South Somerset District Council

Public Document Pack

Area North Committee

Wednesday 27th May 2020

2.00 pm

A virtual meeting via Zoom meeting software

The following members are requested to attend this meeting:

Neil Bloomfield	Mike Hewitson	Crispin Raikes
Malcolm Cavill	Tim Kerley	Dean Ruddle
Louise Clarke	Tiffany Osborne	Mike Stanton
Adam Dance	Clare Paul	Gerard Tucker

Planning applications will be considered shortly after 2pm.

Any members of the public wishing to address the virtual meeting during either Public Question Time or regarding a Planning Application, need to email democracy@southsomerset.gov.uk by 9.00am on Tuesday 26 May 2020.
.
This meeting will be viewable online by selecting the committee meeting at:
https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA

For further information on the items to be discussed, please contact:
democracy@southsomerset.gov.uk

This Agenda was issued on Monday 18 May 2020.

Alex Parmley, *Chief Executive Officer*

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

Information for the Public

In light of the coronavirus pandemic (COVID-19), Area North Committee will meet virtually via video-conferencing to consider and determine reports. For more details on the regulations regarding remote / virtual meetings please refer to the Local Authorities and Police and Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 as part of the Coronavirus Act 2020.

Area North Committee

Meetings of the Area North Committee are usually held monthly, at 2.00pm, on the fourth Wednesday of the month (unless advised otherwise). However during the coronavirus pandemic these meetings will be held remotely via Zoom and the starting time may vary.

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Public participation at meetings (held via Zoom)

Public question time

We recognise that these are challenging times but we still value the public's contribution to our virtual meetings.

If you would like to address the virtual meeting during Public Question Time or regarding a Planning Application, please email democracy@southsomerset.gov.uk by 9.00am on Tuesday 26 May 2020. When you have registered, the Chairman will invite you to speak at the appropriate time during the virtual meeting.

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

This meeting will be streamed online via YouTube at:
https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA

Virtual meeting etiquette:

- Consider joining the meeting early to ensure your technology is working correctly.
- Please note that we will mute all public attendees to minimise background noise. If you have registered to speak during the virtual meeting, the Chairman or Administrator will un-mute your microphone at the appropriate time. We also respectfully request that you turn off video cameras until asked to speak.
- Each individual speaker shall be restricted to a total of three minutes.
- When speaking, keep your points clear and concise.
- Please speak clearly – the Councillors are interested in your comments.

Planning applications

It is important that you register your request to speak at the virtual meeting by emailing democracy@southsomerset.gov.uk by 9.00am on Tuesday 26 May 2020. When you have registered, the Chairman will invite you to speak at the appropriate time during the virtual meeting.

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

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.

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Area North Committee
Wednesday 27 May 2020

Agenda

Preliminary Items

1. Minutes

To approve as a correct record the minutes of the previous meeting held on 26 February 2020 and 22 April 2020 (Area North Informal meeting).

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 Neil Bloomfield, Malcolm Cavill, Adam Dance and Crispin Raikes.

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 24 June 2020** using Zoom virtual meeting software.

5. Public question time

6. Chairman's announcements

7. **Reports from members**

Items for Discussion

8. **Area North - Area Chapter 2019/2020 Outturn Report** (Pages 7 - 14)

9. **Area North Committee Forward Plan** (Pages 15 - 16)

10. **Planning Appeals** (Pages 17 - 25)

11. **Schedule of Planning Applications to be Determined By Committee** (Pages 26 - 28)

12. **Planning Application: 19/02729/FUL - New House Farm, Stowey Road, Fivehead.** (Pages 29 - 45)

13. **Planning Application: 20/00287/OUT - Land Os 4400, Highfields, Main Street, Barrington.** (Pages 46 - 61)

14. **Planning Application: 19/03510/FUL - Land East Of 23 Highfields, Main Street, Barrington.** (Pages 62 - 72)

15. **Planning Application: 19/02777/FUL - Land Adjoining Morganside, Turnhill Road, High Ham** (Pages 73 - 98)

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.

Area North – Area Chapter 2019/2020 Outturn Report

Director: *Kirsty Larkins, Strategy & Commissioning*
Manager: *Tim Cook, Locality Manager*
Lead Officer: *Tim Cook, Locality Manager*
Contact Details: *tim.cook@southsomerset.gov.uk*

Purpose of the Report

To provide Members with an overview of the first year of delivery of the Area Chapter for Area North.

Public Interest

The priorities for Area North have been used to influence the development of the Council Plan for 2019/20. Some priorities identified clearly have an area focus and are better placed in an Area Chapter. The Area Chapter presents key projects and areas of work planned for the coming year by teams from across the whole organisation.

This report provides members with an overview on the 2019/2020 Area Chapter.

Recommendation

That members note and comment on the report.

Background

Area Chapters focus on the priorities of the Area Committee. These priorities were identified by Members and SSDC Area + teams through member workshops, other service plans and data led information. The 2019/2020 Area North Chapter was presented for approval at Committee in February 2019 and formed part of the Council Plan.

Area + teams consist of officers across the council who are best placed to provide the resources necessary (people and financial) in order to delivery each priority set out in the chapter. Each action or project identified in the plan is allocated a lead officer who collaborates with other officers across the council and/or the local community to deliver the project. The overall approach to delivery is 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.

Lead Officers supply the quarterly updates, which are collated by the Locality Team Leaders. Members have received the quarterly updates via email and consideration is required on how we appropriately deal with transparency and scrutiny of the Area Chapters moving forward.

Delivery of the Area Chapter

This is the first year of delivery and the approach has slowly developed alongside other competing challenges of delivering transformation. Progress against priorities agreed by members has been

made over the year with successful completion of a variety of projects. Some projects identified will require longer than a year to complete.

Appendix A sets out this year's progress and overview of the area Chapter focus priorities for 2019/20.

This is also the first year that there have been new arrangements for budget allocation. The area committees continue to have an allocated budget for Community Grants and for project delivery and there is still some work to do to align the area budgets, service specific budget and any available external funding for future years. Officers will look to recommend notional allocation of area project funds (including revenue and capital reserves) to projects set out under the key areas of focus. This will be agreed by members at the beginning of the year so that spend can be monitored and reported quarterly.

As well as the main key areas of focus, members will note other projects within the Chapter relating to support provided by officers through SSDC's Community Grants programme and Section 106 projects. These S106 projects will have been identified either by SSDC or through the local community and both areas of work can often compete with other key priorities. The majority of S106 projects are community led and therefore can take time to develop and resource, which inevitable will take a number of years from inception to delivery.

Appendix B shows Community Grant awards for Area North. This relates to both revenue and capital community grants awarded (not necessarily paid) throughout 2019/2020. These were awarded through consultation either with Ward Members or through Area Committee decisions.

Area North awarded a total of 13 community grants amounting to **£71,650** in 2019/2020. The total estimated project costs were **£354,271,** indicating that for every **£1** invested by SSDC, **£4** of external funding is secured for the voluntary sector and community projects in South Somerset. Community grants are either for one-off grants or funding agreed under a Service Level Agreement (SLA).

Lessons Learnt

This year has been the first full year of Chapter delivery and provides us with an opportunity to review, learn and improve.

It has been clear that some priorities within the Chapter are longer-term projects and cannot be delivered within the one year life span of the Chapter. Looking ahead, we should ensure all identified projects are locally led, have achievable and clear outcomes, milestones, key activities and resources to enable successful delivery. Those projects that are likely to run beyond the current year, will roll forward and be included automatically the following year.

Projects relating to S106 funding can be complicated, time consuming and often reliant on the capacity of the local community to delivery these projects and will often take a number of years of support and guidance.

There are often competing priorities with Chapter work, day to day service delivery, community support and officer workloads. A greater emphasis on monitoring and reporting will help us to actively track issues and keep members informed when other work impacts on project delivery.

There are measures that we can take to ensure better communication, understanding, and transparency of the Chapter work between officers, residents and Members. Members are asked to consider whether quarterly progress should be included on the agenda as an item for noting. A report

for discussion could also be included on the forward plan half way through the year to allow for consideration of the priorities agreed at the start of the year.

Successes

This is the first year of delivering area priorities in this new way. Communities have continued to receive guidance and practical support to deliver projects and progress has been achieved in a number of areas. Some of Area North highlights include:

- Successful play day events held in Somerton, Ilton, Kingsbury, South Petherton and Aller. Weather was good and the events were attended by approximately 5,000 children and young people.
- Annual Town/Parish Meeting – Well attended with good participation and engagement in Environment Strategy workshops.
- Engagement with 13 Area North businesses in one to one meetings, along with presentations to about 25 businesses at Langport Buiness Group forum.
- Successful round one National Heritage Lottery Funding bid for Ham Hill.
- S106 funding - Successful installation and use of new cricket nets at South Petherton Recreation Ground.
- S106 funding - Successful completion of Stoke Recreation ground play area improvements, floodlighting and pitch drainage improvements and pavilion extension.
- Health walks continue to prove popular with engagement sessions held with walk leaders and trainers. Currently 2,000 walkers take part in health walks throughout Area North.

Financial Implications

There are no financial implications arising directly from this report.

Council Plan Implications

The priorities have been developed taking into account the SSDC Council Plan priorities.

Carbon Emissions and 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 Chapter 2019/20*

Area North Chapter 2019/20

Green = Completed
Amber = on target
Red = likely to continue into next year

Project description	Lead Officer	Lead Service	Qtr 1 Overview	Qtr 2 Overview	Qtr 3 Overview	End of year overview	Progress
Economy							
Attract tourists and increase spend in and visits to the area and wider district.	Katy Menday	Leisure & Recreation	Partnership arrangement with Visit Somerset Destination Management Organisation (DMO) finalised. New brochures, web content and analytics coming forward in second quarter to inform service planning and to support businesses. 2019 Visit South Somerset and Somerset Gardens brochure publicised and distributed nationally.	South Somerset Director appointed to the Board of Visit Somerset. New 2020 County wide Gardens leaflet being prepared and support for 2020 destination publication with Visit Somerset underway. LIC visit completed by Tourism Officer and meetings with Langport TC to support the River Project.	Leaflet exchange arranged for March 2020 at Haynes motor museum to support businesses. A303 business support meeting in development with Visit Somerset pending outcome of application for works, proposed for spring. Gardens 2020 publication with designer and ready for Feb 2020. New map leaflet being worked up to show district and will be offered to LICs. Business visits continue with ED colleagues.	Cartgate TIC closed mid March due to Covid19 and leaflet exchange planned for end of March 2020 at Haynes Motor Museum had to be cancelled. Work continues to improve web presence via visitsouthsomerset and visitsomerset platforms. Business newsletters increased as a response to Covid19 to support tourism businesses.	
Develop and refurbish Cartgate Tourist Information Centre, creating a hub for tourists and encouraging visitors to stop in Somerset.	Katy Menday	Leisure & Recreation	Internal refresh underway and new appropriate retail lines available. Increased local products available for sale and attracting visitors. External re-brand work awaiting approval from Highways England as landlord.	Highways England consent confirmed and design work underway. Funding application to create the signs being considered late September. Retail income doubled and new Visit Somerset lines stocked.	Still awaiting outcome of funding application for new signage at SCC. Sign design work almost complete. 31% increase in Cartgate TIC turnover from summer 2018 to 2019. Bronze Tourism Award for Cartgate TIC at Bath and Somerset Tourism Awards.	Awaiting outcome of SCC funding application for improved signage and access arrangements at Cartgate TIC (s106 TIC funding). Artwork for signs created so ready to progress once funding secured. TIC had a very positive 2019 and was looking forward to 2020 season.	
Continue to support individual businesses including local food and drink producers.	Peter Paddon	Economy	Area North businesses including food and drink producers are part of the new key account management programme which is commencing in Q1. This will inform the support required and appropriate actions will be taken.	Area North businesses including food and drink producers are part of the new key account management programme. This will inform the support required and appropriate actions will be taken.	So far 12 businesses in Area North have had a one to one meeting as part of key account management activity.	13 businesses in Area North have had one to one meetings as part of key account management activity. Also separate presentation to about 25 businesses at Langport Business Group. Local Food & Drink producers will be an important focus for next year.	
Encourage shop front improvements.	Peter Paddon	Economy	Initial discussions had - to be considered through MTIG activities and budget.	Issue raised at MTIG meeting in September. To be considered regarding potential capital funding.	Exploring opportunity to include in MTIG capital funding programme in 20/21.	Included in MTIG capital funding programme FY 20/21.	
Encourage small and artisan businesses.	Peter Paddon	Economy	Small and artisan businesses will be supported by the key account management programme and where appropriate MTIG.	Small and artisan businesses will be supported by the key account management programme and where appropriate MTIG.	So far 12 businesses in Area North have had a one to one meeting as part of key account management activity. MTIG capital funding will also help small artisan businesses in market town centres in 20/21.	13 businesses in Area North have had one to one meetings as part of key account management activity. Also separate presentation to about 25 businesses at Langport Business Group. Local Food & Drink producers and small artisan businesses will be an important focus for next year. MTIG capital funding will also help such businesses in market town centres in FY 20/21.	
Bring forward suitable land for small business units.	Peter Paddon	Economy	Project being scoped to review existing supply (built) and potential (with planning permission/allocations/ Employment Land Review) with demand.	Supported planning application at South Petherton to provide 4 small B1 business units (permission granted in Q2)	Project being scoped to review existing supply (built) and potential (with planning permission/allocations/ Employment Land Review) with demand.	Supported planning application at South Petherton to provide 4 small B1 business units (permission granted in Q2). Also outline planning approved for business industrial building at Badgers Cross, Somerton.	
Environment							
Support the delivery of a Community/Neighbourhood Plan to address balance of housing/employment land in Curry Rivel.	Anna-Maria Lenz	Strategy & Commissioning	An initial meeting was held with the parish council to give more information about Neighbourhood plans. It would now be the Parish Council to decide if they want to start the process.	No further update	No further update.	We are unaware of any further progress.	
Promote opportunities for enhanced service delivery through SSDC Environmental Services offer including parish warden scheme.	Tim Cook/Chris Cooper	Locality/ Environmental Services	Promotion ongoing though conversations with Town and Parish councils and through the Annual Parish Meetings intended for the Autumn	Annual Parish meetings arranged for October 19	No further update.	There has been no enquires this year	
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.	Katy Menday	Leisure & Recreation	Expression of Interest stage passed in May and aiming for a November 2019 stage one application. Engagement with site users, groups and stakeholders underway in June and throughout Q2. Pop Up Museum running throughout Summer holidays at Ham Hill to facilitate public consultation.	Successful Pop Up Museum opened on Ham Hill for summer months with 2622 visitors completing 334 surveys to help shape the Ham Hill future proposals. Development stage bid currently being prepared for submission in November.	Round one bid submitted to National Lottery Heritage Fund in November 2019. Outcome expected in March 2020.	Ham Hill bid passed its round one National Heritage Lottery Fund application mid March 2020, Lottery advisors confirmed it was a strong application. Releases £98K of development round funding. Looking for £16K of match funding to enable work to start. Working with Funding officers to adjust timetables and risk assessments inline with Covid19 outbreak. Following on from the very successful 2019 pop up museum the summer of planned test activities likely to be significantly revised. Still hope to appoint consultant it support work in April 2020.	
Tourism and Countryside will work with SCC to deliver a project to rebrand and relaunch the River Parrett Trail.	Katy Menday	Leisure & Recreation	Project elements identified with Rights of Way at SCC and project briefs being written. Summary consultation and data gathering throughout Q2 to enable works to be carried out over the winter months.	Design and branding briefs out to tender and stakeholder workshop planned for September 25th.	Slight delay in progress due to officer change at SCC. Film maker now appointed to capture new short films of the trail. Editorial for walks pack being updated. Route guidance completed and SCC carrying out range of repairs at faults. Branding and marketing work underway.	Good progress made in route descriptions and repairing faults on the ground. Marketing plan developed but film making delayed due to Covid19 outbreak. Baseline evaluation report created to enable review at end of project. Launch events postponed and will review in early summer inline with Covid restrictions; link launch to recovery plan from Covid19.	
Housing							
Promote and support new Community Land Trusts where appropriate.	Jo Calvert	Service Delivery	High Ham CLT are looking at possible sites, Stonewater who are working with the CLT at South Petherton are onsite.	No further update	Development at South Petherton is nearing completion, no further update on High Ham	High Ham CLT has sourced suitable land, although early days, an offer of suitable land has now been confirmed. Affordable Housing reports were presented to Committee in February 2020.	
Complete Housing Needs Surveys when requested.	Tim Cook / Kirsty Larkins	Locality / Case Services	None received to date. Promotion though Parish & Town Council communications and Annual Parish Meetings in the Autumn	None received in Q2. Annual Town & Parish meetings arranged for October 19	None received in Q3	There were no housing need survey requests this year	
Healthy, Self-reliant Communities							
To deliver improvements to Somerton Recreation Field	Adrian Moore	Locality	Locality officer support to ensure detailed specification provided by developer. Land to be adopted by Trust May 2020 after 1 year testing period. Work starting on the pitch in June 19	The topsoil for the new pitch will be delivered and applied w/c 16th August and shortly after the contractor will install the drainage. Then the pitch will be ready for seeding – approx. end of August.	Pitch specification to be followed by contractors. Wrong grade of topsoil has been delivered and spread across site in error (too many stones). Topsoil due to be removed and replaced by contractor. Pitch testing should be completed before adoption of land in May 2020. This will now be delayed.	Project delayed due to wrong topsoil being delivered and spread. Replacement agreed, however now delayed due to Covid 19.	

Support a range of improvements to community facilities. – Programme of live schemes to be set out in Appendix A	Tim Cook	Locality	See appendix A	See appendix A	See appendix A	Reviewed in Appendix A & B	
Increase the network of volunteer led health walks through promotion, training and support.	Julia Booth	Locality	20 Health Walks within Area North being supported. 1 x Curry Rivel, 5 x Langport, 2 x Martock, 3 x Norton Sub Hamdon, 1 x Shepton Beauchamp, 3 x Somerton, 1 x South Petherton, 4 x Stoke Sub Hamdon. Volunteer workshop held in May for existing volunteers. Another workshop planned in late summer to encourage new volunteer leaders.	Healthy Walk leaders celebration event held in September to encourage networking. 50 attendees from across South Somerset, including Mendip, Sedgemoor and Taunton.	Health walk leader training session held in December. 21 volunteers attended.	Full engagement and sessions with health walkers and trainers were held throughout the year, resulting in more health walks being supported in South Somerset than other Somerset areas. There are currently 23 Walk Leaders and 2000 walk participants throughout Area North	
Deliver 8 Play days in towns/villages in Area North	Steve Barnes	Locality	Playdays booked for the summer in Somerton x 2, Ilton, Kingsbury Episcopi, Curry Rivel, Martock, South Petherton, Aller	Successful playdays held in Area North.	Project complete	Playdays within Area North were either organised or supported by SSDC. Weather was generally kind this year and approximately 5000 children and young people attended these events.	
Improve community transport links to address issues of loneliness and isolation	David Crisfield	Strategy & Commissioning	We will look at this as part of the needs assessment work for Council Plan Priority 6 - to assess options for improving community transport links. Lynda P to set up a Healthy Self Reliant Community Communities of Practice (COP) sub group to progress as per the Council plan key milestones.	Due to case officer availability, a start on work to audit community transport provision and review best practice was delayed until September 19 but is now underway. Once this work is complete, an assessment of demand/need will be undertaken in Q3.	Audit of current Community Transport provision and of elected members specific concerns currently underway via SMART Survey. Surveys will be completed and analysed in Q4.	Surveys of elected members and Community Transport providers completed. Survey of wider VCS who own vehicles which could be used for Community Transport purposes commenced but due to Covid19 has stalled. Other pieces of desktop research also completed. The original target date of June 2020 to publish report with recommendations now likely to be delayed due to Covid19, as both Specialist and Case Work support to the project have been either redeployed into other service areas or are working directly on Covid19 activities. Furthermore other key stakeholders are either currently focused on Covid19 activity or have been stood down due to the virus. Clearer position will be available by end of Q1 of 2020/21.	
Support the existing youth delivery organisations.	David Crisfield	Strategy & Commissioning	Initial meeting held with SPARK and Young Somerset to consider needs of voluntary youth groups in South Somerset. No immediate crisis anticipated in terms of closures. Reconvening in September to explore specific options for resourcing the infrastructure requirements of local groups in areas such as governance and safeguarding.	No significant progress since quarter 1. SPARK continue to support local South Somerset Groups. Follow up meeting with Young Somerset, Mendip YMCA and SPARK re potential SSDC funding for infrastructure support to local groups (e.g. training, safeguarding) to take place in Quarter 3.	No further update. Youth groups continue to receive support through existing organisations, particularly SPARK. No requirement for any additional resourcing at the current time.	No significant change to the situation as was in Q3 other than Covid19 has meant youth provision has had to temporarily close. Some groups are providing young people with an online offer during the lockdown. Wider group are looking at whether Covid19 is being used as a means of Parish/Town councils ending funding to local groups.	
Work with partners to tackle rural crime	Tim Cook/Nigel Marston	Locality/Service Delivery	Look to amend governance of One Team structures to cover Area North at tactical level	No further update	No further update		
Appendix A - Programme of live schemes							
S106 funded projects							
Advice and support to group and facilitate transfer of S106 funding and possibly community grant to help deliver the project to Seavington Recreation Field - improvements to play area	Adrian Moore	Locality	Community grant expected in the autumn. Alternative funding being sourced. Design produced and group have identified preferred supplier	Grant awarded at Committee in August 19. S106 funding from developer has been invoiced and awaiting payment. Project hoping to start December/January.	Two thirds of funding secured. Anticipate securing further funding by end of January and select preferred supplier and order equipment by end of February 2020.	All funds secured. Preferred supplier and installer selected. Equipment ordered. Installation completion expected April/May 2020. Awaiting invoices to release Community grant and S106 monies.	
Advice and support to group and facilitate transfer of S106 funding and to help deliver the project to Langport Recreation Ground - improvements to changing rooms and new skate park	Adrian Moore	Locality	Delegated Community Grant for pavilion electrical work agreed. Group looking to use S106 for redesign fees. Awaiting further information from group	Group has looked into funding options and access professional support to fund the project. External funding proving difficult due to site only having the one pitch.	S106 funding has been secured and agreed for redesign fees. Redesign paused until realistic budgets can be set. Continued to seek further potential funding and professional support to help find funding for the project.	S106 monies available for redesign fees. Site meeting required with appointed architects and committee before instruction of redesign and further monies are released.	
Advice and support to group and facilitate transfer of S106 funding and to help deliver the project to South Petherton Recreation Ground - Recreation ground master plan. Cricket Net project	Jake Hannis	Locality	Nets installed. Official opening planned for 4th July. Also working with SPPC to advise on licence agreement between SPPC and South Petherton Cricket Club.	Nets installed. Official opening was on 4th July, social media coverage. Working with SPPC to advise on licence agreement between SPPC and South Petherton Cricket Club.	Project complete	Brand new facility offering a high quality training resource for the club, which will help improve performance and development over the coming years.	
Advice and support to group and facilitate transfer of S106 funding and to help deliver the project to South Petherton Recreation Ground - Recreation ground master plan. Pavilion project	Rob Parr	Locality	Working with Pavilion Committee and SPPC to extend changing rooms with the pavilion and also provide a new referee's changing room. Work will also include improvements to public access to the building for disabled users to meet the recommendations of BS 8300:2009, The Equality Act 2010 and Part M of Building Regulations.	Attended SPRUG meeting of all clubs to discuss projects on 4th July. Three budget quotations have been obtained to give an idea of project budget required.	New plans to be produced which take into account recommendations from Access to All solutions. Planning permission yet to be submitted.	At the request of the Assistant Parish Clerk, no further progress meetings have been held as the due to staffing capacity issues at the parish council they were prioritising core work and could not support this project development at this time. Officers are ready to re-engage with the parish once they are ready to proceed.	
Advice and support to group and facilitate transfer of S106 funding and to help deliver the project to South Petherton Recreation Ground - Recreation ground master plan. Play Area project	Rob Parr	Locality	Advising SPPC on revenue Section 106 funding that was given to SPPC in 2014, which can be used for repairs to Play Area. Play UK scheduled to carry out the repairs identified.	Met with clerk 26/6 to clarify S106 funding and are working up proposal for further capital play equipment project for the Play Area. Play Inspection Company have been appointed by SPPC to carry out annual inspection of play area to ensure future repairs are made. Inspection report has been obtained and meeting with SPPC on 23/9 to review repair work.	New matta to be installed using S106 commuted sum held by the Parish Council. New toddler play equipment has been identified and Parish Council to arrange installation and submit S106 application form to District Council.	As above	
Advice and support to group and facilitate transfer of S106 funding and to help deliver the project to South Petherton Recreation Ground - Recreation ground master plan. Pitch Maintenance	Rob Parr	Locality	Advising SPPC on revenue Section 106 funding for playing pitch maintenance programme. Arrange inspection and report by IOG/FA and contractor has now been appointed to carry out the work starting in September 2019.	Maintenance work to be carried out to pitches in Qtr 3	Some pitch maintenance work has been carried out and remaining work will be carried out at the end of the season, May 2020.	As above	
Advice and support to group and facilitate transfer of S106 funding and to help deliver the project to Montacute Play Area and Pavilion project	Rob Parr	Locality	Planning Permission submitted for design and awaiting approval before project can move forward	Planning Permission was submitted for pavilion, however SSDC Tree Officer has recommended refusal based on size and location. Spoken to Chair of the PC 19th July and she has now met with National Trust and Planning Officer at SSDC to agree a revised location near to car park for the pavilion. PC are waiting for written permission from NT and then submit a new planning application in revised location will be submitted. Also working with the PC on installation of a couple of items of play equipment, permission obtained from National Trust. Now awaiting formal S106 funding application for the play project.	Play equipment to be ordered and purchased by Parish council. Awaiting resubmission of S106 funding application.	A S106 Capital & Revenue Award was accepted by the parish council for their play area project in December 2019. Play Area equipment is on order and hoping for installation before the summer. There has been progress with a few complications that needed to be resolved. They are currently waiting on quotes for services. A new planning application will need to be submitted in due course.	
Advice and support to group and facilitate transfer of S106 funding and to help deliver the project to Ilton - Recreation Ground. New playing field to establish recreational facilities	Rob Parr	Locality	Group working on specification for pitch. Quotes for the work expected July/August. Ecological site has also been done to inform management plan	A contract has been placed for the pitch construction and work started in September and should be completed this autumn.	Drainage system was installed but cultivating the ground and sowing grass seed was delayed due to weather and has now been deferred until the spring 2020	Ground work delayed due to unforeseen circumstances by contractor. Hoping work will recommence at any point subject to Covid 19 restrictions.	

