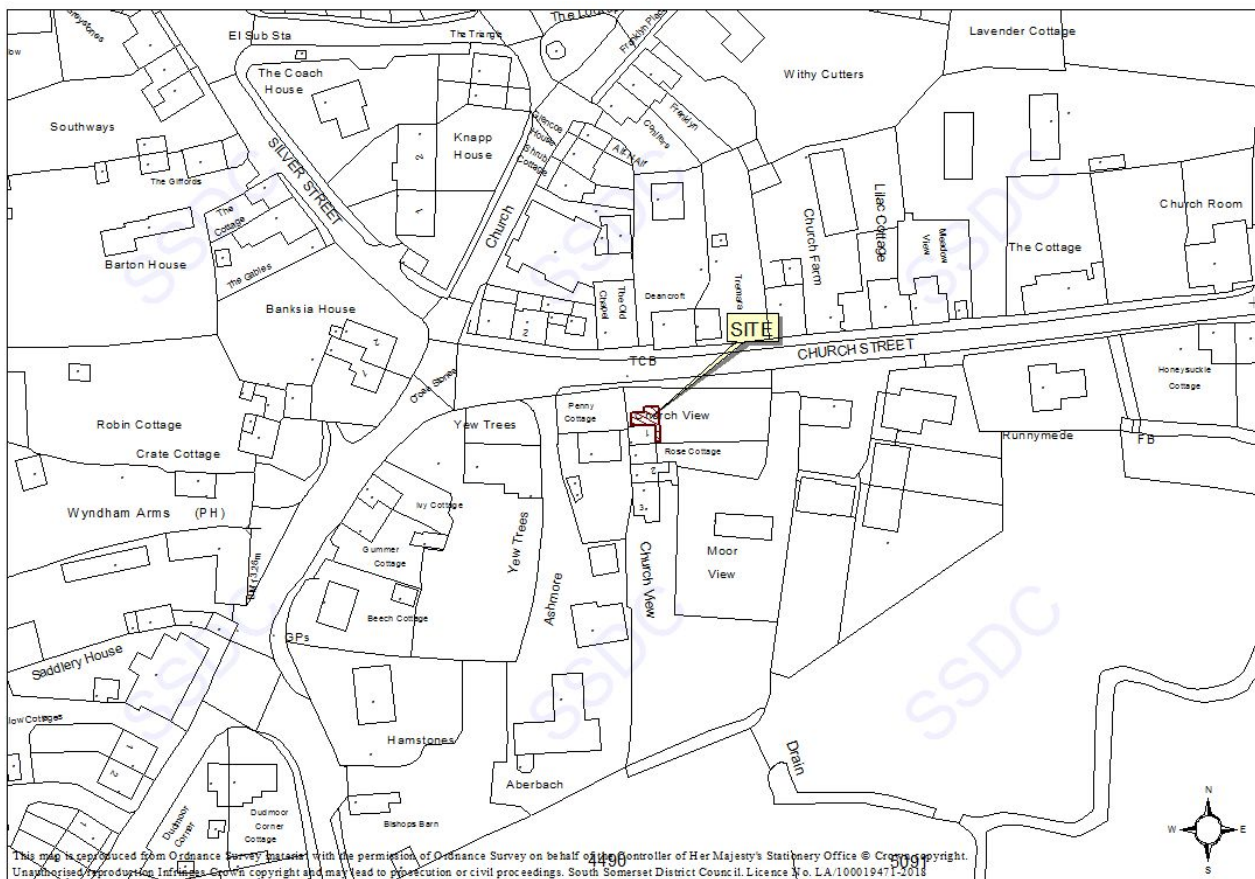
## Officer Report On Planning Application: 18/03055/HOU

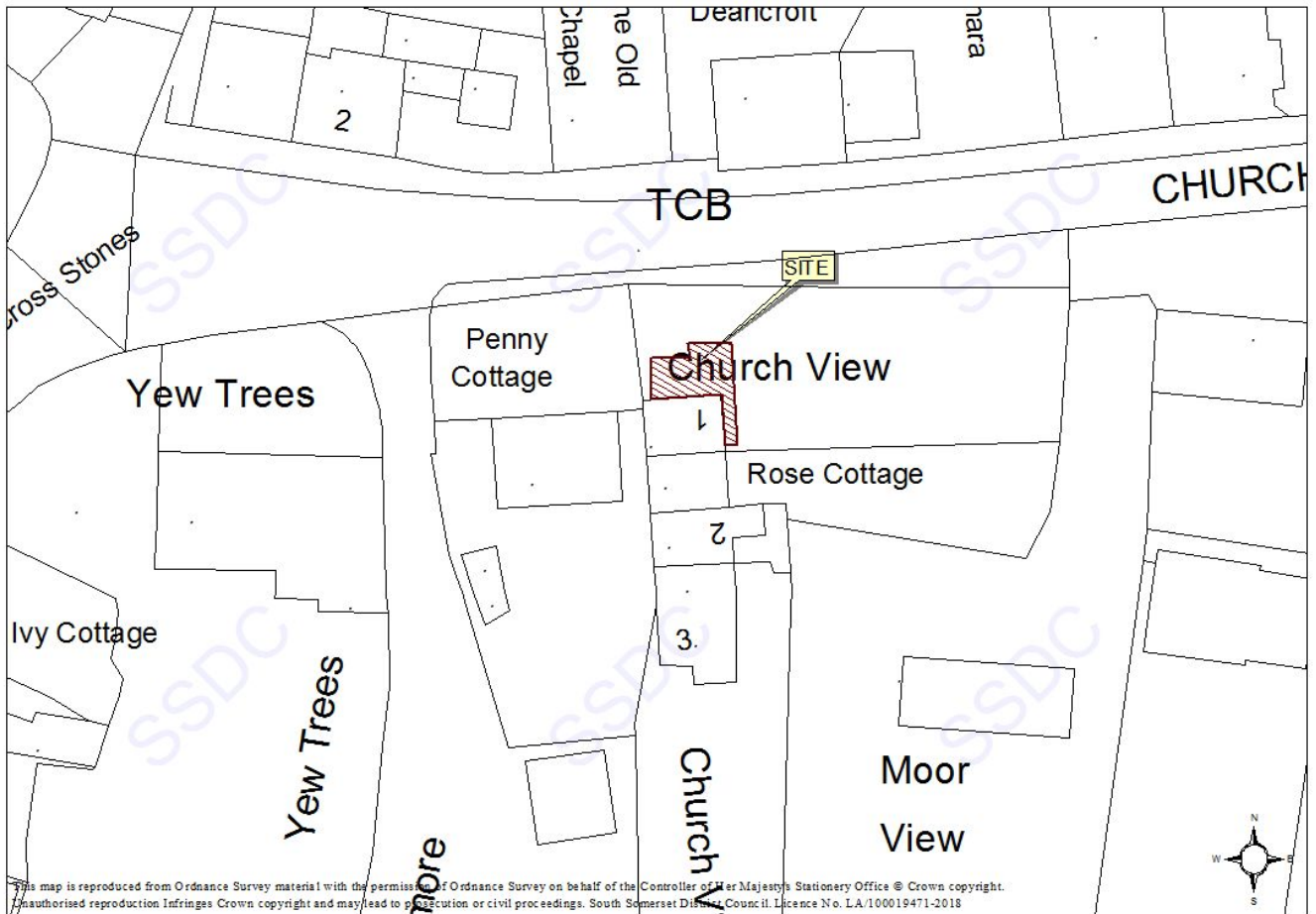
<b>Proposal:</b>	Erection of a single storey extension (part existing) to the side and front of dwelling
<b>Site Address:</b>	1 Church View, Church Street, Kingsbury Episcopi.
<b>Parish:</b>	Kingsbury Episcopi
<b>BURROW HILL Ward (SSDC Member)</b>	Cllr Derek Yeomans
<b>Recommending Case Officer:</b>	Planning Case Team Tel: (01935) 462462 Email: <a href="mailto:planningcaseteam@southsomerset.gov.uk">planningcaseteam@southsomerset.gov.uk</a>
<b>Target date :</b>	20th November 2018
<b>Applicant :</b>	Mr & Mrs Westlake
<b>Agent: (no agent if blank)</b>	Mrs Helen Lazenby, Clive Miller Planning Limited, Sanderley Studio, Kennel Lane, Langport TA10 9SB
<b>Application Type :</b>	Other Householder - not a Change of Use

### REASON FOR REFERRAL TO COMMITTEE

At the request of the Ward Member, with the agreement of the Area Chair, this application is to be heard at committee to allow for full discussion around the impact of the proposal on the surrounding Heritage Assets.