Advice and support to group and facilitate transfer of S106 funding and community grant application to help deliver the project to Stoke Recreation ground play area improvements	Rob Parr	Locality	Contractors started on site in June. Work to be completed by end of August	Project completed	Project completed	A high quality play and youth facility has been successful delivered at the Recreation ground and reported that it has been extensively used and is a highly valued recreation facility for residents and visitors to Stoke	
Advice and support to group and facilitate transfer of S106 funding and to help deliver the project to Stoke Recreation ground pitch improvements - Floodlighting to training area and pitch drainage works	Jake Hannis	Locality	Project completed and funding paid. Formal opening in summer	Project completed	Project completed	Floodlight provision successfully installed and now provides a training area that can be used throughout the year and this will help football development for Stoke football club	
Advice and support to group and facilitate transfer of S106 funding and to help deliver the project to Stoke Recreation ground - Pavilion Extension	Jake Hannis	Locality	Project agreed and work started at the beginning of June 19	Project completed	Project completed	Modest pavilion extension successfully installed. It now provides and extra transitional area and has helped to extend the life of the building by stopping weather egress	
Advice and support to group to Martock recreation ground - pavilion and play area improvements	Adrian Moore	Locality	n/a	Play equipment identified and contractor for re-surfacing of MUGA. Provided to Louise Treacher on 25th June, play equipment options, awaiting a response.	Awaiting progress from Martock PC - play equipment options provided. Play equipment quotes in. S106 application form to be completed and processed. Parish opting for a single story pavilion building. Engaging Slade Parry for procurement.	Surveyors leading on the tender process and Architects leading on design of new changing rooms and pavilion. Currently at pre planning stage. Looking to refurbish old pavilion to home Youth Club and to install new play equipment when their sub committee reforms. Also installing a new all weather cricket wicket and a new surface to the MUGA. All projects on hold due to Covid 19.	
Project support							
Advice and support for community grant application to Shepton Beauchamp for grant application pending for pavilion and car parking improvements	Adrian Moore	Locality	Initial meeting and advice given. Community grant application expected and group has received £10k from Awards For All. Group are looking at plans for larger project to enhance community benefit.	Car park extension completed. Site visit carried out to discuss hall extension and community element to the project and put the group in touch with an external funder for further assistance. Waiting further information from the group.	Enquiries for professional funding support made. Parish Council progressing with registering land, researching charitable status of the project and reorganising insurance cover. Planning a wider consultation to the community to help shape pavilion redesign.	Parish Council still progressing with registering land, researching charitable status of the project and reorganising insurance cover. Wider consultation to the community to help shape the pavilion redesign delayed.	
Advice and support for community grant application to Isle Brewers church refurbishment and Community Space.	Adrian Moore	Locality	Initial meeting and advice given. Community grant application expected. Group also looking at alternative funding options.	Grant endorsed at Committee September 19. DX outcome due October.	Committee and DX agreed a Capital Grant of 35k which resulted in securing a further 70k from The Lottery Fund. All Heritage Lottery Funds in. All external works complete. Internal works on the Community Space progressing. Anticipated completion March 2020.	Final works near completion. Some invoices received and proportionate grant monies released. Expected completion April/May. Opening delayed.	
Advice and support to Long Sutton Village Hall for grant application for improved hall security measures	Adrian Moore	Locality	Grant application received and assessed. Report to Area North Committee in July.	Grant awarded at Committee in August 19. Security measures installed and grant paid.	Project completed	Much needed community grant awarded for £4,347 and paid. Security measures have been fully installed and being utilised.	

Appendix B - Area North Community Grants Awarded 2019/20

Name of applicant	Project Name	Amount awarded	Estimated Project Value	%	Status of application
Martock Parish Council	SLA - Martock LIC	£500			Paid
Langport Town Trust	SLA - Langport LIC	£500			Paid
Somerton Town Council	SLA - Somerton LIC	£500			Paid
South Petherton Parish Council	SLA - South Petherton LIC	£500			Paid
Parochial Church, All Saints Church, Isle Brewers	Community space for village of Isle Brewers	£35,000	£169,000	21%	Project nearing completion
Petherton Folk Festival	Petherton Folk Festival	£1,000	£5,141	19.5%	Complete
Long Sutton Village Hall & Recreation Ground	Long Sutton Village Hall security update	£4,347	£8,847	49%	Complete
Seavington Parish Council	Seavington Play Area improvements	£12,235	£60,454	20%	Project underway
Hamdon Community Arts Project	Purchase of community facility	£12,500	£100,000	12.5%	April Committee
Meadway Hall, Compton Dundon	Installation of digital projector	£1,825.50	£3,651	50%	Project underway
Norton sub Hamdon Parish Council	Village Hall CCTV	£742.50	£1,485	50%	Complete
St Peter and St Paul PCC	Architect costs for detailed plans re improvement works to community facility	£1,000	£2,525	40%	Project underway
Curry Rivel Village Management Committee	Curry Rivel Village Hall – replacement curtains	£1,000	£3,168	31.6%	Project underway

Total awards	13
Total amount awarded	£71,650
Total project value	£354,271
Total % awarded	20%

*Service Level Agreement

Area North Committee – Forward Plan

Interim Director: *Kirsty Larkins, Strategy and Commissioning*
Officer: *Becky Sanders, Case Officer (Strategy & Commissioning)*
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 to identify priorities for any further reports.

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*

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

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

Meeting Date	Agenda Item	Background / Purpose	Lead Officer(s) SSDC unless stated otherwise
TBC	*Somerton Conservation Area*	*Report regarding the Somerton Conservation Area Appraisal and designation of extensions to the Conservation Area.*	*TBC*
TBC	*Community Grants*	*To consider any requests for funding.*	*TBC*

Planning Appeals

Director: *Netta Meadows, Service Delivery*
Lead Officer: *Simon Fox, Lead Specialist (Planning)*
Contact Details: *simon.fox@southsomerset.gov.uk*

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

19/02127/HOU – Kings Orchard, Kennel Lane, Huish Episcopi TA10 9SB
The erection of a two storey side extension to dwelling.

Appeals Dismissed

19/01609/PAMB – Hazelhurst Farm (former Piggery Building, Windyridge Lane, Somerton TA11 7JG.
Notification for prior approval for the change of use of existing agricultural building to a dwelling.

18/03497/FUL – Land at Laws Farm, Compton Street, Compton Dundon TA11 6PS
Removal of existing farm buildings and the erection of courtyard style development of 3 dwellings with associated parking.

Appeals Allowed

None

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

The Planning Inspectorate

Appeal Decision

Site visit made on 17 March 2020

by Mrs H Nicholls MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 April 2020

Appeal Ref: APP/R3325/W/19/3242490
Former Piggery Building, Hazelhurst Farm, Windyridge Lane, Southill, Somerton, Somerset TA11 7JG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a under Schedule 2, Part 3, Class Q of The Town and Country Planning (General Permitted Development) (England) Order (GPDO) 2015.
- The appeal is made by Mrs J Dunlop against the decision of South Somerset District Council.
- The application Ref 19/01609/PAMB, dated 3 June 2019, was refused by notice dated 26 July 2019.
- The development proposed is notification for prior approval for the change of use of existing agricultural building to a dwelling.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The planning application form did not include a description of development, referring only to an accompanying statement. I have therefore taken the description from the Council's decision notice.

Main Issues

3. The main issues are:

   - whether the location and siting of the building makes it impractical or undesirable to change it to a Class C3 dwellinghouse, in terms of the effect on the living conditions of future occupiers; and

   - whether the proposal under Class Q.1(i)(i) would consist of building operations that exceed those permitted as reasonably necessary for the buildings to function as dwellinghouses.

Reasons

Impractical or undesirable

4. Paragraph Q.2(2) of the GPDO requires prior approval of five matters. These are: (a) the transport and highways impacts of the development; (b) noise impacts; (c) contamination risks; (d) flooding risks; and (e) whether the location or siting of the building makes it otherwise impractical or undesirable to change from an agricultural use to a dwellinghouse.

5. The appeal application was submitted with plan Ref 1054:VP:OG:08, dated September 2018 (Existing site location plan and block plan) which shows a red line extending around the subject building and the neighbouring buildings to the south, south-east, south-west and north-west. Submitted plan Ref 1054:VP:OG:11 (Proposed site location plan and block plan), also dated September 2018, shows a red line surrounding the appeal building and its curtilage. On this plan, the blue line extends around a substantial area, encompassing buildings to the north, some of which are shown with a dashed line, presumably to be demolished. The blue line also erroneously cuts through the building to the south-west.

6. As part of the appeal, the appellant has submitted a hand-annotated plan with the appeal, Ref 1054:VP:OG:11 Rev A, which shows buildings to the north-west, south, south-east and south-west surrounding the appeal building, labelled A, B, C and D. The appeal statement indicates that a condition could be imposed to require the demolition of these buildings. This would remove likely sources of noise, odours and other disruptive activities from those buildings.

7. The appellant has also suggested that buildings further to the north within the appellant's control can be restricted to use for agricultural storage rather than for any purposes involving livestock. This suggested mitigation goes beyond that suggested by the Council but indicates that there is a wide degree of scope, utilising planning conditions, to control the potential impacts of the proposal on future occupiers.

8. It is clear that the buildings are in the control of the appellant and that there is no intention to reinstate agricultural activities within those buildings closest to the appeal site. On this basis and subject to the imposition of planning conditions as described above, I conclude that the location and siting of the appeal building would not make it impractical or undesirable for the proposed change of use to a Class C3 dwellinghouse in respect of the living conditions of future occupiers.

Extent of building operations

9. The building is a modest rectangular plan, single storey building largely constructed from timber. It has a concrete base, some low concrete block dwarf walls and an internal blockwork wall. Internally, there are some low block walls which would have enabled the containment of livestock.

10. The proposal would involve the retention of the dwarf walls, the timber roof trusses and frame and vast majority of vertical timber studs. Elements to be removed include the external timber cladding, the roof covering, all joinery, and internal blockwork wall. New timber walls would be replaced around the building and a new reinforced concrete floor would be laid. Ceiling joists would be suspended from new timber stud walls to provide lateral stability and the dwarf walls would need mechanical joints to address the shrinkage cracking issues.

11. The submitted letter from the structural engineer and addendum thereto, along with the Timber Condition Report, together highlight that the main four box frame trusses appear sound and that the 'vast majority' of timber studs could be serviceable for reuse. However, a lighter weight roof covering than the existing is recommended. The timber studs that were sufficiently exposed for

inspection have extensive wet rot decay and longstanding beetle infestation. Whilst treating these defects is a possibility, with the extent of rot present in many of the timbers, it appears more realistic that replacement would be more practical and preferable. It is claimed also that the wood beetle infestation could be addressed when the building envelope is converted and the environment much drier, but it raises the issue of whether such timbers are suitable or appropriate for reuse in a conversion, particularly when only a partial inspection has found such a degree of deterioration.

12. In my view, given the general condition of the building as a whole, the extent of works involved in replacing the components that are beyond repair or impractical for reuse, and other works to create a dwelling, go beyond what can be considered reasonably necessary for the building to function as a dwellinghouse. Whilst I acknowledge that the footings may be suitable for reuse, and that the reapplication of cladding would be a typical part of a refurbishment of a building, these elements in themselves do not suggest that there is a substantial enough building currently standing in a condition satisfactory to enable its conversion. The logical solution would be to remove and replace the building in its entirety, but that is not possible under Class Q.

13. I have been referred by the appellant to the Hibbitt[1] High Court judgement. That judgement upheld an inspector's Class Q decision which found that the reuse of a structurally sound steel frame but little else of that particular original building went beyond that reasonably necessary for the building to function as a dwelling. There are some parallels between this case and Hibbitt in relation to reuse of only minimal components of an existing building in their conversion to a dwelling. In this case, the reuse of the dwarf walls and footings, along with timber purlins and a modest number of vertical timbers, a high number of which need remedial treatment for rot and infestation, indicate that the appeal building is not capable of conversion to a residential use without comprehensive rebuilding work and the proposal therefore fails when considered against the relevant legislative provisions.

14. Accordingly, for the reasons set out above, this proposal would not meet the criteria set out in relation to Class Q.1(i)(i) and is not permitted development.

Conclusion

15. Although I have found that the use of the building for residential purposes would not be impractical or undesirable, it would consist of building operations that go beyond that reasonably necessary for it to function as a dwellinghouse, and therefore conflicts with Class Q.1(i)(i) of the GPDO. Therefore, the proposal is not permitted development but one for which an application for planning permission is required.

16. For the reasons set out above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Hollie Nicholls

INSPECTOR

[1] Hibbitt and another v Secretary of State for Communities and Local Government and another [2016] EWHC 2853 (Admin)

The Planning Inspectorate

Appeal Decision

Site visit made on 16 March 2020

by S. Rennie BSc (Hons), BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 April 2020

Appeal Ref: APP/R3325/W/19/3240741
Land at Laws Farm, Compton Street, Compton Dundon, Somerset TA11 6PS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr G Doble against the decision of South Somerset District Council.
- The application Ref 18/03497/FUL, dated 12 October 2018, was refused by notice dated 18 July 2019.
- The development proposed is for the removal of existing farm buildings and the erection of courtyard style development of 3 dwellings with associated parking.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the setting of the adjacent Grade II listed building.

Reasons

3. The site is to the edge of the small village of Compton Dundon, within what appeared to be a farm complex at some time. Currently, the farmhouse (Laws Farmhouse, which is now used as two separate dwellings) remains and is a Grade II listed building. Its significance derives from this being an old building with a significant proportion of pre-1700 fabric, with the building being a good example of the vernacular traditions of the area, as set out in the listing.

4. In this regard, section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, is relevant to this appeal as it requires special regard as to whether to grant planning permission for development which affects a listed building or its setting. The National Planning Policy Framework (the Framework) also advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. The Framework also states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

5. The proposed development is adjacent to Laws Farmhouse, on an area where there are some former agricultural buildings, which now are not in use or are used for non-agricultural purposes such as storage. However, these buildings

do retain their appearance as relatively modern utilitarian structures, common within farms.

6. The proposal would be to remove the existing structures on site and built three new dwellings. These dwellings would have the appearance of a former agricultural building, as if they were converted. I would also regard this development to be in the setting of the listed building, given their close proximity to Laws Farmhouse. They would also be to the front of the principle elevation of this listed building.

7. There are other dwellings around Laws Farmhouse and the Council have not raised an objection to the principle of the development of housing to replace the existing structures. The proposed dwellings would have a distinct character, being of an elongated form with mostly long ridges of continuous height, and low eaves set just above the ground floor level. The dwellings would have wide span roofs with first floor accommodation within, lit mainly by multiple rooflights. The three dwellings would be substantial in overall size.

8. Whilst the proposed dwellings would not overdevelop the plot, which is sizable, these broad width dwellings with high roofs would result in bulky buildings, which would be significantly more noticeable than the existing low profile buildings on site when viewed within the setting of Laws Farmhouse. Whilst there are some other dwellings in the area of a similar elongated form and possibly of a similar height (some of which could be agricultural conversions), the proposed dwellings would appear excessively bulky due to a combination of their substantial width and height, in relation to the other buildings in the area.

9. In this case it is clear that the proposed dwellings are to appear akin to barn conversions, but the proposal does not fit with the vernacular of such agricultural buildings locally. Typically, from my observations in the area and the Council's evidence, traditional agricultural buildings are not as broad and bulky as that proposed, without the low eaves also. Furthermore, such buildings would have less use of timber panelling, which is not a commonly used cladding material in this locality.

10. The result of the proposal would be dwellings which would appear like a barn-conversion but would be incongruous as they would not appear typical of the prevailing characteristics of older barns within this part of rural Somerset. They would therefore not reinforce local distinctiveness. I recognise that there are other parts of England where such barn sizes and styles are common, but there is no substantive evidence that this part of Somerset is one of these areas.

11. Furthermore, the use of rooflights would appear excessive, even on the large expanses of roof slopes as proposed. Rooflights are not typically common on barns and as such they can undermine the original agricultural appearance of the building. In this case the dwellings would be new build, but of the appearance of a barn conversion. Such extensive use of rooflights, even the flush conservation type, would appear at odds with the design approach and would not be in keeping with the character of the buildings locally. It may be that rooflights would be preferable to dormers from a design perspective, but this does not mean that the use of rooflights as proposed are appropriate as an alternative. I recognise that there needs to be good levels of light internally, but this should be achieved through a design which is sufficiently sensitive to its setting.

12. The appellant has suggested the use of conditions to require samples of the rooflights and the timber panelling, but such an approach would not overcome the issue that there is an excessive use of rooflights spread in a non-uniform manner across the roof slopes and that the level of use of timber as proposed is not typical of this area. Therefore, the use of conditions would not sufficiently address this issue.

13. The proposed dwellings would have a rural/agricultural style, but not one of a scale and character appropriate for this area and setting. There are a range of different house types and styles in this part of the village, but not all are within the setting of a listed building or are designed to appear as a converted agricultural building. Therefore, the consideration of the particular site circumstances and sensitivity of this location is an important factor.

14. I recognise that the proposal would use reclaimed materials as much as possible. I also note that there may be scope for some additional landscaping, to add to that which exists and to be retained. Whilst such approaches to the design and construction of the houses may be beneficial, they do not overcome the issues I have outlined above. Furthermore, whilst the dwellings as proposed would be largely screened from the street and that wider landscape views may be filtered by existing and proposed landscaping, they would still be prominent within the setting of the listed building of Laws Farmhouse.

15. I note the Council comments with regard the courtyard arrangement as proposed not being typical of the area, but it is not that dissimilar to the existing footprint of the existing buildings. However, the proposed dwellings would be incongruous and bulky buildings with a design out of keeping with its setting, thereby substantially detracting from the significance of the listed building and would be a detrimental addition to its setting.

16. I recognise that the existing structures are not of a positive appearance, but they are low profile and are typical of many relatively modern agricultural buildings. The appearance of these existing buildings does not justify the proposed new dwellings and the adverse impacts they would have to the listed building setting. There may be a need to remove these existing buildings for safety purposes, but this could possibly be achieved without their replacement with larger unsympathetic new dwellings in this sensitive location.

17. The proposed dwellings would be harmful to the setting of the listed building. Nevertheless, the harm would be less than substantial and in accordance with paragraph 196 of the National Planning Policy Framework, that harm should be weighed against any public benefits of the proposal.

18. There would be public benefits arising from the proposal by providing new dwellings towards local housing supply in a relatively accessible location. There would also be the removal of the existing buildings as part of the redevelopment of the site, which would have some benefits. However, such public benefits are limited, especially as it would be just three dwellings being proposed and therefore would not offset the identified harm, to which I must attach considerable importance and weight.

19. For these reasons the proposal is contrary to policy EQ3 of the South Somerset District Local Plan (2006-2028), which requires development to safeguard or where appropriate enhance the significance, character, setting and local distinctiveness of heritage assets, amongst other things. The proposal also

does not accord with the National Planning Policy Framework as the development would fail to conserved the setting of the listed building in a manner appropriate to its significance.

Planning Balance

20. The appellant states that the Council cannot demonstrate a 5 year housing land supply. Paragraph 11 of the Framework sets out that decisions should apply a presumption in favour of sustainable development and that, under criterion d) where the policies which are most important for determining the application are out of date (including where the local planning authority cannot demonstrate a five year supply of deliverable housing sites), planning 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.

21. However, also under criterion d), this 'tilted balance' would only apply where the application of policies of the Framework (defined by footnote 6), requiring the protection of areas or assets of particular importance, would not provide a clear reason for refusing the development proposed. If such Framework policies were applicable, the tilted balance within paragraph 11 would not be engaged, therefore righting the planning balance.

22. In this case the policies of the Framework provide clear reasons for refusing the development proposed due to the impact to a heritage asset. For the reasons set out above in respect to the adverse impact to the significance of a heritage asset (the listed building known as Laws Farmhouse), I have concluded that not only are the specific policies of the Framework engaged, but they are breached by the appeal proposals.