### SITE DESCRIPTION AND PROPOSAL





1 Church View is a two storey, end terrace property set perpendicular to the highway. It is constructed of natural stone, red brick quoins and a cream render under a tiled roof. The property is located on the south side of Church Street and benefits from a modest garden to the front and side. It is set within the Conservation Area in close proximity to several listed buildings including neighbouring Penny Cottage which is a Grade II listed building.

This application seeks permission for alterations and the erection of a single storey extension to the side and front of the house. Materials are stated as matching.

The application is supported by a Planning Statement. During the course of the application the agent submitted additional information addressing the concerns raised by a neighbour and the Conservation Officer.

## HISTORY

18/01072/FUL - Alterations and the erection of a two storey extension (part above existing ground floor extension) to the side and a single storey extension to the front of dwellinghouse - refused 13.07.18

*Reason: The proposal is considered to be contrary to Policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and the guidance set out in the National Planning Policy Framework (NPPF), in that the development does not preserve or enhance the character of the Conservation Area and adversely harms the setting of nearby Listed Buildings by virtue of its size, scale, design and local impact. History:*

02/03174/FUL - Erection of a first floor extension - permitted with conditions 06.01.03  
00/00733/FUL - Erection of single storey extension - permitted with conditions 20.04.00

## **POLICY:**

### **South Somerset Local Plan 2006-28:**

Policy EQ1 - Addressing Climate Change in South Somerset  
Policy EQ2 - Design and General Development  
Policy EQ3 - Historic Environment  
Policy TA5 - Transport Impact of New Development  
Policy TA6 - Parking Standards

### **NPPF:**

Chapter 12 - Achieving Well Designed Places  
Chapter 14 - Meeting the Challenge of Climate Change, Flooding and Coastal Change  
Chapter 16 - Conserving and Enhancing the Historic Environment

Planning Practice Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66 imposes a general duty on local planning authorities when determining planning applications as respects listed buildings and states:

"In considering whether to grant planning permission, or permission in principle, for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Section 72 imposes a general duty when determining planning applications as respects conservation areas and states:

"In the exercise, with respect to any buildings or other land in a conservation area.....special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

Somerset County Council Parking Strategy (September 2013) and Standing Advice (June 2017)

South Somerset District Council Supplementary Guidance - Extensions and Alterations to Houses - A Design Guide

## **CONSULTATIONS**

**Town/Parish Council:** Kingsbury Episcopi Parish Council - No objections

**Highways Authority:** Standing advice applies (in this case, Amber Zone location and consequent need for 2 off- street car parking spaces)

**Highways Consultant:** The plans show that the top floor would become a study and consequently there would be no increase in bedrooms within the property. On this basis, it would be unreasonable to provide additional off-road parking.

**SCC Archaeology:** No objections

**Conservation Officer:** Kingsbury Episcopi a small village with a population of just over 1000 people. It

is a nucleated settlement, with houses built along the roads edge and within large plots of land set back from the road. There have been very few new buildings built in Kingsbury Episcopi in the last 100 years and especially within Kingsbury Episcopi conservation area. As a result the village has retained much of its historic character. The small village has a dominance of hamstone built houses with stone mullioned windows and slate roofs. There are a number of thatched cottages some of which are limewashed and others with plain brick or natural stone finish. There are Victorian red brick terraced cottages built along the edges of the roadsides and a number of characterful farms buildings which over time have been converted into dwellings.

1 Church View is built on a corner plot with a gabled end overlooking Church Road, the east elevation opens into a garden bordered by a public footpath. In the early 1900's the terrace of cottages which contain the no's 1-4 Church View, were remodelled, and 1 Church View had a small extension added on the north elevation. The photograph below from before 2000 shows that the extension to 1 Church View was not visible from the garden of Penny Cottage and must therefore be lower in height than the existing extension (Somerset HER image 35421). (image available to view at [www.southsomerset.gov.uk](http://www.southsomerset.gov.uk) )

The north elevation of 1 Church View is aligned with the building line of Penny Cottage. Penny Cottage is an attractive thatched, brick and rubble stone late C18 Grade II listed building, typical in character to that of a vernacular thatched cottage. The planning history show that the existing extension was granted permission in 2000 (00/00733/FUL) and one of the reasons cited for granting permission was that the 'extension appears to be subordinate to the dwelling and reflects form and character of single storey lean-to in area'. A previous application 18/01072/FUL proposed a two storey extension to the gable ended north elevation of 1 Church View. This application was refused on the basis that 'the first floor extension will be dominant and harmful, principally to the listed building next door'. The new submission is one and a half a stories on the north elevation becoming single level as it wraps around to the east elevation.

The proposed extension:

- Width of north elevation extension - existing 4300mm to proposed 7100mm
- Proposed additional extension to the west of 1350mm for the porch
- Floor to ridge height - existing 2500mm to proposed 5500mm

The large proposed extension would cause less than substantial harm to the setting of the Grade II listed Penny Cottage. 1 Church View would eclipse views to the listed building and the increased scale and mass and could no longer be considered to be subservient to the listed building. The area of hardstanding to the north of 1 Church View gives the opportunity to see Penny Cottage from Church Street, if the extension were to be permitted, it would largely obscure this view. Looking from the west of 1 Church View the raised ridge line of the proposed extension would break an otherwise uninterrupted view of regular eaves lines and would nearly block all views to Penny Cottage. This would have a negative impact on the views to Penny Cottage and Church Street and would also be harmful to the setting of the Conservation Area. These views currently contribute to the particular character and quality of the Conservation Area. It was suggested in the previous decision that a single level extension might be an acceptable compromise for the design, as it was considered that two stories would cause harm to the setting of the listed building. The new proposals only show a minor reduction in height. I would consider the proposal to be an unsympathetic development that will not better reveal the significance of the listed building, and will instead cause less than substantial harm to the setting of the listed building and Conservation Area. Because of this reason I am unable to support the application.

## **REPRESENTATIONS**

### **Neighbour Comments:**

7 neighbours were notified and a site notice was displayed. 2 neighbour objections were received from the occupants of Penny Cottage and 1 objection from 3 Church View. They are available to view on-line

at [www.southsomerset.gov.uk](http://www.southsomerset.gov.uk) but the main points are summarised below:

- i. Size and scale is not single storey
- ii. Although overall height reduced, it does not reduce overall impact on conservation area
- iii. Twice the size of existing extension and is above the 1 Church View's second floor window
- iv. The proposal includes roof lights which would be more associated with a two storey extension
- v. The proposal stills adversely harms the setting of nearby listed buildings by virtue of its size, design and local impact
- vi. The revised proposal reduces not eliminates the impact on the nearby listed building Penny Cottage
- vii. Reasons for refusal of 18/01072/FUL are still valid
- viii. Serious visual impact on the historical setting of Grade II listed Penny Cottage
- ix. Detrimental visual impact on the Conservation Area of Church Street
- x. Loss of natural light for the upstairs and ground floor of Penny Cottage
- xi. Lack of access to construct and maintain proposed extension
- xii. Potential safety hazard in terms of fire management of thatch roof on Penny Cottage
- xiii. Future precedent
- xiv. Overdevelopment
- xv. Extension is disproportionately large in relation to the current dwelling and small garden and will result in lost amenity space
- xvi. Previous refusals on land adjacent to application site

## **CONSIDERATIONS**

### **Principle of Development**

The extension of existing properties is usually acceptable in principle subject to the proposed development being in accordance with Development Plan policies and proposals. In this case, the main considerations will be the impact on the visual amenity of the area and residential amenity of neighbouring residents as well as impact on the setting of the listed building and the conservation area.

It is noted that an objector has referenced a recent refusal on land adjacent to the application site. The proposal for the erection of a new dwelling reference 13/01607/FUL was dismissed at appeal for reasons of privacy and outlook due to the close proximity and orientation of Church View. It is not considered that that decision has a bearing on this application.

This is a revised application following refusal of a proposed two storey side and single storey front extension dated 13.07.2018 and reference 18/01072/FUL. The reason for refusal was:

*Reason: The proposal is considered to be contrary to Policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and the guidance set out in the National Planning Policy Framework (NPPF), in that the development does not preserve or enhance the character of the Conservation Area and adversely harms the setting of nearby Listed Buildings by virtue of its size, scale, design and local impact.*

### **Impact on Visual Amenity, Conservation Area and Setting of Listed Building**

The application property is located within the conservation area of Kingsbury Episcopi, set amongst several listed buildings including neighbouring Penny Cottage to the west which is a Grade II listed dwellinghouse. 1 Church View is the end property in a small row of terraced dwellinghouses set perpendicular to the highway. The host property benefits from an existing single storey side extension which was approved in 2000. The single storey extension, although with a different angled roof pitch, appears subservient and reflects the form and character of a simple single storey extension in the area.