23. Nonetheless, I recognise that the proposal would provide new dwellings in an accessible location, which is a benefit. There may also be some benefit to taking down dilapidated existing buildings, although this would not necessarily need the proposed development to achieve this. I also note there has been little or no local objection, with the appellant stating that there is local support for the scheme as a form of redevelopment of the site.

24. However, these benefits would be modest especially as just three dwellings would be provided. Even if the 'tilted balance' under paragraph 11 of the Framework were engaged, the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the Framework. The proposal is also contrary to the Local Plan policy EQ3, for the reasons set out above.

25. I understand that the proposal went through a pre-application process. However, my considerations are based on the merits of the proposal before me, taking into account the comments of the parties and the reasons for the refused planning application.

Conclusion

26. For the reasons given above the appeal is dismissed.

S. Rennie

INSPECTOR

Schedule of Planning Applications to be Determined by Committee

Director: *Netta Meadows, Service Delivery*
Lead Officer: *Simon Fox, Lead Specialist (Planning)*
Contact Details: *simon.fox@southsomerset.gov.uk*

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 2.00pm

The meeting will be viewable online at:
https://www.youtube.com/channel/UCSDst3IHGj9WoGnwJGF_soA

Any members of the public wishing to address the virtual meeting regarding a Planning Application need to email democracy@southsomerset.gov.uk by 9.00am on 26 May 2020.

SCHEDULE					
Agenda Number	**Ward**	**Application**	**Brief Summary of Proposal**	**Site Address**	**Applicant**
12	ISLEMOOR	19/02759/FUL	Alterations to 2 No. agricultural buildings with change of use to buildings & land to D1 Non-residential institution use	New House Farm, Stowey Road, Fivehead	Mr N Coram
13	BURROW HILL	20/00287/OUT	Outline application with all matters reserved save for access for the erection of 6 No. dwellings	Land Os 4400, Highfields, Main Street, Barrington	Mr E Lucas
14	BURROW HILL	19/03510/FUL	Change of use of land, the formation of a new vehicular access & erection of 1 detached house with attached garage & the erection of 1 pair of semi-detached houses and associated parking.	Land East Of 23 Highfields, Main Street, Barrington	Mr & Mrs P Miller

15	TURN HILL	19/02777,FUL	The erection of 3 No. dwellings with associated works including the creation of a new access and landscaping.	Land Adjoining Morganside, Turnhill Road, High Ham	Mr A Roberts

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.

Officer Report On Planning Application: 19/02729/FUL

Proposal :	Alterations to 2No. agricultural buildings with change of use to the buildings and land to D1 Non-residential institution use
Site Address:	New House Farm, Stowey Road, Fivehead TA3 6PR
Parish:	Fivehead
ISLEMOOR Ward (SSDC Member)	Cllr M Cavill
Recommending Case Officer:	Colin Arnold
Target date :	10th December 2019
Applicant :	Mr Neil Coram
Agent: (no agent if blank)	James Whilding, Addlepool Business Centre, Woodbury Road, Clyst St George, Exeter EX3 0NR
Application Type :	Minor Other less than 1,000 sq.m or 1ha

UPDATE TO COMMITTEE REPORT

At the Area North committee meeting on 26th Feb 2020 this application was heard and it was resolved that the application was deferred to receive further information regarding:

- Travel Plan
- Ecology
- Environmental / Noise Assessment

Also it should be noted that amended plans have been submitted in the interim reducing the proposed car parking spaces down to 16 (from 30) and retaining the existing clamp wall for acoustic mitigation. This did not represent a fundamental change to the application (indeed could be considered an improvement) so it was not necessary to carry out a full consultation on these amended plans.

An e-mail was received from the agent relating to the committees request which read as follows:

'I attach a copy of the noise survey is attached for your information, the outcome of which is that planned levels are deemed acceptable. Therefore the advice is that planning should not be refused on noise grounds. The author is happy to deal with any queries/clarification if needed.

In addition is attached a company summary from the applicant, a copy of their environmental policy, risk assessment for new field working and information for all taking part in training courses offered by the applicant. This should cover the environmental/ecological concerns, noting a habitat assessment of the site has already been undertaken.

Regarding a Travel Plan, in discussions with County Highways, it was agreed that providing parking for than 25 cars or more was one of the thresholds for determining whether there was a need for a travel plan. In this case, the parking requirement was reduced to below 25 cars in order to achieve this.

Paragraph 111 of the National Planning Policy Framework sets out that all developments which generate significant amounts of transport movement should be required to provide a Travel Plan. I am assuming therefore that in meeting he threshold provided by County Highways, they are content that on policy grounds significant transport numbers are not being generated in this instance. In considering the existing traffic flow for the business, refer to attached traffic flow chart, from January 2019 to the end of November 2019, there are a total of 1,713 trips, an average of 7.75 trips per day; of this total, 4.06 trips are delegates and 3.73 trips are staff. The peak in any single day is 19 trips in total, but this is only for a few times a year. As these are not significant numbers, a travel plan is not necessary. We can also

compare this to the historical agricultural use and as a livestock farm, accepting there will be seasonal fluctuations, compared to the other business use it will be broadly comparable with feed lorries in and out, tractors and trailer usage etc. The intensity of use is therefore comparable. There are no nearby environmental designations or sensitive areas that would be impacted or priorities or strategies affected. There will be peak times but courses start and finish but invariably this should not impact detrimentally on other highway users, particularly noting the small traffic numbers generated. '

Subsequent to this the e-mail and noise report was subject to public consultation.

32 further letters of objection were submitted as well as a 'Technical Review of Soundguard Acoustics Limited's report reference 91019/0.1 for planning application reference 19/02729/FUL' by a ACA Acoustics. The Report is too large for reproduction within this report but its conclusions state:

'There are significant concerns relating to the Soundguard Acoustics report to the extent that the outcome and conclusion of their report are invalid.

ACA Acoustics have undertaken computer modelling and determined the actual sound level from the 3.3T Telehandler and 6T Thwaites dumper truck operating simultaneously over an hour period will be LAeq 44dB at the closest dwelling.

A BS 4142:2014+A1:2019 assessment of the calculated levels indicates an extremely high likelihood of adverse impacts on nearby residential occupants.

This fails to comply with the requirements of the National Planning Policy Framework, Noise Policy Statement for England, and the Planning Practice Guidance - Noise. Incorporating bunds or barriers is very unlikely to provide sufficient reduction in sound levels to mitigate the significant adverse impacts and it is the author's recommendation that planning permission is refused.'

The objection letters raise concerns as below (most concerns already raised on main application):

- adverse impact on our business next door to the site - we may have to relocate and this will have an impact on the health and wellbeing of our workforce
- ecological survey out of date
- environmental policy is just a general statement of policy
- traffic flow not relevant and inaccurate
- foul drainage?
- future expansion
- noise impact severe
- pollution
- noise will be twice as loud as their report states
- alternative sites available for such a use
- documents which have been asked for have not been submitted
- it is accepted that there is an element of agricultural training involved but it is predominantly related to the construction industry. (CASE OFFICER NOTE: This point is entirely accepted and it is conceded that the report below does lean towards agricultural machinery perhaps more than it should - the objectors point is fully accepted on this point and members should fully take this sentence into account when determining the application please)
- The Somerset Wildlife Trust (SWT) submitted several recommendations which are yet to be addressed (CASE OFFICER NOTE: this statement is incorrect and members will recall at the last committee that conditions were to be amended were they to grant consent to reflect the wishes of the SWT)
- there should be an EIA submitted with this application: this has been raised via the campaign group 'Together for Islemoor' and it has been explained that the scheme is nowhere near the

size or magnitude required to warrant such a document. (Schedule 2 of the ELA regulations refers)

The Parish Council responded as follows:

In response, 6 (out of 7) Council Members replied: 1 Declared an Interest; 4 remain in favour of the application; 1 opposes it. No Members of the Public responded.

General Observations:
The following points were agreed and raised by the Parish Council in their first response, some of which have yet to be addressed - reassurance is sought that these points have been, or are being, addressed:

- 1 (a) access point – answered

- 1(b) The Council would like to see a Travel Plan or Transport Statement as the site (according to the plans) is 8057 square metres with 30 car and 11 plant parking spaces. No Travel Plan has been produced.

- 2 (a) The Council would like to see an improved NIA and other supporting documentation. NIA submitted, but nothing further (see 2c).

- 2 (b) The Council would like to see, should permission be granted for the site, the use of silent reversing warning technologies whenever possible. The request for this condition still stands.

- 2 (c) The Council would like to see an Environmental Impact Survey with controls on noise, screening and damage to the environment. No Environmental Impact Assessment has been produced

- 3 There are currently seven applications for development in and around Fivehead. These include three for commercial development on or near Stowey Road which could increase vehicle movements substantially. The road is frequently used by walkers, horse-riders and cyclists. One week after the Parish Council's first response, one of these developments (Ridgeway - 26 parking spaces) was refused on its cumulative impact on road safety. This current application, 400m away on Stowey Road, is for 30 spaces. It is irrelevant if the intention is to have small class sizes to start off with.

- 4 It is requested that consideration be given to imposing a Condition restricting further expansion of activity on the site. The request for this condition still stands.

Case Officer comments:

It is duly noted that only a noise assessment was submitted that directly complies with the committee resolution. However, it is agreed that the information already submitted adequately covered matters so that permission could be recommended to be granted. This remains the same and the recommendation remains for approval with the amended condition relating to wildlife.

The Environmental Protection Unit have been consulted in the noise report, rebuttal and corrective report and are content that a condition to protect residents will suffice in this instance. It is anticipated that an Environmental Protection Officer will be attending committee to answer any queries relating to these comprehensive and technical reports. The EPU commented as follows:

'I have come up with the following conditions based upon all three reports that I believe should protect residential amenity from adverse noise, however I would also like the statement below added to reassure

residents that they are protected and to ensure high standards from the applicant.

The applicant is reminded that compliance with the conditions attached to this consent does not provide any guarantees that the requirements of either the Statutory Nuisance provisions of Part III of The Environmental Protection Act 1990 or the Licensing Act 2003 can be achieved and does not preclude the Council from taking action under those Acts.

1) Only two vehicles for the use of instructing students may be used at any time. This condition does not apply to vehicles used to transport students to and from the site.
2) Activities involving vehicles should not take place outside those modelled within the acoustic report.
3) Reversing alarms shall be deactivated for the purposes of training.
4) The silage clamp and earth banking shall be retained at the site. The silage bank shall be increased to height of 3m.
5) No machinery shall be operated within 160 metres of the nearest non-associated residential property.
6) No machinery shall be used on site outside of the hours of 08:00 - 18:00 Monday to Friday; 09:00 - 13:00 Saturdays and at no time on Sundays and Bank Holidays'

Therefore given that the ecologist is content with the original report, the EPU are content that they noise issue can be dealt with by a suitable condition and that there are no pollution issues and the County Highways Authority raise no objection to the scheme (and agree it is under the threshold to require a travel plan) the application is duly recommended for approval.

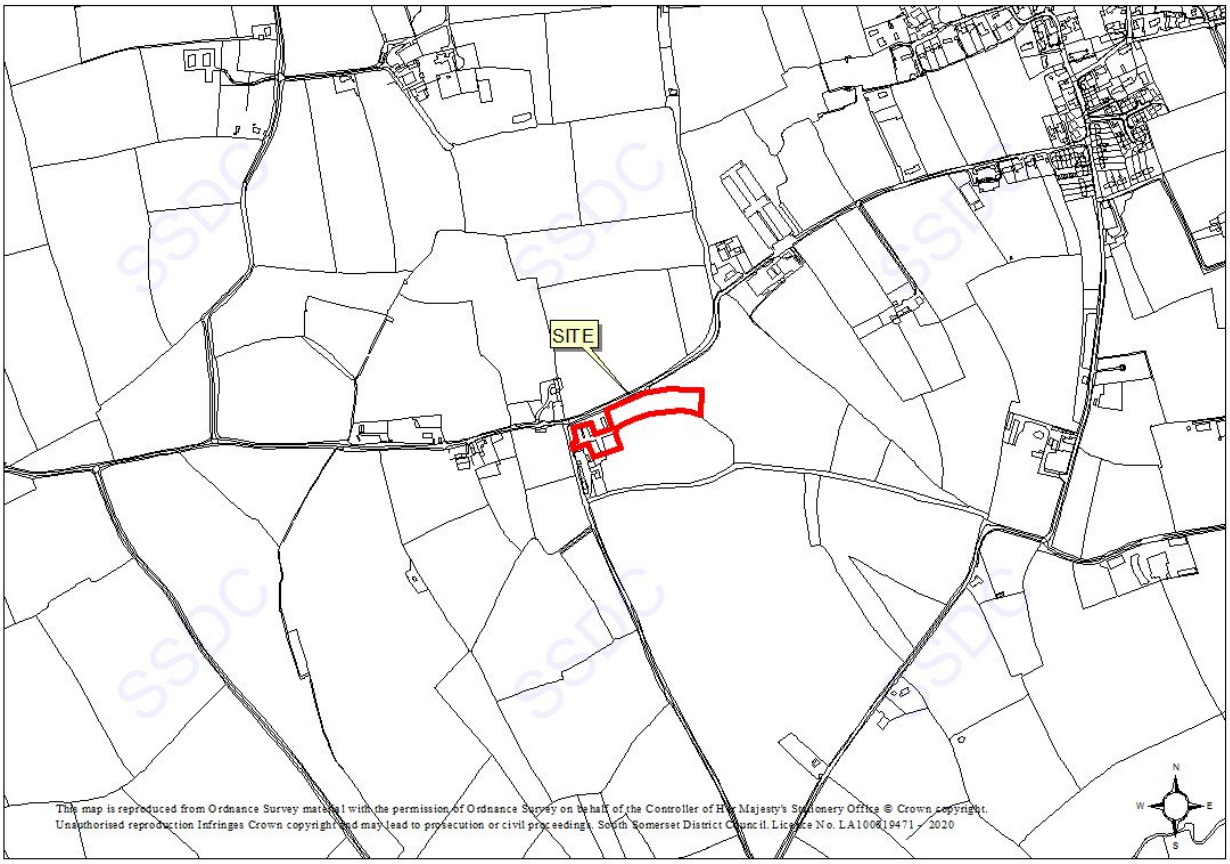
PREVIOUS COMMITTEE REPORT

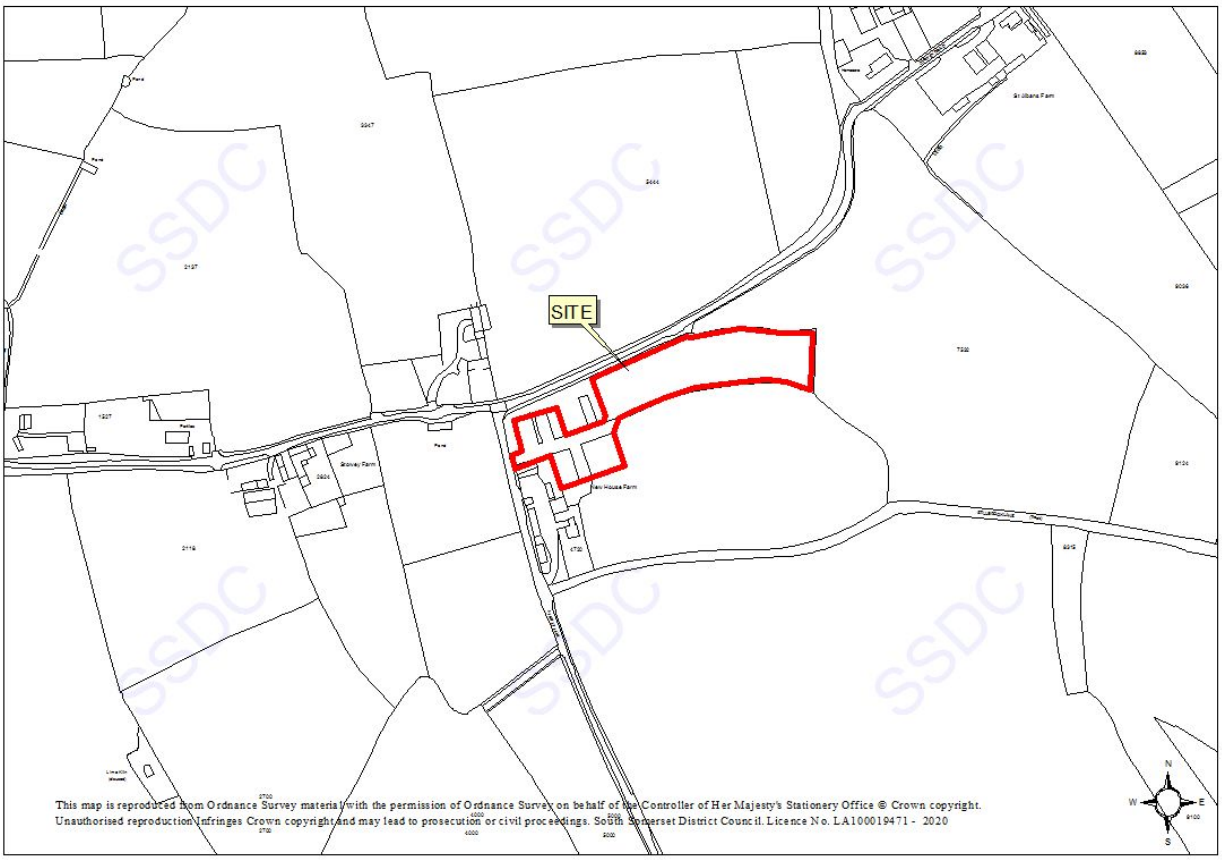
REASON FOR REFFERAL TO COMMITTEE

The application has been referred to committee by the Director (Service Delivery) in consultation with the relevant Area Chairman, taking into consideration the public interest that, in the interests of transparency, the Committee should consider it.

Continued over the page…….

SITE DESCRIPTION AND PROPOSAL





This is an application for alterations to 2 No. agricultural buildings with change of use to the buildings and land to D1 Non-residential institution use at New House Farm, Stowey Road, Fivehead, Taunton.

The agricultural holding extends to approximately 8.3 acres and has been recently purchased by the applicant. The intention is to seek a change of use of the agricultural buildings to enable his existing construction training business to be relocated to the site. It currently operates from rented facilities on an agricultural holding near Montacute.

Up until recently the farm was in use for livestock being part of a larger County Farm. It should be noted that recently (see History below) permission was granted for an agricultural building on the site to be converted to office use.

It is proposed to use the large steel framed barn furthest from the road to the east for the storage of the construction machinery required for the training.

The barn in the middle of the farmstead is to be converted into the D1 training centre.

The existing silage clamp on the site will be used for a parking area for up to 30 vehicles.

A field to the north and east of the buildings to be converted is to be used for digger training and will be used for excavation training on diggers and similar type machinery.

HISTORY

19/00039/FUL - Demolition and rebuild of a new dwelling. Granted 8 March 2019.

19/02222/P3MPA - Prior approval for proposed change of use of agricultural barn to a flexible use B1. Decided 25 Sept 2019.

And several applications in the 1990's for agricultural buildings

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, SS1, SS2, SS4, SS5, TA1, TA5, TA6, EQ1, EQ2, EQ3, EQ4, EP5

National Planning Policy Framework
Chapters 2, 4, 5, 8, 9, 11, 12, 14, 15,

National Planning Practice Guidance
Design, Natural Environment, Effective use of land, Historic Environment, Noise, Transport evidence bases in plan making and decision taking, Use of planning conditions

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

CONSULTATIONS

Parish Council:

Following:

a) a site visit and meeting with the applicant by Council Members prior to the Public meeting; and

b) a well-attended Public meeting during which views for and against (the majority of the latter) were expressed;

Fivehead Parish Council voted by a majority to recommend approval of this application.

They wish, however, to raise the following Material Considerations for further clarification and consideration of Conditions:

1. Access and increased traffic movements

a. The site location on Stowey Road is a narrow winding, country lane with concealed driveways, no passing places and limited verges. Roads around the site are all covered by the national speed limit of 60mph which requires a splay / stopping distance of 160 metres. Clarification is requested on which of the 3 site entrances will be used and how the necessary visibility splays will be achieved.

b. There are concerns about increased traffic movements. The Council would like to see a Travel Plan or Transport Statement as the site (according to the plans) is 8057 square metres with 30 car and 11 plant parking spaces.

2. Noise and pollution to nearby properties and rural setting

a. The site is less than 30 metres from neighbouring residential and heritage listed properties. Noise associated with plant machinery and vehicle movements, and dust from excavation work, are concerns. The Noise Impact Assessment (NIA) appears to relate to temporary building sites, not a continuous training centre; also, it only details noise pollution measures affecting employees rather than the wider environment. The Council would like to see an improved NIA and other supporting documentation.

b. The applicant stated on the Council's recent site visit that the reversing alarms on his vehicles will be mainly the 'white noise' variety. He also said that other silent options are available, which are also supported by the HSE Workplace Transport Safety Guide. The Council would like to see, should permission be granted for the site, the use of silent reversing warning technologies whenever possible.

c. The Council would like to see an Environmental Impact Survey with controls on noise, screening and damage to the environment.

3. Cumulative impact

There are currently seven applications for development in and around Fivehead. These include three for commercial development on or near Stowey Road which could increase vehicle movements substantially. The road is frequently used by walkers, horse-riders and cyclists.

4. Future expansion of the activity on site

It is requested that consideration be given to imposing a Condition restricting further expansion of activity on the site.

Other points:

1. Please confirm that Application No19/02222/P3MPA for prior approval to convert the barn at the entrance to the site to office space under Permitted Development Rights remains valid if the plan is to install a second floor and office space.

2. Please note that parishioners were disappointed that only 3 residences were sent letters regarding the application; there are 20 properties on Stowey Road and 7 at The Glebe that could be affected by traffic. Residences in Curry Mallet which could also be affected should visitors approach the site from this direction were not consulted.

Case Officer note: The Parish Council also included a 15 page document as by way of background for their decision - this is available for viewing on the Councils website.

SCC Highway Authority:

Initial objection then following then further information:

'We write with reference to the above application, in particular regarding parking and vehicle movements.

The proposal for the site is a construction training centre, moving from its current location in Montacute. We wish to address the issues raised in your letter dated 28 November 2019.

Using the guidance from Somerset Parking Standards we believe that, due to gross floor area, of the B1 and D1 usage, the minimum parking standard would be 22 parking spaces. Our client has suggested 30 as a maximum.

Based on current figures the number of trainees is regularly 5 a day, but can rise to 20, as a maximum, on occasions. There would regularly be 4 staff on site.

Training, on site, will take place between 9am and 4pm, and the busiest accessing of the site would be near to these times.

With the above information in mind, please could you advise on further information needed in order for you to assess the proposal fully and be able support it."

Following the receipt of further information on the above application, received 4 December 2019, I have the following further observations on the highway and transportation aspects of this proposal following consideration of the application details and a site visit.

BACKGROUND AND PROPOSAL

This application seeks consent for the alterations to two existing agricultural buildings and a change of use of the existing buildings and the land to D1 non-residential institution use to enable an existing construction training business to relocate to this site from elsewhere in South Somerset.

The site is accessed from Stowey Lane with the proposed parking area access approximately 36 metres from the junction of Stowey Lane and Stowey Road.
Stowey Lane is a single lane rural unclassified highway, which is derestricted in terms of speed restriction. Due to the nature of the road on site observations suggest that the speed of traffic is, however, significantly lower than 60mph. There are no recorded Road Casualty Accidents in the area.

Stowey Road is a classified highway which is also derestricted in terms of speed. There are several properties, including dwellings, to the west of the junction with Stowey Lane.

There is a Public Right of Way, a Bridleway that runs along the southern edge of the site.

The Local Planning Authority should ensure that the Public Rights of Way (PRoW) team are consulted on this application.

CONSIDERATIONS

Parking.

Further information has been received that states that the current number of trainees on site on a regular basis is 5, which on occasions rises to 20, along with 4 staff on site. Based on this information the Highway Authority considers the number of parking spaces to be provided, 30, to be appropriate.

Vehicle Movements

The information received on 4 December provided information regarding the number of regular attendees to the site, along with the hours of attendance of the students to the site.

Based on the information provided the Highway Authority does not consider that the increase in traffic movements will be significant, nor that a Transport Statement is necessary.

CONCLUSION

Taking the above comments, and the previously supplied comments, into account the Highways Authority does not object to the proposal as set out in this application. I would refer you to my previous response as the comments regarding the visibility splays apply equally. Should the Local Planning Authority be minded to grant permission the Highway Authority would request that the following conditions are imposed:

(see proposed conditions below)

SSDC Highway Consultant:

SCC has stated that it will be providing comments and a recommendation in response to this planning application.

SSDC Environmental Health:

I have reviewed this application and have the following comments to make from an Environmental Health point of view.
At present there is insufficient information on the possible impact of the operation on nearby residential properties.

1. Prior to the commencement of the change of use, the applicant shall, at their own expense,

appoint a suitably qualified acoustic consultant with a remit to examine the premises / land and identify what measures, if any, may be necessary to ensure that:

- Compliance with all other consent conditions relating to noise emitted from the site, is achievable

and

- Harm to amenity to noise sensitive receptors is unlikely to result.

The consultant shall submit a written report to the Planning Authority which shall detail all measurements taken and results obtained, together with any sound reduction scheme recommended and the calculations and reasoning upon which any such scheme is based. Such a report is to be agreed, in writing, by the Planning Authority and the approved measures shall be implemented in their entirety prior to occupation / reoccupation and use of any part of the premises, unless an alternative period for completion is agreed in writing by the Local Planning Authority.

2. Once in operation the site training hours involving the use of plant and equipment likely to generate high levels of noise shall be restricted to the hours of 09.00 to 16.30Hrs Monday to Friday and no works expected to occur on Saturdays and Sundays.

<u>SCC Ecologist</u>

To inform the proposal Richard Green Ecology carried out an Ecological Appraisal at New House Farm, Stowey Road, Fivehead, Taunton, TA3 6PR on the 26/09/2019. The results of the survey were as follows:

Designated sites:
The site is not within any statutory designated sites of nature conservation importance and there are no statutory designated sites of nature conservation importance within 500 m of the site.

Habitats:
The site measured approximately 1 ha and consisted of three large modern agricultural buildings surrounded by an area of hardstanding and bare ground. The eastern extent of the site consisted of an arable field (approximately 0.5 ha) surrounded by species-rich hedgerows.

The arable field would be used for training practical skills using construction machinery. The use of heavy plant close to the boundaries of the site could have a negative impact on the hedges surrounding the site, e.g., through soil compaction

Bats:
Given the light, open and exposed nature of the barns, and absence of areas where bats could potentially roost unseen, all three barns were considered unlikely to be used by roosting bats.

The hedges that surround the site are likely to be used by foraging and commuting bats.

Dormice:
Given the availability of connected dormouse habitat in the wider landscape, the site was considered to be of local value to dormice, if present.

Nesting birds:
No evidence of nesting birds was found within the buildings on the site. The hedgerows surrounding the site are likely to be used by nesting birds.

Reptiles:
The hedge margins and the area of ephemeral/short perennial vegetation with patches of bare ground may provide suitable habitat for common reptiles, e.g., slow worms.

Amphibians:
There are no ponds on the site or within 500 m of the site. The hedges and area of ephemeral/short perennial vegetation with patches of bare ground on the site may offer suitable terrestrial habitat for common amphibians, e.g., toad. There is a record of a great crested newt (GCN) licence (from Magic Map) approximately 3.5 km south-west of the site. There are two rivers (Fivehead River and River Isle) between the site and the GCN licence site which are likely to provide a partial barrier to any movement of newts. It is therefore considered unlikely that GCN are on the site.

Badger:
No badger setts or signs of badger activity were seen on the site. However, due to the rural location and suitable habitat it is likely that badgers may use the site for foraging.

Recommendations

To comply with local and national policy, wildlife legislation, and the requirements of the mitigation hierarchy and for biodiversity net gain, please attach the following conditions to the planning permission if granted. (see conditions listed below)

REPRESENTATIONS

32 letters of objection:
- Noise issues
- Traffic issues, blind bends flooding of highways in wet weather
- I ride my ponies down these lanes and am concerned about safety
- Just because there are no recorded accidents in the vicinity doesn't mean that there hasn't been any (just not reported)
- Bridleway alongside the facility would be rendered unusable between Monday to Friday
- Traffic route for site hasn't been discussed with Curry Mallet Parish Council
- Impact on wildlife
- Impact on neighbours
- How would working hours be enforced?
- Inappropriate development for agricultural site.
- This is dedicated cycle route
- Pollution issues
- Should be an ecological assessment with the application - great crested newts in watercourses (case officer note: the agent has taken assessment as required by our validation checklist and this has confirmed that due to the nature of the proposal a wildlife survey is not required)
- Should be a noise assessment with the application (case officer note - a noise management plan is submitted as part of this application and has been assessed by our environmental health team)
- Should be a heritage assessment with application due to a Listed Building just 36 metres away (Specialist conservation officer consulted and a verbal update will be given at any committee meeting - however given the distances involved the case officer considers that there will not be any adverse impact - in fact a more positive impact by restoring some dated and underused agricultural buildings)
- As there is no longer a shop/post office in Fivehead, villagers use Stowey Road and Marshway to get to the one in Curry Mallet.
- Whilst the proposed route is noted - satnavs will take visitors through Butchers Lane or even narrower Ganges Hill
- Dust problems will occur when weather is dry

- Other applications are in which will affect the character of Fivehead - this application must be taken into context with these
- Helicopters already cause noise issues - this would add to that
- Diesel pollution.

Letter from Somerset Wildlife Trust:
We are concerned that the Ecological Assessment has not fully considered the potential impact of this application on the wildlife for the following reasons:

1. There are two SSSI's within 1km of the site which have not been considered.
2. Data has not been sought from the Somerset Environmental Records Centre and a Local Wildlife Site has been overlooked.
3. Fivehead Arable Fields SSSI supports several protected or notable species that were not considered. In the Ecological Report, it states that; "The arable field had been recently cut and was dominated by arable weeds" but does not state which arable weeds. Given that the site is arable, and there are records of rare arable plants within 600m, it would be advisable for a survey to be carried out to assess whether any rare arable plants are present.
4. Brown hairstreak butterflies have been recorded in the area but are not mentioned in the report and no surveys of the hedgerows have taken place despite Blackthorn being recorded. Since this is the preferred plant for Brown hairstreaks, it is possible that eggs are present in the hedgerows at this time of year.
5. Despite noting that the hedgerows surrounding the site are "likely to be used by dormice", there are no recommendations for follow up surveys.
6. The root buffer zone suggested for the hedgerows (which are classified as species rich) is just 2m. Although this is acceptable in many cases, the nature of the proposed land use - digging, then compacting the soil - is likely to have a much greater, ongoing effect and a buffer of at least 5m would be more appropriate.
7. Additional enhancements: A 3-year rotational cutting regime for the hedgerows would allow the hedgerows to expand in size and would provide uncut sections each year. This would benefit bats through enhanced foraging habitat and flight lines, breeding birds through enhanced nesting and foraging habitat and Brown hairstreak butterflies by providing areas of undisturbed habitat overwinter.

6 letters of support

- On Thursday 14 November I took advantage of Coram Constructions invitation to visit their site near Montacute along with 7 other Fivehead residents. This was offered at the planning meeting held at the Baptist Church on 11 November.
- The site which Coram Construction currently operate from is situated down small country lanes not dissimilar to the roads around New House Farm. The site looked tidy and well maintained.
- Reversing beepers were loud but it was explained that the noise of the reversing warning beepers would be vastly reduced or eliminated by noise attenuators or a vibration warning devise in the protective head gear.
- Traffic would be restricted to in the morning and at early evening when the classes have finished which would be less than if it reverted to agriculture.
- This application is the best use for these barns as it generates little traffic movement and no plant movement on the by roads.
- The noise generated by construction machinery will be no different to the farm machinery when this was a fully operational farm in fact less as this is a Monday to Friday operations.
- As the owner and family intend to live on site I feel sure they will be sympathetic to the village.
- The number of extra vehicles would be small (about 12? per day) and these would be mostly cars or small vans, not the enormous HGVs which travel to other local factories. The recommended route to the site from the A378 would not be through Fivehead village.
- The amount of machinery proposed is fairly small and not much greater than what would be used

on a working farm. We were also assured that this would be limited mainly to weekday afternoons, unlike farms which work all hours, every day, and that steps would be taken to minimise noise spread.

- The site obviously needs enthusiasm and investment and I think the completed project could well be a credit to the village.

CONSIDERATIONS

Principle of Development

This is a use which is fairly land hungry and given its very nature of operation requires a countryside location for the training on agricultural vehicles (i.e. requires the field to the north and east of the buildings for digger type training) This type of venture simply wouldn't be practical to undertake on an industrial estate for instance. The proposal must be considered on this basis that it is a locational requirement that it is sited in the open countryside and that there is a beneficial D1 use which would assist with training purposes and provide education.

There is a small employment benefit associated with the proposal for the training staff and the future employment prospect of the students of the classes.

Scale and Appearance

As the buildings are already in situ and there is no new building proposed the scale and appearance will remain largely unchanged save for the car park and when the vehicles are being used outside of the buildings. It should be noted however that were the farm to be in full use again there would be vehicles (tractors etc.) using the site in any case.

Residential Amenity

The Environmental Health department have suggested two conditions namely a noise prevention scheme and an hours of working condition. This will ensure concerns about the reversing beepers of the vehicles can be controlled so that neighbouring properties are not unduly affected in terms of noise from the site. It should also be noted that were the farm use be taken fully up again there would also be noise associated with that use and that is a material consideration as a fall-back position. It is considered with the adequate conditions proposed that noise and disturbance to neighbouring properties will not be an issue.

Highway Safety

Initially the County Highway Authority objected to the proposal (largely based on the number of parking spaces) but following clarification of the nature of the use as supplied by the agent withdrew their objections and considered that the matter could be adequately covered by suitable conditions which are recommended below. In the absence of an objection from the Highways Authority it would be very difficult to defend an appeal should the application be refused on highway grounds. It is important to note that the traffic would be minimal and at specific times of the days mainly (at the start and end of the classes involved)

Impact on heritage assets

The objectors have correctly pointed out that there are two Listed Buildings in the vicinity namely a Hay Store in the farmyard of Stowey Farm and Stowey Farmhouse itself. The closest is the hay barn but it should be noted that there is Stowey Road and an intervening building between which means that the impact will be minimal. Stowey Farm House is approximately 150 metres away from New House Farm

and given that distance is not affected by the proposal. The SSDC Conservation specialist has been consulted and confirms this:

"New House farm, the proposed development site, lies across the road from the Grade II listed C18 Haystore in the farmyard at Stowey Farm, Stowey Road, Fivehead and East of the Grade II listed Stowey Farmhouse.

The impressive stone built hay store is aligned N-S and North of another outbuilding. There is no direct intervisibility between the listed building and the existing barns. The development site is screened by trees and hedges along the boundary which are to be retained.

I have been to site and can confirm that I do not consider the proposal have a negative impact on the setting of the listed buildings."

Ecology

The objectors concerns regarding ecology (including the submission for the Somerset Wildlife Trust) are duly noted but the SCC Ecologist has examined the submitted ecological appraisal from Richard Green Ecology and have suggested a number of conditions which are recommended below. It is considered via a professional ecologist therefore that the development can proceed without undue adverse impacts on ecology and that the principle is acceptable.

Response to objectors concerns (not already covered above)

Diesel pollution - this would be dealt with by the Environment Agency should diesel affect the surrounding rhyne network

Helicopter noise - this is out of control of the applicant and whilst may well be an existing issue - it would be unreasonable to use this as a reason for refusal based on accumulative noise.

Impact on bridleway - there would be an impact on the bridleway if this was to revert to a working farm - there are no complaints when the farm was up and running and it is difficult to see why there would be if this application was to be approved (given the noise control measures in place)

Conclusion

The proposal by reason of size, scale and materials, is acceptable as it respects the character of the site and its surroundings, and has no detrimental impact on local ecology, residential amenity or highway safety. As such, the proposed development is considered to accord with the aims and objectives of policies SD1, TA1, TA5, TA6, EQ2 and EQ4 of the South Somerset Local Plan and the aims and objectives of the NPPF.

RECOMMENDATION

To grant permission subject to appropriate conditions.

01. The proposal by reason of size, scale and materials, is acceptable as it respects the character of the site and its surroundings, and has no detrimental impact on local ecology, residential amenity or highway safety. As such, the proposed development is considered to accord with the aims and objectives of policies SD1, TA1, TA5, TA6, EQ2, EP5, SS3, EQ3 and EQ4 of the South Somerset Local Plan and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans:

    All prefixed 200
    01 - Existing site and block plan
    02 - Site plan including topographical survey
    03 - Proposed site plan
    04 - Building 1 existing
    05 - Building 2 existing
    06 - Building 1 proposed
    07 - Building 2 proposed
    08 - Site visibility
    09 - Stowey Lane to Stowey Road visibility splay

    Noise management plan
    New House Farm - Oct 2019 Ecological Appraisal

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

03. Prior to occupation of the development hereby permitted the proposed access over at least the first 6 metres of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall thereafter be maintained in that condition at all times.

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

04. The area allocated for parking on the submitted plan, drawing number 200-03, shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

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

05. At the proposed access there shall be no obstruction to visibility greater than 600 millimetres above adjoining road level within the visibility splays shown on the submitted plan, drawing No 200-08. Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

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

06. Prior to the commencement of the change of use, the applicant shall, at their own expense, appoint a suitably qualified acoustic consultant with a remit to examine the premises / land and identify what measures, if any, may be necessary to ensure that:

- Compliance with all other consent conditions relating to noise emitted from the site, is achievable and
- Harm to amenity to noise sensitive receptors is unlikely to result.

The consultant shall submit a written report to the Planning Authority which shall detail all measurements taken and results obtained, together with any sound reduction scheme recommended and the calculations and reasoning upon which any such scheme is based. Such a report is to be agreed, in writing, by the Planning Authority and the approved measures shall be implemented in their entirety prior to occupation / reoccupation and use of any part of the premises, unless an alternative period for completion is agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity of neighbouring residential properties and in accordance with Policies EQ2 and EQ7 of the South Somerset District Local Plan.

07. Once in operation the site training hours involving the use of plant and equipment likely to generate high levels of noise shall be restricted to the hours of 09.00 to 16.30Hrs Monday to Friday and no works expected to occur on Saturdays and Sundays.

Reason: In the interests of the amenity of neighbouring residential properties and in accordance with Policies EQ2 and EQ7 of the South Somerset District Local Plan.

08. Prior to occupation, a "lighting design for bats", following Guidance note 8 - bats and artificial lighting (ILP and BCT 2018), shall be submitted to and approved in writing by the local planning authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: In the interests of biodiversity and in accordance with Policy EQ4 of the South Somerset District Local Plan.

09. No vegetation removal works around the site shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of any trees, shrubs and scrub and tall ruderal vegetation to be cleared for active birds' nests immediately before works proceed and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: In the interests of biodiversity and in accordance with Policy EQ4 of the South Somerset District Local Plan.

10. A Biodiversity Mitigation and Enhancement Plan (BMEP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior commencement or prior to commencement of construction/conversion works. Photographs of the installed features will also be submitted to the Local Planning Authority prior to occupation: The content of the BMEP shall include the following:

    a. A 5 m buffer is to be installed around the hedges, e.g., using a stock proof fence, in the field used for construction machinery training, to reduce potential impacts on the hedges, in accordance with BS5837:2012

b. A [Beaumaris Woodstone maxi bat box] or similar will be mounted under the apex of the west elevations of each barn, and maintained thereafter.
c. Two bat boxes (Schwegler 1FF) will be installed in mature trees at the boundaries of the site to enhance roosting opportunities.
d. One no. Schwegler 1B and one no. Schwegler 2H bird boxes will be installed on retained trees at the boundary.
e. Installation of 4 x artificial swallow nesting cups, or similar, to be erected on a main beam of the open side barn/agricultural buildings, at a height above 3m
f. A wildlife pond will be installed in the south-east corner of the site with shallow margins and a range of plant species to encourage a wide diversity of wildlife on the site.

As an additional option and suggestion a rough grassland margin could be allowed to develop around the other field in the south part of the site (not subject to the planning application), adjacent to hedges to provide habitat for invertebrates and reptiles.

Reason: In the interests of biodiversity and in accordance with Policy EQ4 of the South Somerset District Local Plan.

11. 1) Only two vehicles for the use of instructing students may be used at any time. This condition does not apply to vehicles used to transport students to and from the site.
2) Activities involving vehicles should not take place outside those modelled within the acoustic report.
3) Reversing alarms shall be deactivated for the purposes of training.
4) The silage clamp and earth banking shall be retained at the site. The silage bank shall be increased to height of 3m.
5) No machinery shall be operated within 160 metres of the nearest non-associated residential property.
6) No machinery shall be used on site outside of the hours of 08:00 - 18:00 Monday to Friday; 09:00 - 13:00 Saturdays and at no time on Sundays and Bank Holidays

Reason: In the interests of the amenity of the neighbouring residential properties and in accordance with Policy EQ2 of the South Somerset District Local Plan.

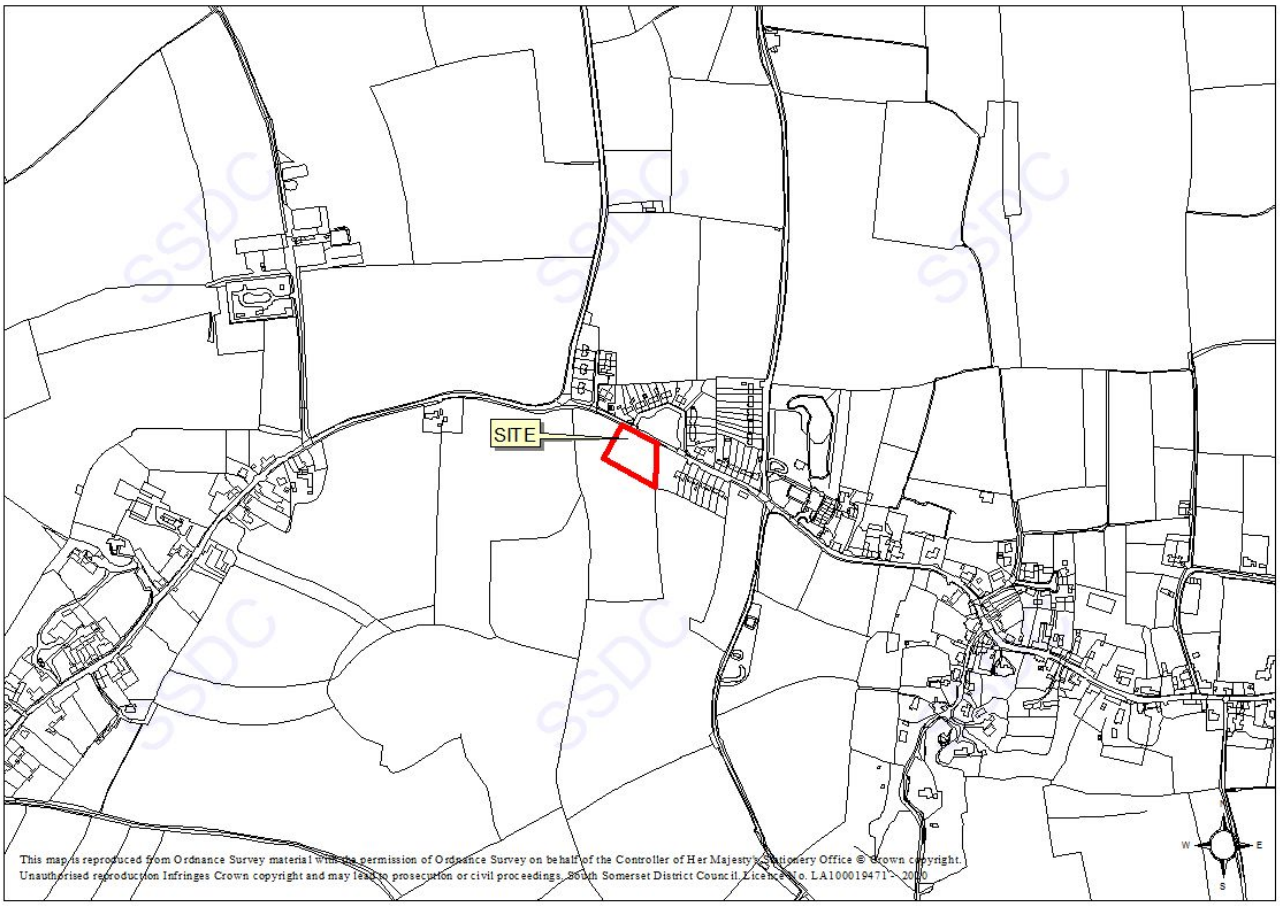
Officer Report On Planning Application: 20/00287/OUT

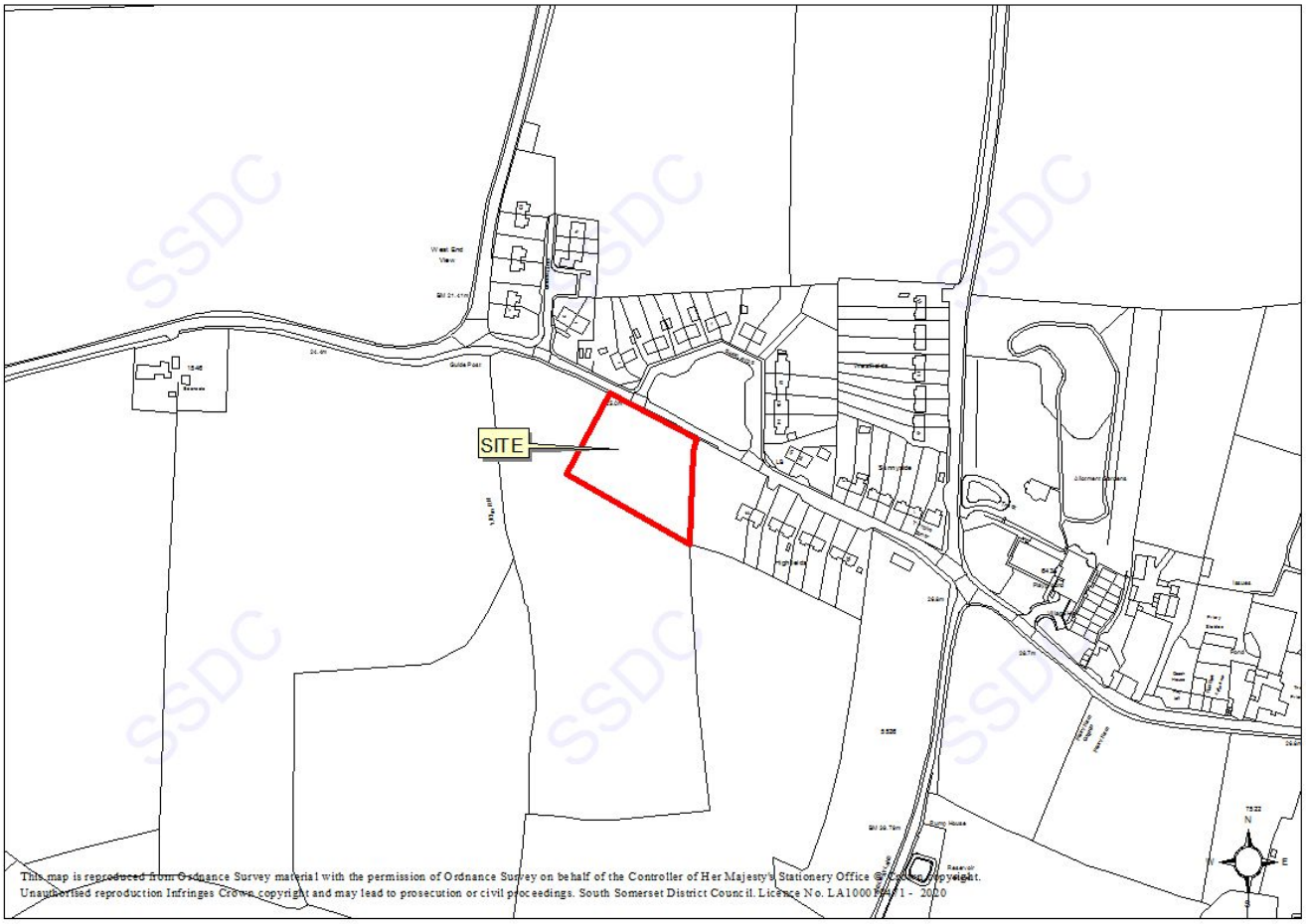
Proposal :	Outline application with all matters reserved save for access for the erection of 6 No. dwellings
Site Address:	Land Os 4400, Highfields, Main Street, Barrington TA19 0JJ
Parish:	Barrington
BURROW HILL Ward (SSDC Member)	Cllr M Stanton
Recommending Case Officer:	Colin Arnold
Target date :	16th March 2020
Applicant :	Mr E Lucas
Agent: (no agent if blank)	Mr Paul Dance, Symonds & Sampson, 11 North Street, Stoke Sub Hamdon Somerset TA14 6QQ
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

The Ward Member did not agree with the officer's recommendation in particularly in relation to surface water flooding issues. Area Chairman subsequently agreed that the application should be heard by the committee.