Grade II listed Penny Cottage is located in close proximity to the west of the application property. The original north elevation of 1 Church View before the construction of the previously approved side extension roughly aligns with the building line of Penny Cottage. The pattern of development on the south side of Church Street is loosely knit although the built form does benefit from a roughly consistent build line set back from the highway.

The proposal sees the erection of a single storey side extension with a canopy porch which fronts the highway and a wraparound single storey extension to the front elevation which faces east. It is noted that the plans have been prepared to try to address the reason for refusal from the previously refused application 18/01072/FUL by reducing the two storey side element to single storey. The existing side extension measures approximately 2.2m in height to the eaves and 3.5m in height to the ridge. The proposed single storey side element remains at approximately 2.2m in height to the eaves but increases the overall height to 5.4m. Although no first floor accommodation is provided, this roof height represents an increase in height of the side extension that sits just below the second storey window where it is considered that the eaves to ridge ratio is disproportionate.

A previously submitted application for a two storey side extension and a single storey front extension was refused in July 2018 as it was not considered to preserve or enhance the character of the Conservation Area and would adversely harm the setting of nearby Listed Buildings by virtue of its size, scale, design and local impact. It is noted that a two storey side extension was approved in 2002. That approval was not implemented.

Whilst this provides some context for the current application, there has since been the introduction of new policies including the South Somerset Local Plan and the National Planning Policy Framework (NPPF). Policy EQ2 of the South Somerset Local Plan states that development will be designed to achieve high quality design, which promotes South Somerset's local distinctiveness and preserves or enhances the character and appearance of the district. The NPPF also highlights the importance of high quality design. Furthermore, Policy EQ3 of the South Somerset Local Plan states that heritage assets will be conserved and where appropriate enhanced for their historic significance and important contribution to local distinctiveness, character and sense of place. The NPPF also states that sustainable development involves seeking positive improvements to the historic environment.

The proposed ridge of the side extension element and porch canopy replicates the pitch of the existing roof ridge. The eaves height of the proposed extension is maintained at the same height as the existing extension. The proposed extension would be constructed around the north-east corner with the roof plane extending to a ridge offset from the main dwellinghouse just under the bottom cill of the second floor window. As such, the proposal is focused away from Penny Cottage in an attempt to mitigate any impact. Materials which are stated as natural stone and cream coloured render, clay double roman tiles and timber windows and doors to match the existing dwellinghouse are considered acceptable.

It is important to ensure that the design, scale and appearance of any proposal is appropriate to avoid dominating the existing house. Particular care should be given to extensions which front the highway due to their often prominent position and impact on the character of the property. Whilst the proposal is of a design that is sometimes acceptable in other locations, the orientation of the host property results in a side extension which is highway-facing which makes its impact on visual amenity more significant.

When making a decision on a planning application for development that affects the setting of a listed building, a local planning authority must have special regard to the desirability of preserving the building's setting. Additionally, when considering any planning application that affects a conservation area a local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Setting involves not just visual interrelationship but also the surroundings in which a heritage asset is experienced. The heritage asset in this case, specifically Grade II Penny Cottage, contributes to the distinct character of the Conservation Area. This is a valued attribute attested to by the neighbours who have raised objections that the proposal has a detrimental impact on



the setting of Penny Cottage and the surrounding Conservation Area. It is considered that the position of the application property has a key relationship to the setting of the heritage assets, particularly Penny Cottage. On this basis the design and scale of any works to the application building are of paramount importance in protecting the setting of the heritage assets

It is noted that the Parish Council have raised no objections to the proposal. However, the Conservation Officer has objected stating the proposed extension would cause less than substantial harm to the setting of Penny Cottage and the conservation area. Specifically, the proposal would eclipse views of Penny Cottage and that the increased scale is no longer subservient.

Although the Conservation Officer has raised concern that the proposal is not subservient to the neighbouring listed building, the proposed single storey extension, albeit at 5.4m in height, is considered subservient to the host dwelling in planning terms. The agent has pointed out that the Conservation Officer has incorrectly stated in her response that the ridge height of the existing extension is 2.5m and suggested that the assessment is flawed as a result. It appears that the Conservation Officer has quoted an existing height of 2.5m which should read 3.5m. Whilst this is an error of dimensions, it is considered that the plans clearly show the overall height which the Conservation Officer quoted as 5.5m. The agent confirmed that the overall height is 5.455m. As such, it is considered that the views of the Conservation Officer can still be relied upon.