SITE DESCRIPTION AND PROPOSAL





The application seeks outline planning permission with access (some matters reserved) for the erection of 6 number dwellings (4 x three bedroom houses and 2 x two bedroom houses).

The site is to the south of Main Street and is immediately adjacent to the deemed settlement boundary of Barrington.

The site is adjacent to, and seen in the urban context of, the village of Barrington. The village is one that does qualify as a 'Rural Settlement' in the SSDC Settlement Hierarchy. The site is in Flood Zone 1 and fronts on to a speed restricted (30mph) classified highway.

This is a Greenfield site.

RELEVANT HISTORY

The site has no relevant planning history.

POLICY

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

For the purposes of determining current applications the local planning authority considers that the

adopted development plan comprises the policies of the South Somerset Local Plan 2006 2028 (adopted March 2015).

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

Policy SD1 - Sustainable Development
Policy SS1 - Settlement Strategy
Policy SS2 - Development in Rural Settlements
Policy SS4 - District-wide Housing Provision
Policy SS5 - Delivering New Housing Growth
Policy TA1 - Low Carbon Travel
Policy TA5 - Transport Impact of New Development
Policy EQ1 - Addressing Climate Change in South Somerset
Policy EQ2 - General Development

National Planning Policy Framework - March 2019

Planning Practice Guidance (PPG)

National Design Guide - September 2019

Other

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

CONSULTATIONS

Barrington Parish Council: state in their objection / concerns the following:

'Barrington Parish Council considered this application at meeting this week and have the following points to make:

i. The addition of 3 new accesses onto the highways is seen as being unsuitable as this lane is narrow and speeding traffic is a problem, which will make an already dangerous stretch of road even more hazardous for pedestrians, cyclists & horse riders. It is to be noted that there is no pavement and many children have to walk along this stretch of road to catch school buses.

ii. Water run-off from the existing properties on this side (top side) of the road has increased the flooding risk for properties in Sharlands considerably, as has been demonstrated in recent weather conditions (despite a planning condition requiring a drain across the driveway that SSDC seem powerless to enforce). The existing drains, as designed, do not cope with the current water flow, the Parish Council regularly asking County Highways to clear the drains as the water rises, threatening to flood properties at the bottom of Sharlands. This development would further exasperate the problems & worries for residents.

iii. More loss of hedgerows and destroying valuable wildlife habitats, which are not being replaced as has been demonstrated by the existing properties west of Highfields (despite another planning condition that SSDC seem powerless to enforce).

iv. This proposal is causing much stress and anxiety to the residents of Sharlands in particular, as was obvious by the responses the Parish Council received after the neighbour notifications went out. It is a very unpopular site for development and once again the Parish Council wish to say

that the top side of this road is wholly unsuitable for development as the safety and water run-off issues are significant.'

County Archaeology: The County Archaeologist has stated:

'As far as we are aware there are limited or no archaeological implications to this proposal and we therefore have no objections on archaeological grounds.'

County Ecologist: The County Ecologist has stated:

'Recommendations

In accordance with local and national policy, wildlife legislation, and to follow the requirements of the mitigation hierarchy and for biodiversity net gain, please attach the following conditions to any planning permission granted.

Badgers

Please attach the following informative

- The developers are reminded of the legal protection afforded to badgers and their resting places under the Protection of Badgers Act 1992 (as amended). It is advised that during construction, excavations or large pipes (>200mm diameter) must be covered at night. Any open excavations will need a means of escape, for example a plank or sloped end, to allow any animals to escape. In the event that badgers or signs of badgers are unexpectantly encountered during implementation of this permission it is recommended that works stop until advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.

Construction Environmental Management Plan

- No proposed access works and associated development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

  a. Risk assessment of potentially damaging construction activities.
  b. Identification of "biodiversity protection zones".
  c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) to biodiversity on site, including habitats (trees, hedgerows and field edges) and protected species (birds, badgers, reptiles and amphibians), followed by appropriate mitigation, as required.
  d. The location and timing of sensitive works to avoid harm to biodiversity features.
  e. The times during construction when specialist ecologists need to be present on site to oversee works.
  f. Responsible persons, lines of communication and written notifications of operations to the Local Planning Authority
  g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person [including regular compliance site meetings with the Council Biodiversity Officer and Landscape Officer (frequency to be agreed, for example, every 3 months during construction phases)];
  h. Use of protective fences, exclusion barriers and warning signs.
  i. [Ongoing monitoring, including compliance checks by a competent person(s) during

construction and immediately post-completion of construction works]

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of European and UK protected species. UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with South Somerset District Council Local Plan - Policy EQ4 Biodiversity

Lighting

Bats are active at night and are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and/or discouraged from using their breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation.

The following condition for bats can be applied to other light sensitive species as well. The first is usually applied to larger development sites.

- Prior to occupation, a "lighting design for bats and biodiversity]" for the development shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

  a. identify those areas/features on site that are particularly sensitive for bats (hedgerows, trees, bat boxes and any created grassland) and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
  b. show how and where external lighting will be installed (through the provision of a 'lighting contour plans and' if appropriate technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

  All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

  Reason: In the interests of the Favourable Conservation Status of populations of European protected species and in accordance with South Somerset District Council Local Plan - Policy EQ4 Biodiversity.

Landscape and Ecological Management Plan

- A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development. The content of the LEMP shall include the following:

  a. Description and evaluation of features to be managed.
  b. Ecological trends and constraints on site that might influence management.
  c. Aims and objectives of management.
  d. Appropriate management options for achieving aims and objectives.
  e. Prescriptions for management actions.
  f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
  g. Details of the body or organization responsible for implementation of the plan.

h. On-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European and UK protected species, UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with South Somerset District Council Local Plan - Policy EQ4 Biodiversity.

As enhancement and compensation measures, and in accordance with National Planning Policy Framework (NPPF), please apply the following conditions to any planning permission granted.

Biodiversity Enhancement (Net Gain)

- A Biodiversity Mitigation and Enhancement Plan (BMEP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior commencement or prior to commencement of construction works. Photographs of the installed features will also be submitted to the Local Planning Authority prior to occupation: The content of the BMEP shall include the following:

  a. A [Habibat 001] bat box or similar will be built into the structure of 3 houses, positioned at least four metres above ground level and away from windows of the west or south facing elevation
  b. A cluster of five Schwegler 1a swift bricks or similar will be built into the structure of 1 house, built into the wall at least 60cm apart, at least 5m above ground level on the north facing elevation [of Plots xx]
  c. A cluster of three Vivra Pro Woodstone House Martin nests or similar will be mounted directly under the eaves of the north elevation of 2 houses.
  d. Two Schwegler 1SP Sparrow terraces or similar at least one metre apart mounted on 1 house or garages, away from windows on the north elevations .
  e. A bee brick built into the structure of 3 houses or garages, located 1 metre above ground level on the south or southeast elevation.
  f. Any new fencing must have accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgehogs into and out of the site
  g. New shrubs to include plants that are high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The shrubs must also appeal to night-flying moths which are a key food source for bats. The Royal Horticultural Society guide, "RHS Perfect for Pollinators, www.rhs.org.uk/perfectforpollinators" provides a list of suitable plants both native and non-native.

  Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 170(d) of the National Planning Policy Framework

Provided the above conditions are applied as worded, I have no objection to this application.

County Highways: The County Highways Officer has stated:

'The proposal site lies off the classified main street on the western edge of Barrington where the site frontage lies within a posted speed limit of 30mph.

In terms of residual cumulative impact, it is the view of the Highway Authority that the proposed development is unlikely to have a severe impact on the local highway network. As such there is no objection to the principle of this application.

The applicant has proposed to construct 2 new accesses and alter an existing field access each of which would serve two dwellings. The Highway Authority do not see the necessity of providing three access points for the proposal, where the multiplicity of such accesses over a short distance only increases the likelihood of vehicle confliction. The applicant should also be mindful that if consent is granted in its current layout, it may warrant three separate legal agreements to accommodate works for each access.

Therefore, it is advised that the proposed access into the site is revised and the proposed development be served off a single access point, that would afford two way vehicle flow onto the public highway network and provide the appropriate visibility splays (2.4m x 43m in both directions).

The existing highway along an element of the site frontage, for a period does not appear to allow safe two way vehicle flow. There is an opportunity for the developer to make minor alterations to the existing highway that would modestly widen the classified road and provide safer two way vehicle flow along the site frontage of the site as well as allow greater manoeuvrability for vehicles entering/existing the site.

Detail of such alterations should be provided in the next submission for assessment.
Subject to consent, the applicant needs to provide appropriate vehicle parking in line with the Somerset Parking Strategy (SPS). The site sits in zone B of the SPS parking map. Detail of parking standards can be found the public domain. Cycle parking needs to also be provided at a rate of 1 per bedroom and be safe, secure, sheltered and accessible. The Highway Authority expect Electric Vehicle Charging Points to be provided for all dwellings as part of SCC policy. All vehicles must be able to enter the public highway in a forward gear.

With the above in mind, there is no objection to the principle of the development proposed, however it is the view of the Highway Authority that the proposal does not warrant three separate access points and as such it is advised that this is revisited along with minor alterations to existing highway along an element of the site frontage where applicable to the satisfaction of the Highway Authority prior to any highway related conditions being provided.'

Following receipt of amended plans showing a single access point for the development:

In our previous comments dated 14 February 2020, the Highway Authority had no objections to the principle of the development however recommended that the original proposal of three access points were revisited/reduced and minor alternations were made to the existing highway along the site frontage.

In response, the applicant has submitted drawing no 6.4 (Location/Site Plan) in support of the application.

The proposal would now see the 6 residential units served off a single point of access, its proximity being where there is an existing field gate to the site. The supporting document also details alterations and widening of the existing highway to 5 metres along the existing site frontage.

Whilst the dimensions indicated are considered as acceptable in this instance, it is noted however, that the supporting drawing is not appropriately scaled and therefore cannot be considered for reference by way of condition.

Given the footfall likely associated with the development to/from local amenities, it is advised that an appropriate footway/clear margin is provided into the access to remove any potential Non-Motorised User - vehicle confliction. Alternatively, the applicant may wish to consider providing a separate NMU access point along the site frontage onto the public highway, with appropriate visibility splays in line with a recognised design standard.

The indicative vehicle parking levels shown on the supporting document are in line with the Somerset Parking Strategy. Should consent be granted, it is expected that sufficient parking will be delivered at reserved matters stage. Parking dimensions will need to be in line with a recognised design standard, and sufficient space provided to ensure the designated spaces are not contrived, demonstrated by a swept path analysis. As mentioned in our previous comments dated 14 February 2020, appropriate cycle parking needs to be provided, access to electric vehicle charging points would also be recommended as part of SCC policy. Appropriate bin storage for collections need to be carefully considered prior to reserved matters, whilst being mindful of Manual for Streets guidance.

In the interest of moving the application forward, detail of the works on the highway are likely to be secured through a suitable legal agreement and condition as outlined (see below recommended conditions)

Natural England (NE): NE state that:

Natural England has no comments to make on this application.

REPRESENTATIONS

13 letters of objection have been received citing the following material issues:

- Building on Agricultural Land is contrary to NPPG and the Development Plan;
- Impact on Highway Safety;
- Congestion;
- Inadequate road width;
- Impact on other highway users (not vehicle);
- Loss of hedgerow / biodiversity impact;
- Flooding (surface water run-off);
- Drainage
- Should have I been informed when it went from three accesses down to one?
- What will be done to reduce traffic speed in area
- Existing housing available in village (including next door to the site)

CONSIDERATIONS

Principle of Development

The proposal seeks outline planning permission for the construction of 6 open market dwellings.

In policy context, national guidance contained within the NPPF sets out a presumption in favour of sustainable development. The NPPF states that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Furthermore, the NPPF advises that planning decisions should avoid the development of isolated homes in the countryside unless one or more of a certain set of circumstances are met. Such circumstances

include

(i) there being an essential need for rural workers;
(ii) enabling development to secure the future of heritage assets;
(iii) re-using redundant or disused buildings;
(iv) subdivision of an existing dwelling; or
(v) the design of the new dwelling is of exceptional quality. None of those five circumstances apply in this instance.

Policy SD1 of the Local Plan also recognises that, when considering development proposals, the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the NPPF and seek to secure development that improves the economic, social and environmental conditions within the District. Planning applications that accord with the policies in the Local Plan will be approved without delay, unless material considerations indicate otherwise.

Policy SS1 highlights the areas where new development is expected to be focused, grouping certain towns and villages into a hierarchy, of settlements including the Strategically Significant Town (Yeovil), Primary Market Towns, Local Market Towns and Rural Centres. All other settlements are 'Rural Settlements', which Policy SS1 states "will be considered as part of the countryside to which national countryside protection policies apply (subject to the exceptions identified in Policy SS2)".

Policy SS2 states:

"Development in Rural Settlements (not Market Towns or Rural Centres) will be strictly controlled and limited to that which:

- Provides employment opportunities appropriate to the scale of the settlement; and/or
- Creates or enhances community facilities and services to serve the settlement; and/or
- Meets identified housing need, particularly for affordable housing."

Development will be permitted where it is commensurate with the scale and character of the settlement, provides for one or more of the types of development above, and increases the sustainability of a settlement in general.

Proposals should be consistent with relevant community led plans, and should generally have the support of the local community following robust engagement and consultation.

Proposals for housing development should only be permitted in Rural Settlements that have access to two or more key services listed at paragraph 5.41" Those key services referred to in paragraph 5.41 of the Local Plan are local convenience shop, post office, pub, children's play area/sports pitch, village hall/community centre, health centre, faith facility and primary school.

The site is located outside of any development areas or directions of growth as defined by the local plan. As such, policy SS2 of the South Somerset Local Plan is of most relevance. However, elements of policy SS2 must be considered out of date, as SSDC cannot currently demonstrate a five year supply of housing land. It is noted that Barrington would be considered as a broadly sustainable location under policy SS2, as it contains more than two basic services and facilities - in this case a village hall, church and pub.

The principle of modest residential development within the settlement must therefore be considered acceptable, subject, of course, to full consideration of site specific impacts. Furthermore the benefit of contributing to the supply of housing in the district outweighs the lack of local benefits that would have been previously required by policy SS2.

It is therefore considered that, notwithstanding the lack of compliance with local plan policy, the principle of development is acceptable in accordance with the aims and provisions of the NPPF.

Residential Amenity:

The scheme is not considered to have any adverse impact on the occupiers of existing dwellings nearby (opposite and adjacent). Due to the size of the site, and likely separation from new dwellings, this is not considered to raise any issues. Ultimately however, this will be revisited when any reserved matters application is submitted, to ensure that the final scheme is appropriately designed to avoid harm to residential amenity.

Drainage (Surface Water):

Objections received have stated concerns in relation to the management of surface water run-off from a developed site that is in a position elevated above properties to the east.

For clarity, the site is in Flood Zone 1.

In this instance a site specific Flood Risk Assessment has not accompanied the application as such a document is not a formal requirement for validation purposes.

Government Guidance states the following in relation to the need for an FRA:

'When you need an assessment

You need to do a flood risk assessment for most developments within one of the flood zones.

This includes developments:

- in flood zone 2 or 3 including minor development and change of use;
- more than 1 hectare (ha) in flood zone 1;
- less than 1 ha in flood zone 1, including a change of use in development type to a more vulnerable class (for example from commercial to residential), where they could be affected by sources of flooding other than rivers and the sea (for example surface water drains, reservoirs);
- in an area within flood zone 1 which has critical drainage problems as notified by the Environment Agency.'

The site is less than 1 hectare and is in Flood Zone 1. In addition, although the site use to a more vulnerable class, no other sources of flooding have been identified (other than potential increase in surface water run-off from the site were it to be developed).

As the planning application seeks outline consent, and as there are no evidence of 'other sources' of flooding identified that could impact the site or beyond (the quantum of built development proposed is not known so potential runoff rates are not known), such matters (being the management of surface water) can be reasonably managed by way of planning conditions (in addition to reserved matters details).

Knowing the above it is not considered that, at this stage, the proposal would contribute to off-site increase in surface water run-off. As such the proposal, in outline form, is considered to accord with Policy EQ1 of the Development Plan.

Highway Safety:

The County Highways on receipt of amended plans are satisfied that the development can be carried

out in a safe manner utilising a single point of access and in accordance with appropriate conditions which are outlined below. In the absence of any highways objections the objectors concerns whilst duly noted cannot be used as a reason for refusal in this instance.

Biodiversity Impact:

Objections received have cited impact on biodiversity and loss of habitat (through removal of hedgerow).

In this instance, the statutory consultee (SCC Ecology Services) have reviewed the submitted 'Biodiversity Survey / Assessment' (Lowans Ecology and Associates) and considered the habitat and ecology aspects of the site and have concluded that there would be no demonstrable harm to either, subject to the inclusion of appropriate planning conditions as detailed in their recommendation.

Subject to the inclusion of the planning conditions, as advised, the proposal is considered to be in accordance with Policy EQ4 of the Development Plan.

5 Year Housing Land Supply (5YHLS)

Key to any 'planning balance' consideration is the fact that SSDC cannot demonstrate a deliverable 5YHLS.

In this instance the Council accepts that it is unable to demonstrate a five-year housing land supply and that a presumption in favour of sustainable development exists. Paragraph 11 of the National Planning Policy Framework (NPPF) states that plans and decisions should apply a presumption in favour of sustainable development and grant permission when decision taking where the policies which are most important for determining the application are out-of-date (this includes circumstances where there is no five-year supply of deliverable housing sites with the appropriate buffer), and therefore less weight can be afforded to policies that affect the supply of housing. Paragraph 11 is therefore a significant material consideration with regard to the tilted balance of the presumption of sustainable development.

The proposed scheme would deliver 6 dwelling towards the 5YHLS, and this should be afforded significant material weight in deliberations.

Planning Obligations:

As of 3rd April 2017, the Council adopted CIL (Community Infrastructure Levy), which is payable on all new residential development (exceptions apply). The CIL liability will be imposed at reserved matters stage, however an appropriate informative will also be added, advising the applicant of their obligations in this respect.

No other obligations are requested as the indicative numbers and site size (under 10 units and less than 0.5ha) is under the national threshold. A condition will however be added to limit the final number of dwellings to no more than 6, to comply with these requirements.

Conclusion and Planning Balance

The development proposes the construction of 6 open market properties. The site is considered to be in sufficiently close proximity to Barrington as to qualify as being 'in' a Rural Settlement.

It is accepted that the scheme accords with the requirements of Policy SS2 of the Development Plan, but as the site is unallocated so is technically a departure from the Development Plan it falls to consideration of the scheme on 'planning balance'.

From consultee responses received it is evident that the scheme can be delivered, subject to adherence

to planning conditions. Knowing this, the weighting of delivery of six dwellings where there is no 5YHLS is considerable in this case.

In summary, as the proposal is compliant with adopted settlement policies of the Development Plan, the delivery of six dwellings in a sustainable location, that could contribute towards the under supply of the 5YHLS is considered sufficient to justify supporting the scheme.

As such it is recommended that this outline planning application should be approved as it accords with policies SD1, SS1, SS2, SS4, SS5, TA1, TA5, EQ1, and EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of the NPPF.

RECOMMENDATION

Permission be granted subject to planning conditions:

01. The development proposes the construction of 6 open market properties. The site is considered to be in sufficiently close proximity to Barrington as to qualify as being 'in' a Rural Settlement. It is accepted that the scheme accords with the requirements of Policy SS2 of the Development Plan, but as the site is unallocated so is technically a departure from the Development Plan it falls to consideration of the scheme on 'planning balance'. From consultee responses received it is evident that the scheme can be delivered, subject to adherence to planning conditions. Knowing this, the weighting of delivery of six dwellings where there is no 5YHLS is considerable in this case. In summary, as the proposal is compliant with adopted settlement policies of the Development Plan, the delivery of six dwellings in a sustainable location, that could contribute towards the under supply of the 5YHLS is considered sufficient to justify supporting the scheme.

This outline planning application therefore accords with policies SD1, SS1, SS2, SS4, SS5, TA1, TA5, EQ1, and EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of the NPPF.

SUBJECT TO THE FOLLOWING:

01. An application for approval of the reserved matters for the six dwellings approved shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development shall begin no later than 3 years from the date of this permission or not later than 2 years from the approval of the last "reserved matters" to be approved.

    Reason: As required by Section 92(2) of the Town and Country Planning Act 1990.

02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development shall begin no later than 3 years from the date of this permission or not later than 2 years from the approval of the last "reserved matters" to be approved.

    Reason: As required by Section 92(2) of the Town and Country Planning Act 1990.