In response to the Conservation Officer's comment that the proposal would eclipse views of Grade II listed Penny Cottage, the agent has stated that there would only be a loss of views of the eaves. Whilst the existing single storey extension allows views of Penny Cottage which are only partially blocked when approaching from the east along Church Street, it is considered that the proposed extension at 5.4m in height would have an imposing presence and further block those views resulting in a detrimental impact on the setting of the listed building. The agent submitted photos which appear to show that views of Penny Cottage are also partially blocked by some mature hedging and planting as well as the existing single storey side extension. However, the LPA has no control over the planting which is a transient feature and could be pruned back at any time by the occupant. Furthermore, it is considered that the development will detract from the character of the highway facing elevation of the building and disrupt the visual amenity, resulting in a harmful impact on the Conservation Area. The SSDC's Design Guide states that front extensions are always likely to be too prominent in the street scene and detrimental to the character of an area. Any extension more than a simple porch will generally not be encouraged. As the side extension is highway facing it is reasonable to consider the application in a similar way. Therefore, it is considered that the proposal is not in accordance with this Design Guide. The massing of the development would be highly visible, prominent in the streetscene and incongruous on the highway facing elevation.

It is considered that, although the proposal would not 'eclipse' views of Penny Cottage, it would obscure some views when viewed from the east which would introduce a degree of harm to the heritage asset. When considering the less than substantial harm that the Conservation Officer has identified, it is important to weigh this against any public benefit. This could include the short-term economic benefit in construction and the longer-term benefit of the provision of a larger home more suitable for a family. However, whilst these public benefits are acknowledged, it is not considered that they would outweigh the harm introduced to the setting of the listed building and the Conservation Area.

It is therefore considered that the proposal would be harmful to the setting of the listed building and the character and appearance of the Conservation Area, and its significance as a heritage asset, would not be preserved.

### **Impact on Residential Amenity**

The neighbours raised concerns that there will be a loss of light for Penny Cottage. However, due to the orientation of the property, the location of the proposed extension, to the north east of Penny Cottage

and the eaves height being maintained at approximately 2.2m, it is not considered that the proposal would result an unacceptable loss of light which could warrant a refusal.

It is noted that there are no proposed windows on the rear (west) elevation facing the front garden of Penny Cottage. It is not considered that the window layout and general bulk of the extension is such that it would give rise to undue overlooking / loss of privacy or an overbearing or dominant relationship with neighbouring properties. Therefore it is considered that the development does not have an unacceptable impact upon amenity of neighbouring properties.

## **Highways**

The Highway Consultant has noted that the proposal does not result in an increase in the number of bedrooms due to internal alterations to the configuration of rooms and that it would be unreasonable to require additional parking provision. On this basis, it would be unreasonable to request additional off-road parking. Therefore it is considered that the proposal has no significant impact on highway safety.

## **CIL**

This Authority does not collect CIL from householder development.

## **Flooding**

1 Church View is in Flood Zone 3. The application includes a flood risk assessment based on the Environment Agency's standing advice, stating that the proposed floor level of the development will be no lower than the floor level of the existing house and that flood proofing will be incorporated where appropriate.

Consideration has to be given to the potential of flooding of the proposed development. Bearing in mind the property is already within these zones and the proposed development already benefits from a single storey extension in a similar position, it is considered the erection of an extension will not make the property any more vulnerable to flooding than currently exists.

## **Conclusion**

It is not considered that the proposal would cause demonstrable harm to residential amenity or highway safety in accordance with Policies EQ2 and TA5. It is acknowledged that the proposal reduces the impact on the setting of the listed building and Conservation Area following the refusal of 18/01072/FUL. However, due to the scale and height, it is considered that the proposal would still introduce less than substantial harm to the Conservation Area and the setting of nearby Listed Building, particularly Penny Cottage, and there are no public benefits sufficient to outweigh such identified harm, thus contrary to Policy EQ3 of the South Somerset Local Plan and the guidance within the National Planning Policy Framework 2018.

## **RECOMMENDATION**

Refusal.

## **FOR THE FOLLOWING REASON**

01. The proposal is contrary to Policies EQ2 and EQ3 of the South Somerset Local Plan (2006-2028) and the guidance set out in the National Planning Policy Framework (NPPF), in that the development does not preserve or enhance the character of the Conservation Area and adversely harms the setting of nearby Listed Buildings by virtue of its size, scale, design and local impact.

**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 formal pre-application discussions