03. The development hereby permitted shall be carried out in accordance with the following approved plans:

    Site Location 1:1250 drawing 6.3

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

04. No proposed access works and associated development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

a. Risk assessment of potentially damaging construction activities.
b. Identification of "biodiversity protection zones".
c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) to biodiversity on site, including habitats (trees, hedgerows and field edges) and protected species (birds, badgers, reptiles and amphibians), followed by appropriate mitigation, as required.
d. The location and timing of sensitive works to avoid harm to biodiversity features.
e. The times during construction when specialist ecologists need to be present on site to oversee works.
f. Responsible persons, lines of communication and written notifications of operations to the Local Planning Authority
g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person [including regular compliance site meetings with the Council Biodiversity Officer and Landscape Officer (frequency to be agreed, for example, every 3 months during construction phases)];
h. Use of protective fences, exclusion barriers and warning signs.
i. [Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works]

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of biodiversity and in accordance with Policy EQ4 of the South Somerset District Local Plan.

05. Prior to occupation, a "lighting design for bats and biodiversity]" for the development shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

a. identify those areas/features on site that are particularly sensitive for bats (hedgerows, trees, bat boxes and any created grassland) and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
b. show how and where external lighting will be installed (through the provision of a 'lighting contour plans and' if appropriate technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of biodiversity and in accordance with Policy EQ4 of the South Somerset District Local Plan

06. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development. The content of the LEMP shall include the following:

a) Description and evaluation of features to be managed.
b) Ecological trends and constraints on site that might influence management.
c) Aims and objectives of management.
d) Appropriate management options for achieving aims and objectives.
e) Prescriptions for management actions.
f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
g) Details of the body or organization responsible for implementation of the plan.
h) On-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of biodiversity and in accordance with Policy EQ4 of the South Somerset District Local Plan

07. A Biodiversity Mitigation and Enhancement Plan (BMEP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior commencement or prior to commencement of construction works. Photographs of the installed features will also be submitted to the Local Planning Authority prior to occupation: The content of the BMEP shall include the following:

a) A [Habibat 001] bat box or similar will be built into the structure of 3 houses, positioned at least four metres above ground level and away from windows of the west or south facing elevation
b) A cluster of five Schwegler 1a swift bricks or similar will be built into the structure of 1 house, built into the wall at least 60cm apart, at least 5m above ground level on the north facing elevation [of Plots xx]
c) A cluster of three Vivra Pro Woodstone House Martin nests or similar will be mounted directly under the eaves of the north elevation of 2 houses.
d) Two Schwegler 1SP Sparrow terraces or similar at least one metre apart mounted on 1 house or garages, away from windows on the north elevations .
e) A bee brick built into the structure of 3 houses or garages, located 1 metre above ground level on the south or southeast elevation.
f) Any new fencing must have accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgehogs into and out of the site
g) New shrubs to include plants that are high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The shrubs must also appeal to night-flying moths which are a key food source for bats. The Royal Horticultural Society guide, "RHS Perfect for Pollinators, www.rhs.org.uk/perfectforpollinators" provides a list of suitable plants both native and non-native.

Reason: In the interests of biodiversity and in accordance with Policy EQ4 of the South Somerset District Local Plan

08. No work shall commence on the development site until the developer has submitted and had approved by the Local Planning Authority full details of the access to be provided onto and along the public highway (Main Street). No part of the development hereby permitted shall be occupied until the approved detail has been fully constructed.

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

09. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before commencement and thereafter maintained at all times.

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

10. There shall be no obstruction to visibility greater than 300 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 metres either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced brought into use and shall thereafter be maintained at all times.

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

11. The development hereby permitted shall not be first occupied until an agreed number of vehicle parking spaces and layout for the development have been provided and approved in conjunction with the Local Planning Authority. The said spaces and access thereto shall be properly consolidated and surfaced and shall thereafter be kept clear of obstruction at all times and not used other than for the parking of vehicles or for the purpose of access.

Reason: In the interests of highway safety and to ensure that there is adequate off street parking available for the development proposed in accordance with Policies TA5 and TA6 of the South Somerset District Local Plan.

12. Prior to first occupation of the development hereby permitted, access to covered cycle and, numbers and spaces to be fully in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority.

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

13. During the construction phase, the applicant shall ensure that all vehicles leaving the site are in such condition as not to emit dust or deposit mud, slurry or other debris on the highway. In particular (but without prejudice to the foregoing), efficient means shall be installed, maintained and employed for cleaning the wheels of all lorries leaving the site, details of which shall have been agreed in advance in writing by the Local Planning Authority and fully implemented prior to commencement and thereafter maintained until the construction of the site discontinues.

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

14. Prior to first occupation of the dwellings hereby permitted, electric charging points (of a minimum 16amps) for electric vehicles shall be provided adjacent to the parking spaces or within the garages shown on the approved plan. Sufficient electric charging points for at least one per dwelling shall be provided in this way. Once installed such charging points shall be retained and maintained in working order, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is resilient and sustainable in accordance with Policy TA1 (Low Carbon Travel) of the adopted South Somerset Local Plan and the provisions of the NPPF.

Informatives:

01. The County Highways Authority advises:

The applicant will be required to enter into a suitable legal agreement 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

02. 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.

03. The SCC Ecologist advises:

The developers are reminded of the legal protection afforded to badgers and their resting places under the Protection of Badgers Act 1992 (as amended). It is advised that during construction, excavations or large pipes (>200mm diameter) must be covered at night. Any open excavations will need a means of escape, for example a plank or sloped end, to allow any animals to escape. In the event that badgers or signs of badgers are unexpectantly encountered during implementation of this permission it is recommended that works stop until advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.

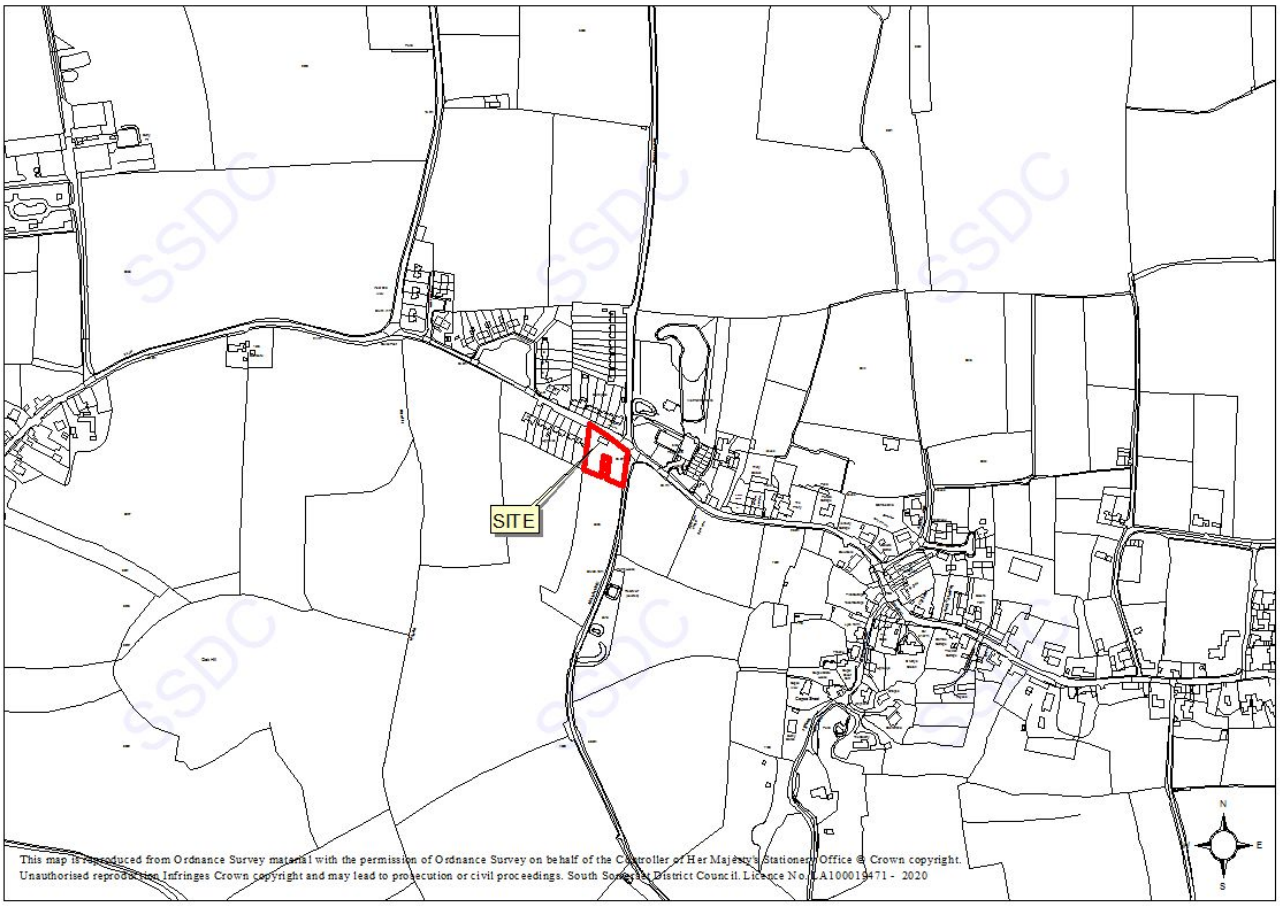
Officer Report On Planning Application: 19/03510/FUL

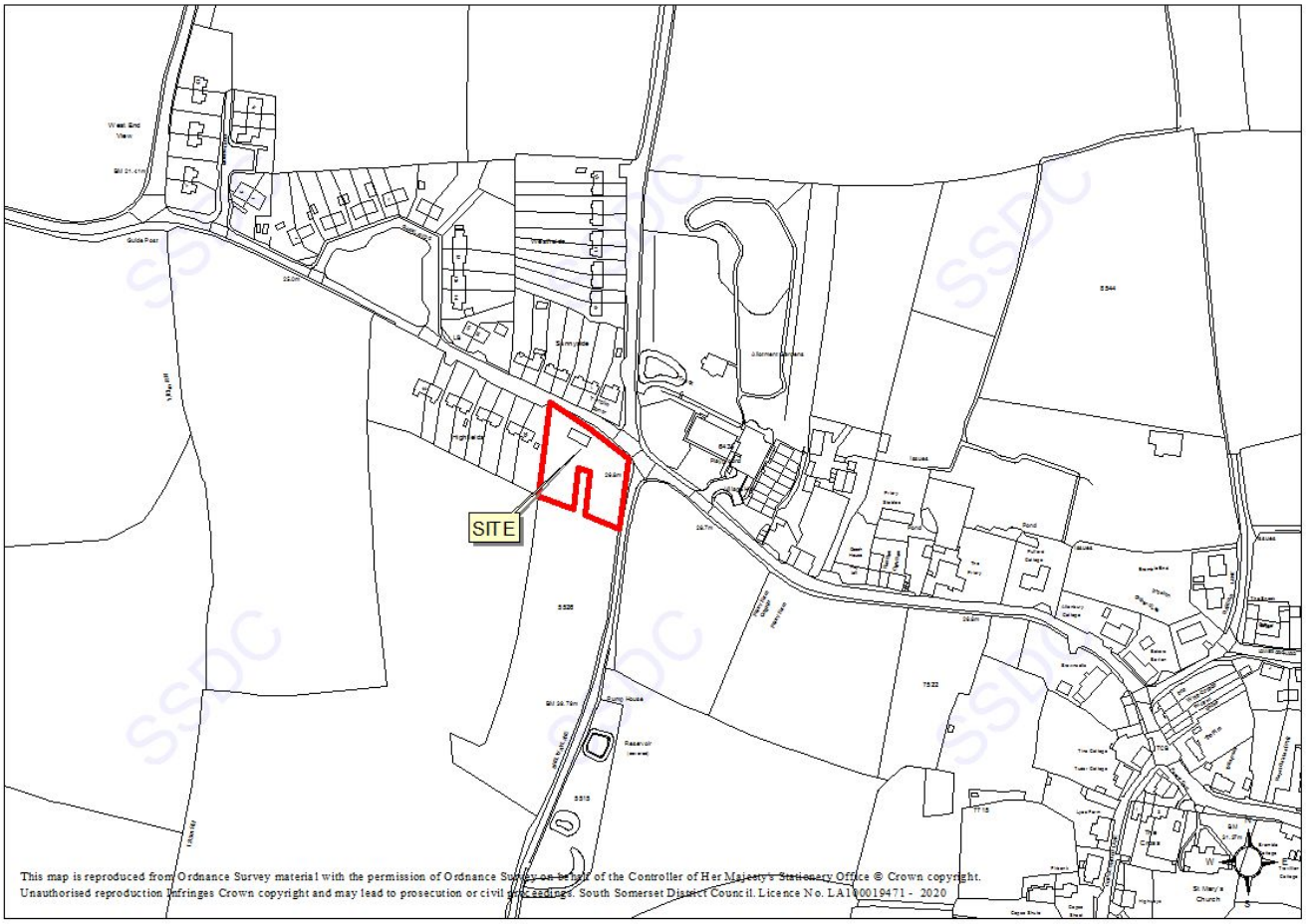
Proposal :	Change of use of land, the formation of a new vehicular access and the erection of one detached dwellinghouse with an attached garage and the erection of one pair of semi-detached dwellinghouses and associated parking (Re-Submission of Planning Application 19/01390/FUL)
Site Address:	Land East Of 23 Highfields, Main Street, Barrington TA19 0JJ
Parish:	Barrington
BURROW HILL Ward (SSDC Member)	Cllr M Stanton
Recommending Case Officer:	Colin Arnold
Target date :	14th February 2020
Applicant :	Mr & Mrs P Miller
Agent: (no agent if blank)	Mr Paul Rowe, Paul Rowe Architectural Services, CAPARO, 11 Mervyn Ball Close, CHARD TA20 1EJ
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

This application is called to Area North Committee to debate storm water runoff issues raised.

SITE DESCRIPTION AND PROPOSAL





The application site comprises a field, enclosed to the north and east by an established hedge, in an elevated position above the Main Road through Barrington. Access into the field is at the junction of Main Road and Shelway Lane through a metal bar gate.

This is a full application for the erection of 3 dwellings in the form of 1 detached and 1 pair of semi-detached dwellings. The proposal will continue the linear form of development that runs from the west with dedicated parking and cycle storage along the northern boundary adjacent to the Main Street through Barrington. A new access will be created through the northern existing boundary hedge. The dwellings will be finished in a light coloured render with horizontal timber detailing under a Double Roman tiled roof.

HISTORY

06/00944/FUL - For the erection of three stables in one block and change of use to equestrian land @ Priory Farm Main Street - Application permitted with conditions - 22.05.2006

15/04884/FUL - For the proposed erection of 2no. dwellings on land adjacent to existing dwelling @ 30 Highfields Main Street - Application permitted with conditions - 27.05.2016

19/01930/FUL - Change of use of land, the formation of a new vehicular access and the erection of one detached dwelling with attached double garage and a pair of semi-detached dwellings with associated parking - Withdrawn 17.09.2019

POLICY

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

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

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

SD1 Sustainable Development
SS1 Settlement Strategy
SS2 Development in Rural Settlements
SS4 District Wide Housing Provision
SS5 Delivering New Housing Growth
TA5 Transport Impact of New Development
TA6 Parking Standards
EQ1 Addressing Climate Change in South Somerset
EQ2 General Development
EQ4 Biodiversity
EQ5 Green Infrastructure

National Planning Policy Framework

Chapter 2 - Achieving Sustainable Development
Chapter 5 - Delivering a Sufficient Supply of Homes
Chapter 12 - Achieving Well-Designed Places

Planning Policy Guidance

Climate change
Design
Somerset County Council Parking Strategy (SPS) (Sep 2013) and Standing Advice (June 2017)

(Note: The Council is currently unable to demonstrate that it has a 5 year supply of deliverable housing land as required by paragraph 73 of the NPPF. In such circumstances paragraph 11 d) In relation to decision taking is engaged, this states:-

"where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

Footnote 7 to Paragraph 11 explains that:

"This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.")

CONSULTATIONS

Barrington Parish Council:

Whilst the PC is not against developments of this nature, it is felt that the land on the 'top-side' of the road is unsuitable for development due to the presence of natural springs, increasing the flood risk to the properties that lie along the opposite side of the road. This is a significant ongoing problem in this area, with flash flooding regularly occurring. The development is seen to further exasperate existing worries and problems for resident's living opposite. Also, due to the amount of water that runs out of the field all year round, ice sheets form on the road when temperatures drop.
It's also to be noted that the previous site which was developed on this side of the road, 15/04884/FUL - land adjacent to 30 Highlands, had hedging & storm drain conditions placed on it however they have not been implemented.

The entrance to the development is viewed as dangerous to pedestrians and vehicles travelling along the road as there is no footpath and the road is narrow. The driveway access point is just off the apex of a bend, offering reduced visibility for vehicles exiting the new development.

The removal of established hedgerows, which provide further flood barriers, screening and are a valuable wildlife habitat, is disappointing. Then there is the obvious overlooking and bearing down on the properties opposite due to the elevation of the land.

It was agreed unanimously to object to the application.

SWHT:

No response and outside archaeological area

County Highway Authority:

Standing advice applies.

SSDC Highway Consultant:

The proposed access would be a new entrance onto the public highway. The SCC Standing Advice guidance requires new accesses and junctions to incorporate visibility splays as set out in Manual for Streets. The proposed visibility splays of 2.4m x 21m to the east and 2.4m x 30m to the west are significantly below the normal standard of 2.4m x 43m. The Highway Consultant states a reduction may be acceptable however a speed survey would need to be provided to demonstrate that the 85%ile vehicle speeds from the west are no greater than 25mph for the proposed 33m sightline to be acceptable. If the appropriate evidence (speed survey) can be provided, it would be more prudent to provide a 2.4m back and parallel visibility splay (no obstruction greater than 600mm) across the whole site frontage, rather than tapered visibility splays, as this would then maximise visibility in both directions but also significantly improve visibility from the adjoining lane to the east onto Main Street.

The Highway Consultant also encouraged a minimum width of the carriageway across the north western part of the front to be no narrower than the current width in the North West corner. This proposed width should be annotated at the centreline of the proposed new junction. The Highway Consultant states that details with the site (i.e. the geometry of the access, its surface (assuming a bitmac construction), the gradient, on-site parking (car and cycle), provision of EVCPs and on-site turning) all appear acceptable. The Highway Consultant recommends appropriate conditions are added to the decision in the event of approval regarding drainage, surface water and hardstanding. Further consideration should be given for the collection of waste and recycling.

REPRESENTATIONS

11 representations received objecting to the application on the grounds of traffic impact, loss of rural character, biodiversity impact/removal of hedging, drainage and flooding, overlooking/overshadowing and disruption from construction traffic.

CONSIDERATIONS

Principle of Development

Barrington is defined in the local plan as a Rural Settlement, where development will be strictly controlled. The starting point for considering development in Rural Settlements is Policy SS2 of the South Somerset Local Plan. The proposal is contrary to that policy, as it does not provide employment opportunities, create or enhance community facilities and services, or meet an identified housing need.

However, as SSDC cannot currently demonstrate a five year supply of housing land, elements of that policy must be considered out of date. As such, it is considered that the LPA cannot rely on the prescriptions of that policy in regard to what the development must provide, but must accept that the settlement is broadly sustainable and capable of supporting some residential development. As such, although the proposal is contrary to Policy SS2 of the local plan, only limited weight can be applied to this adverse impact in the planning balance.

Overall, it is considered that the proposed dwellings would result in an addition to housing stock in an area with an acknowledged lack of provision. Furthermore the housing would be in a location which is relatively accessible by rural standards. There would also be economic and social benefits in supporting employment during construction, and as future occupants would bring trade to nearby services and facilities. As such, it is considered that the proposal can be supported in principle.

Scale and appearance of proposed dwellings

The proposed dwellings are considered to be of an appropriate scale for the site and, once constructed, will not appear as an incongruous form of development. Furthermore, the proposed materials are considered to reflect those used in the adjoining dwellings which will further assist in the integration of the new dwellings into the street scene.

Impact on character of area

It is considered that, given the suitable scale and design of the proposed dwellings, the development will not be harmful to the character of the area. The nearest heritage asset is the Conservation Area approximately 70 metres to the east of the site. Given that the proposed dwellings are in-keeping with their local character, it is not considered that they would have a demonstrably adverse impact on the historic environment.

Based on the submitted site plan MBS3DHSP14(004) the development includes parking to be provided to the front of the development site with a new access to be punctuated within the existing hedge. The width of the new access is annotated to be approximately 8 metres at the front entrance with an element of re-alignment of the hedge to the west to achieve the necessary sight lines. This is considered to be an acceptable level of intervention to provide access and the necessary sight lines whilst retaining the verdant character of the boundary. It is considered that the level of hardstanding is acceptable as it will be screened behind the well-established hedge and therefore will not be materially harmful to the existing street scene. The proposed hedging will be ensured by condition.

Residential Amenity

The distance between the front facing elevations of the proposed dwellings and the existing dwellings to the north on the opposite side of the road will be in excess of 30 metres with a distance of approximately 10 metres between side elevations to the east. It is considered that, even though the dwellings will be elevated above the dwellings to the north, a suitable degree of separation will exist so as not to give rise to any demonstrable harm to living condition through overshadowing, overlooking or loss of privacy issues. The proposal is not considered to result in undue harm to residential amenity.

Biodiversity

The site comprises an open field where the ecological impact of the proposal is considered to be relatively low. Notwithstanding this, the surrounding hedgerow is considered to have the potential to provide an important habitat for wildlife. An ecology survey was carried out on the 23rd of November 2019 which concludes that the proposal would cause no harm to the biodiversity of the site subject to relevant conditions to protect and preserve the biodiversity as best possible.

Highways and parking

Following the Highway Consultant's comments, the agent submitted a speed survey which the agent confirmed the proposed extent of visibility splays was now acceptable. The Highway Consultant also requested that the site plan show a minimum width of the carriageway across the north-western part of the frontage no narrower than the current width in the north-west corner and that the width of the carriageway at the centreline of the proposed new junction should also be annotated. The agent submitted an amended proposed highways plan (MBS3DHSP14(006)) including the aforementioned annotations which now satisfies the Highway Consultant. With regard to parking, the proposal includes parking provision that accords with the parking standards and is therefore considered acceptable in this regard.

Taking into account the consultation response from The County Highway Authority and the SSDC Highway consultant, it is considered that, on balance and subject to the imposition of relative highway conditions, the proposal is acceptable from a highway perspective.

Drainage and Flooding

The site itself lies within Flood Zone 1 and the road to the east of the site (Shelway Lane) has been identified as having a 1 in 30 chance of risk of flooding from surface water. Concern has been raised by neighbours regarding this matter. As the site itself is within Flood Zone 1, this is considered to be at low risk of flooding as defined by The Environment Agency and therefore suitable for residential development. With regard to the surface water matter, a condition could be imposed requiring details of how on-site surface water will be dealt with so as not to exacerbate current localised surface water concerns.

Parish Council Response

The Parish Council has raised concerns regarding potential flood risk, implementation of conditions, loss of wildlife habitats and reduced visibility for vehicles that may be dangerous to both pedestrians and vehicles travelling along the road. Given the concerns raised the Parish Council, they agreed to unanimously object to the application. The concerns raised have been taken into account during the assessment of the application, however as discussed above, amended plans and a speed survey has been submitted to support the proposed visibility splays which the Highway Consultant agrees to be acceptable. The proposed location of the site in Flood Zone 1 is considered to be low risk and found acceptable. The proposed additional hedging to the entrance of the site is considered to provide sufficient habitat opportunity for wildlife therefore does not warrant refusal. It is acknowledged that the

Parish Council have raised concerns regarding the implementation of planning conditions under application 15/04884/FUL however given that this application has been assessed under its own merit, this would also not warrant reason for refusal.

Conclusions and Planning Balance

With no five year supply of housing land in South Somerset, paragraph 11 of the NPPF is triggered. This states that "For decision-taking this means…where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

In this case there are no specific policies in the NPPF that indicate development should be restricted, so an assessment must be made as to whether the adverse impacts of the development significantly and demonstrably outweigh the benefits.

The proposal would contribute to the shortfall of housing land supply in South Somerset, which is a benefit that must be afforded significant weight. No harm has been identified that would significantly and demonstrably outweigh the benefits of the scheme. Therefore, planning permission is recommended for approval.

RECOMMENDATION

Permitted with conditions

01. The proposed development is considered to be acceptable in principle, contributing towards identified local and district-wide housing need, without significantly and demonstrably harming the character of the surrounding area, residential amenity or highway safety. The proposal is considered to accord with policies SD1, SS1, SS4, TA5, TA6 AND EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of the NPPF.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans:

    MBS3DHSP14(001)
    MBS3DHSP14(002)
    MBS3DHSP14(003)
    MBS3DHSP14(004)
    MBS3DHSP14(005)

MBS3DHSP14(006)
MBSRSP1
MBSRSP2
MBSRSP3
MBSRSP4
MBSRSP5

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

03. There shall be no obstruction to visibility greater than 600 millimetres. Such visibility shall be fully provided before the development
hereby permitted is occupied and shall thereafter be maintained at all times.

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

04. The areas allocated for parking and turning on the approved plans shall be fully provided prior to the dwelling hereby permitted being first occupied. Thereafter these areas shall kept clear of obstruction and not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety, in accordance with policies TA5 and TA6 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

05. Prior to first occupation of the development hereby permitted the proposed access over at least the first 5 metres of its length, as measured from the edge of the highway, shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Once constructed the access shall thereafter be maintained in that condition at all times.

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

06. The use hereby permitted shall not commence until the existing access (field entrance gate) has been permanently closed in accordance with the approved plans.

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

07. Prior to the commencement of any works hereby approved, the proposed widening of the carriageway and width and geometric layout of the proposed access shall be constructed in accordance with the details shown on drawing MBS3DHSP14(006)

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

08. Prior to first occupation of the dwellings hereby permitted, a 16amp electric charging point, for electric vehicles, shall be provided adjacent to the area allocated for parking on the approved plans. Once installed such electric charging points shall be retained and maintained in working order, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is resilient and sustainable in accordance with Policy TA1 (Low Carbon Travel) of the adopted South Somerset Local Plan and the provisions of the NPPF.

09. The dwellings shall not be occupied until the proposed cycle parking provision has been constructed in accordance with approved plan MBS3DHSP14(006).

Reason: In the interests of highway safety, in accordance with policies TA5 and TA6 of the South Somerset Local Plan and the aims and objectives of the National Planning Policy Framework.

10. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before first occupation and thereafter maintained at all times.

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) (with or without modification) there shall be no external alterations or extensions undertaken to the dwelling hereby permitted without the prior express consent of the local planning authority.

Reason: To safeguard local character and residential amenity, in accordance with policy EQ2 of the South Somerset Local Plan (2006-2028) and the provisions of the NPPF.

12. The development hereby permitted shall not be first occupied until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping. The submitted scheme shall clearly confirm the details and dimensions of any intended tree or shrub planting, earth-moulding, seeding, turfing, surfacing, and hard landscaping. All planting stock shall be confirmed as UK-grown, and details shall be provided in regards to the planting locations, numbers of individual species, sizes, forms, root-types/root volumes and the intended timing of planting. The installation details regarding ground-preparation, weed suppression, staking/supporting, tying, guarding, strimmer-guarding and mulching shall also be included within the submitted scheme. All planting comprised in the approved scheme shall be carried out within the dormant planting season (November to February inclusively) following the commencement of any aspect of the development hereby approved; all other elements of the landscaping shall be fully implemented in accordance with the agreed details prior to first use or in accordance with a phasing plan submitted as part of the landscaping details. If any trees or shrubs which within a period of ten years from the completion of the development die, are removed or in the opinion of the Council, become seriously damaged or diseased, they shall be replaced by the landowner in the next planting season with trees/shrubs of the same approved specification, in the same location; unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the planting of new trees and shrubs in accordance with the Council's statutory duties relating to The Town & Country Planning Act, 1990 (as amended)[1] and the following policies of the South Somerset Local Plan (2006 - 2028): EQ2: General Development; EQ4: Bio-Diversity; & EQ5: Green Infrastructure.

13. No work shall be carried out above damp-proof course level or, for boundary treatments or hardstandings, no works to erect boundary walls or fencing or lay hardstandings, on site until particulars of the following have been submitted to and approved in writing by the Local Planning Authority:

a) details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs;

b) details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
c) details of all hardstanding and boundaries
d) details of the rainwater goods and eaves and fascia details and treatment.

Subject to particulars being agreed for each part (a-d) that aspect of the development may be laid, erected, or installed (as relevant).

Once approved such details shall be fully implemented unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to comply with Policies EQ2 of the South Somerset Local Plan.

14. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority.

    Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

15. All ecological measures and/or works shall be carried out in accordance with the details contained in the Ecology Report as already submitted with the planning application 08/01/2020 (survey completed 23/10/2019) and agreed in principle with the Local Planning Authority prior to determination.

    Reason: In the interests of [European and UK protected species. UK priority species and habitats listed on s41 of the Natural Environment and Rural Communities Act 2006 and in accordance with policy EQ4 of the South Somerset Local Plan Core Strategy

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

02. The developers and their contractors are reminded of the legal protection afforded to bats and bat roosts under legislation including the Conservation of Habitats and Species Regulations 2017. In the unlikely event that bats are encountered during implementation of this permission it is recommended that works stop and advice is sought from a suitably qualified, licensed and

experienced ecologist at the earliest possible opportunity.

03. The developers are reminded of the legal protection afforded to reptiles under the Wildlife and Countryside Act 1981 (as amended). In the unlikely event that reptiles are encountered during implementation of this permission it is recommended that works and advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.

Officer Report On Planning Application: 19/02777/FUL

Proposal :	The erection of 3 No. dwellings with associated works including the creation of a new access and landscaping.
Site Address:	Land Adjoining Morganside, Turnhill Road, High Ham TA10 9DF
Parish:	High Ham
TURN HILL Ward (SSDC Member)	Cllr G Tucker
Recommending Case Officer:	Colin Arnold
Target date :	2nd December 2019
Applicant :	Mr A Roberts
Agent: (no agent if blank)	Boon Brown Architects, Motivo, Alvington, Yeovil BA20 2FG
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFFERAL TO COMMITTEE

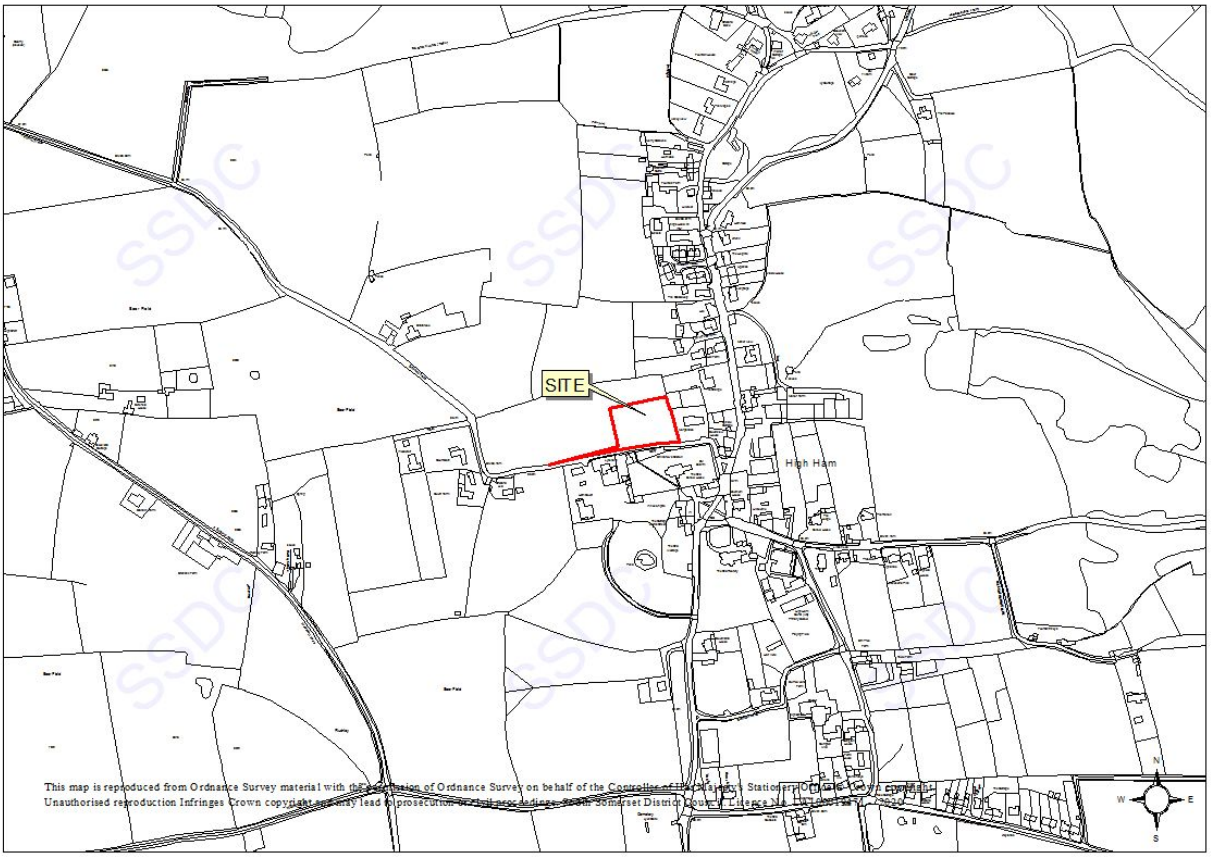
The Ward Members views are contrary to the case officer's recommendation.

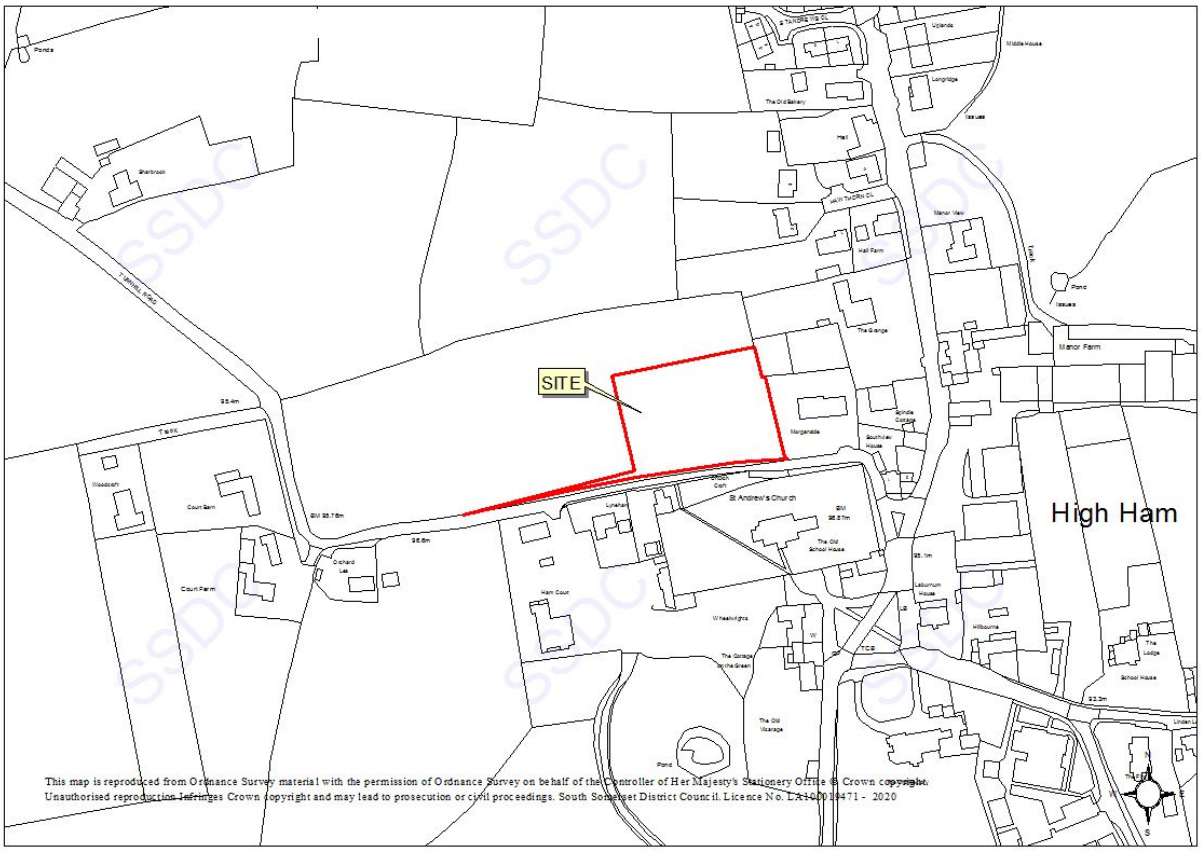
In particular he considers that the application is contrary to Policies SD1, SS1, EQ2 and TA1 of the South Somerset District Local Plan:

- lack of travel plan
- development in open countryside
- lack of employment opportunities in the area
- unsustainable location
- does not reinforce local distinctiveness close to Listed Buildings
- no cycle storage.

The Area Chairman agrees with the Ward member that the application should be heard at committee

SITE DESCRIPTION AND PROPOSAL





This is a full application for the erection of 3 No. dwellings with associated works including the creation of a new access and landscaping at Land Adjoining Morganside, Turnhill Road, High Ham, Langport.

The proposed dwellings will be constructed in a mixture of brickwork and natural stone reflecting the historic nature of their surroundings. They will have clay double roman tiles to the roofs. They will have low eaves with painted dormer windows with lead cheeks to achieve the required head heights in the first floor rooms for plots one and two.

The proposed dwellings will be constructed adjacent to but not within High Ham Conservation Area where the views from within and without are considered highly important in the assessment of this planning application.

Plots one and two are in a semi-detached arrangement whereas plot three is a detached stand-alone dwelling.

Plans were withdrawn for a similar style development was withdrawn last year to allow for improvements to the submitted plans.

HISTORY

18/03691/FUL - Erection of 3 dwellings with associated works including the creation of a new access at land adj. Morganside, Turnhill Road, High Ham - Application withdrawn

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, SS1, SS2, SS4, SS5, TA1, TA5, TA6, EQ1, EQ2, EQ3, EQ4

National Planning Policy Framework
Chapters 2, 4, 5, 8, 9, 11, 12, 14, 15,

National Planning Practice Guidance
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

Parish Council: objection

Planning comments
The principal objections of the Parish Council relate to damage to the landscape and visual impact and access concerns and lack of need.

LANDSCAPE AFFECT

- The project is out of keeping with the landscape in which it is embedded and is harmful to heritage assets and a conservation area. (note 1)
- Includes conservation area
- Church of St Andrew (listed I)
- The Grange (listed II)
- Church Croft
- 2 separately listed sections of historic Churchyard wall (grade II) - (Note 5)
- Failure to comply with SS2 (note 3) when no identified need
- Drainage of the land would appear to be inadequate. - Local knowledge confirms that the proposal is in the wettest part of the field. This means that this part of the field, a former quarry, has in the past been under water (at least 6") following heavy rain and the natural drainage from the higher field immediately behind it Concern is raised regarding ridge heights should the floors be elevated to avoid the floods. Attention will also need to be given to how this water will be removed from the site as the current arrangements consist of a pipe that is located under 'The Grange' and Field Road and discharges into the Manor Farm field.

VISUAL IMPACT (Note 4)

- By virtue of its nature and placement it will be impossible to ignore the site from many aspects of the village.
- By its placement it will become a dominant feature of the landscape including loss of view of heritage assets.
- The footpath close to the site that is regularly used by both parishioners and others will be spoilt and enjoyment of the views from these, particularly relating to the heritage assets will be nullified.
- The points raised by the CPRE in a letter dated 31st October 2019 and submitted to the Planning Authority are wholly supported by the Parish Council

ACCESS CONCERNS & HIGHWAYS SAFETY

- The Parish Council's view on the Access Statement is that of a flawed piece of work that provides no meaningful knowledge of the area and its road infrastructure. It is believed that the Planning Authority could significantly prejudice the health and safety of all road users along this stretch of Turnhill Road, if approved, and would urge decision-makers to take heed of local knowledge as to ignore this could have serious consequences of an adverse nature in the future. (Note 5). There is also a highly increased risk to the churchyard wall of which 2 sections are separately grade II listed.

LACK OF NEED

- Contrary to SS2 of the Local Plan no need for this development has been demonstrated and it derives the Parish no benefit. The applicant's main argument in the planning statement appears to be that in the absence of a 5-year housing land supply, the development should be approved. This proposal will not make a significant contribution to that shortfall and there are no significant public benefits of 3 open market houses in this sensitive location. Together with the parish housing needs

assessment which informs the Parish Council accurately of the need, (which High Ham Community Land Trust are seeking to meet), in the Parish Council's view this development is unacceptable as the local need is not met. (Note 6)

- Further view of the Church and setting of open countryside

NOTES

Note 1 Significant harm to character and landscape including heritage assets and conservation area.

The Parish Council is very concerned that the potential for any development on this site will introduce real harm to the character and landscape of the area. No matter what the documentation submitted contains (Note 2), the proposed site is located within the close proximity to local heritage assets and a conservation area. The Parish Council believes that it is not relevant if the local heritage assets are designated or not as the whole immediate area must be seen 'in the round' as each are important to the other in the wider setting and how the co-exist with each other must be taken seriously. The openness of the field in which the proposed site exists also contributes to the character of this location which hasn't changed for many years and is very distinct.
Any development on this site will significantly impact on this local distinctiveness and be out of context with what currently exists. The natural setting of 'Church Croft' in particular should not be compromised in any way or from any direction. Additionally, it is believed the NPPF espouses the need to be mindful that 'setting' with respect to any asset may extend beyond its curtilage. This does, therefore, equally apply to the Grade 1 Listed Church of St Andrew and the Grade II listed 'The Grange'. In the Parish Council's view any development in the historic open field opposite the conservation area would introduce negative change, which could sever the link between the heritage assets and their original setting. Additionally, the occupiers of Church Croft will have their privacy compromised and will be subject to 'overlooking'.

Note 2 - With regard to documentation and Heritage Assets
The Parish Council is really concerned with the blasé attitude that has been applied to the statements contained within the documentation which have, sadly, been allowed to inform the conclusions reached. In the Planning Statement, in respect of the heritage assets, reference is made to the heritage assessment undertaken as identifying:
"The completed assessment has identified no significant harm in respect of the significance or setting of any designated heritage assets due to the predicted effects of the proposed development. Whilst a minor impact has been assessed regarding the wider landscape setting of the grade II Listed Grange, its setting is considered to offer only a minor contribution to its overall heritage significance which is derived largely from its historical and architectural value.
Assessment of the contribution made by the site in its current form to the setting of the grade 1 Listed Church of St Andrew concluded that the designated heritage asset will not be directly or indirectly affected by the proposed development area to the north which comprises land assessed to make no major contribution to its setting or significance."
It is believed that this statement actually concludes that a degree of harm to the two heritage assets nearby, along with Church Croft 'is' introduced as a result of the proposed development. Whether the degree of harm is 'significant' or 'minor', harm is still caused and any kind of harm to these assets is unacceptable and the Planning Authority should acknowledge this. Note 1 refers to the co-existence with each other which is crucial to avoid detriment and must be taken seriously.
Not only is it a sensitive rural location, the lack of facilities, shop, bank, petrol station, cashpoint, doctors etc., requires all householders to drive, as there are no daily bus services. The application is, once again, misleading as the 850 and 903 services do not operate daily. This means that in practice, with all other practical factors, it is an unsustainable location for this application which will do nothing but cause the utmost harm to the Parish whilst not fulfilling any genuine need within the parish.

Note 3 - Failure to comply with SS2
There are an abundance of 4-bed dwellings in the High ham Community, mainly detached with a smaller

number of semi-detached. This proposal, therefore, does not meet the identified need determined in a housing needs survey undertaken within the last 2 years or so. The housing needs survey concluded that the community needed at least 5 affordable homes to allow young people with a strong connection to the High Ham community to be able to live where that strong connection exists. As a result a Community Land Trust (CLT) was formed and is making good progress and appropriate sites for 'attuned' development are being considered. This is a community led initiative that will deliver tangible benefits to local people whilst addressing the needs identified. This proposal, therefore adds no value to the community whatsoever and is not community led.
The Parish Council wish to remind the Planning Authority that High Ham is a 'rural settlement' and Policy SS! States; "Rural Settlements will be considered as part of the countryside to which national countryside protection policies apply."
Additionally, the provisions of SS" state:
"Development in Rural Settlements" (not market Towns or Rural Centres) will be strictly controlled and limited to that which:
1) Provides employment opportunities appropriate to the scale of the settlement;
And/or
2) Creates or enhances community facilities and services to serve the settlement;
And/or
3) Meets identified housing need, particularly for affordable housing.
Development will be permitted where it is commensurate with the scale and character of the settlement, provides for one or more of the types of development above, and increases the sustainability of a settlement in general. Proposals should be consistent with relevant community led plans, and should generally have the support of the local community following robust engagement and consultation.
Because none of the above criteria in items 1, 2 and 3 are satisfied the Parish Council suggests that it can be concluded that the proposal fails to satisfy policy SS2 of the Local Plan as it does not provide employment opportunities, enhance community facilities and services to serve the development, or meet an identified housing need, particularly affordable housing, and it is not community led. Additionally, it is clear from the number of objection letters submitted to the Planning Authority over the last year regarding the previous proposals submitted and currently, there is no support in the local community for this proposal.

Note 4- Visual Impact Concerns
The proposed location is one of prominence and will be very visible from a number of directions. The view from the public footpath would be adversely affected and not be as stated in the Heritage Statement provided: 'offering only a limited view towards the church, conservation area and other heritage assets'. Local knowledge confirms that the field immediately behind the proposed site in question sits at a much higher level and offers a natural vantage position to view the Church and the conservation area. Additionally, the views that currently exist from all directions will be permanently altered and this will have a detrimental impact on this long-standing natural settings.
There appears to be an element of ambiguity within the information provided. In paragraph 4.1 of the Planning Statement there is reference to a single access point serving all 3 dwellings. In paragraph 6.9 there is reference to each dwelling having a new access? Should the 3 access points be the intention, this will seem to be out of kilter with what currently exists from a street scene/local character perspective.
Additionally, there appears to be confusion as to what style the proposed design follows. In paragraph 4.1 it states the dwelling have been 'designed to an agricultural aesthetic' whereas 6.14 states 'the design shifted from an agricultural aesthetic to a rural cottage vernacular.' With so many iterations on a theme, it is inevitable that some information from a previous submission gets left in the next?
The excellent letter from CPRE dated 31st October 2019 submitted to the Planning Authority is wholly supported by the Parish Council and provides a very coherent and cohesive argument against development at this location.

Note 5 - Access and Highways Concerns.
No amount of 'desk top studies can determine accurate assessments of the potential danger but hose living in close proximity to the site can provide the most accurate assessment based on actual

experience and local knowledge including that of the high number of unreported accidents.
The reliance on crash Map data is no substitute for local knowledge and experience. Many problems are regularly encountered, particularly at the Church bend section of the road which has seen HGV's stuck at this point and needing to reverse over one mile along Turnhill road to continue their journeys. Damage to the listed church wall, and adjacent property, has been caused on a number of occasions as a result of this. This confirms that this road does not have the capacity to cope with large vehicles or increased numbers of vehicles using it and there is a far increased risk of damage to the listed wall by encouraging additional traffic. The safety of road users should also be considered as paramount as this is a dangerous section of road.

Likewise, the blind junction leading into Field Road must be taken into account especially during school term-time and the impact in the opposite direction, through the hamlet of Bere, will also compound existing problems and have an adverse impact on safety. There is no substitute for local knowledge and, once again, the Parish Council would encourage the planning Authority to take these considerations seriously. The access to the site from the main parish is accessed by two 'blind' junctions at the little green. These are not suitable junctions for additional traffic.

In line with the new access point, or points, the Parish Council is very concerned to read it is the intention to 'realign a section of the hedge'. Any such intent will completely change the character of this stretch of road as well as inflict irreparable damage to wildlife. Glow worms and slow worms have been seen to exist in this area! Likewise, the suggestion in paragraph 6.9 that the widening of the road will provide great benefit in terms of cars being able to pass is absolute nonsense. Yes, it may well allow the passing of 2 cars (only cars) at the widened point proposed but this does not provide any additional benefit throughout the remaining length of single track road that Turnhill Road is.

Note 6 - The applicant's use of the Council's lack of 5-year land supply
This argument appears to be a common trend with current applications for new development received within the Parish. If applicants and their agents hold the view that a situation now prevails whereby the Planning Authority will automatically grant approval because of the lack of a 5 year land supply then, it is incumbent, once again, on the planning Authority to ensure this understanding is not as all-pervading as it appears. The authority should scrutinize every application on its own individual merits, on its compliance with local and national policies, and ensure the development is meeting a need and the planning authority should be bold enough to determine the outcome without having the fear of future appeals looming on the horizon with the potential costs to the Authority if lost.
If this is not the case, then the Planning Authority will fail to act in a fair, just and reasonable way which becomes, essentially an abuse of power and whose professional decision-making and judgement flawed. If the Planning Authority does not take heed of these considerations it will not be able to provide the professional support and guidance to communities like High Ham who are trying to maintain the very fabric of its landscape and the heritage assets it holds, whether designated or not.
Should the tilted balance be in play, with regards to the lack of 5-year land supply, the local plan policies 'must' remain relevant, and it must be understand the weight given to them will vary according to circumstances, including the extent of the land supply shortfall. (the Planning Authority has a 4 year supply) and the prospect of the significant future development taking place around the District will soon make up the shortfall.
This application, in the Parish Council's view makes no significant contribution to the shortfall, and certainly does not offer any public benefits that outweigh the damage caused by this application on the sensitive location. (refer to para 196 NPPF)

Other Notes of extreme importance to the application
As noted at the start whilst this is a new proposal the Parish Council feels there is no fundamental change to the position, in terms of opposing it, presented over 12-months ago and again following amendments submitted last spring. From an initial public consultation exercise consisting of 14 houses on the site - 5 affordable 9 open market, to the submission of 3 gigantic luxury detached homes that looked totally out of place in their setting, resulting in a further amendment that was eventually withdrawn

after many months. The latest iteration brings us to this entirely new application submitted on a reduced scale, with the proposed dwellings located in an entirely different part of the field. However, it should be noted that despite the reduced scale, it is believed the cumulative impact of incremental changes may have as great an effect on the significance of the existing heritage assets/conservation area as a large scale change. The reduced scale, along with the design change is irrelevant as there should be no development of any kind in this location. The revised location does introduce additional concern to the Parish Council regarding the potential for the whole field to be developed should the principle for development be established. Should this be the outcome, this historical part of our parish would be changed forever and represent 'urban sprawl' in a countryside location. The Planning Authority should visit 'Fountain Road' area of the community and see first-hand how the landscape has moved from its original rural setting to one of urbanisation.

HIGHLIGHTING CONCERNS AND PARALLELS WITH 17/04870/OUT
With reference to 17/04870//OUT and the outcome of the appeal that was determined on 6th March 2019 (appeal ref APP/R3325/W/18/321183). The appeal was dismissed and much is pertinent to this planning application (19/02777/FUL) as one of the purposes of the Inspectors investigations was to determine the effect of the proposed development on the character and appearance of the area, including the setting of grade II listed Windsor Farm. (A listed building within our Parish.)
.
The Parish Council would draw the Planning Authority's attention to what it believes are very salient points and, for ease, the salient points of the appeal notice are provided as they appear with the relevant paragraph numbers as follows:

"15. Given the scale of the proposal in respect of the setting of the listed building, I consider that the harm would, in the terminology of the revised Framework, "be less than substantial". Nevertheless, being mindful of the statutory duty in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, great weight should be given to its conservation. Any harm to, or loss of, its significance as a designated heritage asset should require clear and convincing justification.
16. As I have found that the proposed development would cause less than substantial harm, this should be weighed against any public benefits. The provision of two additional dwellings would only make a limited contribution to local housing supply in the area. The appellant's Design and Access Statement also refers to highway safety benefits as a result of the proposed removal of 4 hedgerows. However, I have seen no firm evidence to show the extent of any pre-existing problems in this regard and I therefore attach limited weight to any such public benefits.
17. Overall, the public benefits would not therefore outweigh the great weight that I am required to attach to the conservation of the setting of Windsor Farm.
20. I recognise that historically the roadside boundaries were demarcated by metal railings and I saw the remains of these on my site visit. Nevertheless, it does not follow that their repair and reinstatement would now be appropriate and although the appellant characterises the proposed removal of hedgerow as much needed maintenance, it would in my judgement have a deleterious effect on the character and appearance of the area.

22. Drawing this main issue to a conclusion, I find that the proposed development would fail to preserve the setting of the listed building and would cause less than substantial harm to its significance as a heritage asset. In the absence of any public benefits to outweigh this harm, it would conflict with SSLP Policy EQ3 which seeks to safeguard or where appropriate enhance the significance, character, setting and local distinctiveness of heritage assets. For the same reasons, it would conflict with Section 16 of the revised Framework.

22. Furthermore, the location of the appeal site on the edge of the village and removal of hedgerows would represent an unacceptable intrusion into the countryside contrary to SSLP Policy EQ2 which requires development proposals to conserve and enhance the landscape character of the area and reinforce local distinctiveness.
The proposal would also give rise to less than substantial harm to the setting of a Grade II listed building

which would not be outweighed by public benefits and would be harmful to the character and appearance of the wider area.

30. For the reasons given, and having regard to all other matters raised, the appeal should be dismissed".
The Parish Council believe that there are many parallels to the application (18/03691/FUL) under consideration with that of the appeal decision (17/04870/OUT) and would, once again, urge the Planning Authority to be mindful of the appeal determination, the principles that underpinned this reasoning and attach sufficient weight to the professional judgement applied.

The Parish Council believes, therefore, that it is incumbent on the Planning Authority to take due cognisance of the Planning Inspectors findings as there are many parallels with the proposals being considered in this application. Likewise, consistency of approach and application of the principles than underpin the planning policies that apply, would instil greater confidence amongst the general public that the Planning Authority is actually undertaking its responsibilities in a fair, measured and professional manner

CPRE

CPRE Somerset wishes to OBJECT to this proposal for the following reasons:

1. Harm to village character and its landscape.

We consider that the development site is part of an intact high quality village landscape, and that it forms an important component of the setting of the Conservation Area.

The openness of the field in which the proposal is located contributes to the distinctive character of this part of the village, and to the significance of the Conservation Area. This openness would be substantially impacted by the proposed development, and the village setting would be harmed accordingly.

The narrow single lane forms a clear and historic edge to the Conservation Area. The proposal represents unplanned urban sprawl into open countryside. The historic edge of the village and its conservation area would be blurred by this proposed development, thereby adversely impacting local distinctiveness and failing to respect local context.

The Planning Statement notes that the site falls within the 'Moor Fringe' character area of the Fivehead and Ham Hill Escarpments, Valley and Moors landscape area ('The Landscape of South Somerset, 1993'). Its opinion is that 'the proposed modest development would not adversely impact upon the main characteristics of the landscape area'. However the text of the 1993 publication explains (on p.15) that one of the characteristics of the Moor fringe character area is that 'hedges are usually species rich and fields are sometimes long and thin emphasising the flow of the slope'. The field in which the proposed development site lies is long and thin, and thus highly characteristic of the landscape area. Furthermore the proposed development site is entirely filled with evidence of medieval farming strips (ridge and furrow). The housing would truncate the field by at around a third, leaving an isolated section arguably too small for productive use and thus vulnerable to further planning applications.

The proposed development would occupy a prominent position in the field, and be highly visible from the footpath running east-west to the north of the site. We do not agree that the footpath 'affords very limited views across the site of the church due to the intervening substantial mature hedgerow boundary' (Heritage Statement, para 4.46), nor would this be the case in winter months.

There are multiple other viewpoints of the conservation area from the north and north-west. The proposed development would restrict many of these views, and thereby detract from its significance.

This can be understood in Photo 1, taken from the north -west corner of the field looking back to the conservation area (Planning Statement). The middle distance in front of the conservation area would be filled with the development, restricting the view which has remained largely unchanged for centuries.

Furthermore we consider that the views from both the east and west side of Turnhill Road will be permanently altered by this proposal.
In para 4.1 of the Planning Statement it is stated that the proposed dwellings have been 'designed to an agricultural aesthetic replicating converted barns', whereas in para 6.14 it is stated that 'the design shifted from an agricultural aesthetic to a rural cottage vernacular'. Notwithstanding this confusing description of the style of the dwellings, few existing houses in the village have been built in rows. The layout and relationship to the lane of the proposed development is not sympathetic to the existing residential footprint.

The setting back of hedging and the opening of three access points will give the development a suburban feel, and change the character of the lane. The Heritage Statement accepts (at para 4.45) that cartographic studies indicate that all extant hedgerows within and at the extents of the site should be considered 'important' under the Hedgerow Regulations 1997, and thus be protected from removal.

For these reasons the proposal does not conserve and enhance the landscape character of the area, neither does it reinforce local distinctiveness nor respect local context. In our opinion it is therefore not compliant with LP Policy EQ2; nor with the relevant provisions of the NPPF, including Para 127 which provides among other things that planning decisions should ensure that developments are 'sympathetic to local character and history including the surrounding built environment and landscape setting'.

2. Harm to the setting of heritage assets.

The planning application is accompanied by a Heritage Statement. Its conclusions regarding the proposed development are that it would have little if any adverse impact on the heritage assets. We disagree.

As regards the church, the Heritage Statement concludes that ' the wider setting of the church, in part reflective of the agricultural origins of the settlement from the early medieval period, is considered to offer a far more limited contribution to the significance of the heritage asset (than its immediate setting)' (para 5.17); and that 'the site does not form part of the setting of the church (our emphasis) due in large part to the presence of the enclosing effect of the trees within the churchyard itself and its boundary treatments' (para 6.4). However the development site occupies a prominent position immediately in front of the church. It will be highly visible from multiple viewpoints, and restrict views of the conservation area from the north. The NPPF (Glossary) defines 'setting' as ' the surroundings in which an asset is experienced and may therefore be more extensive than its curtilage'. It is clear therefore that the site does form part of the setting of the church. The wider setting is important precisely because of the agricultural origins of the settlement. The fact that the wider setting closely resembles the setting at the time the asset was constructed contributes particularly strongly to significance (see Historic England's publication: The Setting of Heritage Assets 2015, p.4). The site and the field in which it lies is an important component of the wider landscape setting due to its close proximity to the heritage assets.

As regards the Grange, the Statement concludes that 'the wider village setting, whilst of some significance in the 19thc siting of the building, is not considered a major contributor to its significance'. We disagree. As with the church, the setting of the Grange is essentially unchanged since the asset's construction, and this fact contributes particularly strongly to significance.

As regards the conservation area, the Statement states that 'the site lies outside the boundaries of the conservation area, clearly not considered to be of an appropriate level of significance to warrant its inclusion when boundaries were drawn up'. This argument ignores that all heritage assets including conservation areas have settings, whether designated or not; and that the setting is the surroundings in

which the asset is experienced. It concludes that: 'The contribution of the site to the setting and thus the character of the conservation area is assessed to be negligible' (para 5.38). However, in our view, the proposed development site lies in open countryside directly opposite and in close proximity to the conservation area, in a grandstand position for better viewing of its various assets. It would plainly occupy a prominent and highly visible position within the setting of the conservation area, due to its scale and proximity.

The Historic England publication 'Managing Significance in Decision-Taking in the Historic Environment 2015' highlights at p.8 that 'the cumulative impact of incremental changes may have as great an effect on the significance of heritage assets as a large scale change'. The planning application argues that the scale of the proposal has been reduced. However in our view any development in the historic open field opposite the conservation area would be negative change, which could sever the link between the heritage assets and their original setting.

The proposed development would destroy the ridge and furrow earthworks, which should be seen as a non-designated heritage asset of local significance and value given the agricultural origins of the settlement. The loss of this heritage asset is not assessed in the Heritage Statement, although it is admitted at para 4.41 that these earthworks were visible across the whole proposed development site in the 2013 Google Earth sequence.

The impact on two other non-designated heritage assets has not been assessed at all, namely Lyneham and Church Croft. This repeats the omission noted by the Conservation Officer in her response to the previous application.

In our view, for these reasons, the proposal is not compliant with LP Policy EQ3, as it does not safeguard or, where appropriate, enhance the significance, character and sense of place. Rather, it would result in the loss of around a third of the field in which the site lies. The field is indisputably a major component of the setting of the conservation area (given its proximity). The proposal would also result in significant adverse impacts on designated and non-designated heritage assets; and the loss of evidence of medieval farming practices within the setting of the conservation area (ridge and furrow).

3. Local Plan policies and the tilted balance.

The applicant's main argument in the Planning Statement appears to be that in the absence of a five year housing land supply, the development should be approved. However, even when the tilted balance is in play, the Local Plan policies remain relevant, and the weight to be given them is not dictated by government policy. It will vary according to the circumstances, including for example the extent of the shortfall (the LPA has a 4 years supply), and the prospect of development soon coming forward to make up the shortfall.

In our view, this proposal will not make a significant contribution to the shortfall; furthermore there are no significant public benefits of three open market houses in this sensitive location to justify the adverse impacts should the case officer decide that any of them represent less than substantial harm (para 196, NPPF).

The proposal reduces the size of a key component of the setting of the conservation area (i.e. the field in which the development site lies), makes no positive contribution to the heritage assets, nor better reveals their significance. Therefore in our view the proposal is not compliant with para 200 of the NPPF.

The housing is not in the right location, it would not meet an identified housing need, it would adversely impact the setting of heritage assets, including notably the setting of the conservation area, and entail the destruction of ridge and furrow within the immediate landscape setting of an historic village with farming origins.

We trust that you will take account of our views and refuse this application.

Historic England:

Thank you for your letter of 17 October 2019 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Historic England Advice

Historic England provided comments on the previous application (18/03691/FUL) for three dwellings. At that time we agreed with the Heritage Statement in that the surrounding agricultural land, whilst providing the church with a degree of rural context, does not contribute in a significant manner to its setting. We therefore did not consider that a level of development in this location would cause undue harm to the church.

However, we did take the opportunity to raise concern at the scale of the proposed dwellings and disagreed with the Heritage Statement where it judged that 'No Harm is assessed overall in respect of the character of the High Ham Conservation Area'. We considered the location of the development, effectively islanded within its associated field, to be an incongruous addition to the conservation area ('The row of these three substantial houses fails to sit comfortably within the wider plot of land, and will appear at odds with the piecemeal development of the historic settlement'). Whilst we did not assess the land as contributing significantly to the setting of the church, we recognised it as a positive attribute to the rural context of the asset and the conservation area.
We have remained engaged with this proposal and have had sight of this revised location. Whilst it pulls the development in closer to the church, we consider it to offer a more appropriate, natural extension to the village/conservation area. The building types also relate more contextually to the village than the previous iterations (i.e. the original barn complex and the subsequent row of three substantial detached dwellings). As stated previously, we do not consider a small degree of development within this general location to unduly harm the setting of the church, and therefore advise that this scheme sits more comfortably with us.

Recommendation
Historic England has no objection to the application on heritage grounds. We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 127 and 200.
In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

SCC Highway Authority:

I refer to the above-mentioned planning application received on 21 October 2019 and after carrying out a site visit on 5 November have the following observations on the highway and transportation aspects of this proposal:-

The application site is located to the north of Turnhill Road. This is a classified unnumbered road which subject to a 30mph speed limit. In the vicinity of the site the road width generally does not allow two-way traffic flow and footways are not present. It is lightly trafficked and on-site observations confirmed low vehicle speeds (less than 30mph) past the site due to the road geometry.

In terms of traffic impact, three dwellings would be expected to generate 2 vehicle trips during the weekday peak hours and 18 trips over the course of a day. This level of traffic generation is unlikely to have a severe impact on the operation of the local highway network, in the context of NPPF guidance.

Separate accesses are proposed for each dwelling. Visibility splays of 2.4m x 45m and 2.4m x 30m are proposed. Given the highway layout in the vicinity of the site and resultant vehicle speeds, the proposed visibility splays are considered to be appropriate and should be secured by planning condition.

The proposed site layout includes the widening of Turnhill Road in the vicinity of the proposed site accesses. Given the narrow width of Turnhill Road, the localised widening is accepted. These works will require approval in writing and dedicating as highway, along with an appropriate legal agreement/license to undertake the works. The existing telegraph poles may also need to be related in order to accommodate the proposed works. The proposed highway works can be secured by planning condition.

It is noted that sustainable drainage is proposed in the form of an ACO drain and a soakaway. If sustainable drainage is proposed, SUDs will be subject to adequate design and testing of ground suitability and the applicants are advised to carry out these tests and inform SCC of the results at an early stage. Soakaways should not be located within 5.0m of any structure including carriageway in line with current building regulations. The applicant should establish at an early stage that a suitable outfall could be provided to discharge surface water run-off from the development (permission must be sought for the outfall).

Each dwelling would provide a minimum of three parking spaces and internal turningpro vision. This level of parking provision accords with the SCC recommended optimum parking standards.

In the event of permission being granted, I would recommend that the following
conditions are imposed:-

(Conditions and informatives as listed below in full under recommendation)

SSDC Highway Consultant:

SCC comment: see road record plan. SSDC Highways Consultant's comments: SCC has indicated that it will be providing comments and a recommendation in response to this planning application.

SSDC Specialist - (Conservation):

The proposed site abutting the Conservation area is relatively well sheltered. The development would be the first time for the historic envelope of village to be extended into farm land. So far new buildings in this area have been garden/orchard infill. This field is anciently enclosed land, and on the tithe map is named Church croft, an arable field in 1840, now a paddock.

There is little intervisibility from the Grade II listed church nor would there be a strong impact on the setting of the adjacent listed building, the Grade II listed early C19 villa, the Grange. In my view there is not sufficient impact on historic built heritage to recommend refusal on the grounds of harm to setting and the character of the conservation area from this proposal provided the buildings and landscaping (i.e. no tarmac drives etc.) are of appropriate materials and in keeping with the character of the conservation area.

SSDC Environmental Health - suggests conditions relating to construction (see below)

SCC Ecologist

Crossman Associates were commissioned by Boon Brown to undertake an ecological survey of an area of land at High Ham, Somerset. The survey comprised of an ecological appraisal in April 2018. The results of the survey are as follows:

Habitats: The site is a rectangular area of pastureland measuring approximately 4 acres in size with boundary hedgerows. It lies in the centre of a small rural village of High Ham, Somerset.

Amphibians: There are no watercourses on site and no ponds in close proximity to the site up to 250 m, according to Ordnance Survey mapping.

Badgers: There are no badger setts on site and no badger setts were recorded in close proximity of the site where access allowed for inspection.

There is no evidence of badger foraging activity on site or evidence of badger commuting paths; however, it is considered likely that the site occupies the territory of a local badger population.

Reptiles: The site is mainly mown pastureland and management goes right up to the base of hedgerows and other boundary features, which reduces any suitable habitat reptiles. It is possible that the hedgerow bases provide very limited areas of reptile habitat in conjunction with surrounding habitats, particularly at the east of the site where the site adjoins gardens.

Nesting birds: The hedgerows around the boundary of the site provide a nesting resource and foraging resource for birds and at the time of the survey house sparrows Passer domesticus and greenfinches Carduelis chloris were recorded in association with these features.

Dormice: The site is considered to be suboptimal for dormice due to lack of favoured food plants, heavy management of hedgerows and the sites relative isolation within a village-edge context. Dormice prefer dense, species-rich bushy hedgerows with a diverse and wide herb layer; in contrast, the hedgerows on site are flailed so lack seeds or fruit and are manged right up to the base, so lack any significant herb layer.

In order to facilitate visibility splays a large section of hedgerow is to be translocated on site.

Recommendations

To comply with local and national policy, wildlife legislation, and the requirements of the mitigation hierarchy and for biodiversity net gain, please attach the following conditions to the planning permission if granted.

Bats

The proposals should avoid external lighting of the boundaries of the site, therefore please attach the following condition:

- Prior to occupation, a "lighting design for bats", following Guidance note 8 - bats and artificial lighting (ILP and BCT 2018), shall be submitted to and approved in writing by the local planning authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with South Somerset District Council Local Plan - Policy EQ4 Biodiversity.

Badgers

Due to the potential for badgers to use the habitat on site the following informative will be attached:

- The developers are reminded of the legal protection afforded to badgers and their resting places under the Protection of Badgers Act 1992 (as amended). It is advised that during construction, excavations or large pipes (>200mm diameter) must be covered at night. Any open excavations will need a means of escape, for example a plank or sloped end, to allow any animals to escape. In the event that badgers or signs of badgers are unexpectantly encountered during implementation of this permission it is recommended that works stop until advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.

Birds

It is likely that habitats on site will be used by nesting birds, as such the following will be conditioned:

- No vegetation removal works around the site shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the trees, shrubs and scrub and tall ruderal vegetation to be cleared for active birds' nests immediately before works proceed and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

  Reason: Nesting birds are afforded protection under the Wildlife and Countryside Act 1981 (as amended). Although this is a legal obligation the law does not specify a time period - some species can breed outside the time frame given.

Dormice

It is possible that dormice may be using the boundary hedgerows, as such the following will be conditioned:

- The translocation of the northern hedgerow shall not in any circumstances commence unless the Local Planning Authority has been provided with either:
  a) a copy of the licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the development to go ahead; or
  b) a statement in writing from the licensed dormouse ecologist to the effect that he/she does not consider that the specified development will require a licence.

  Reason: A pre-commencement condition in the interest of the strict protection of European protected species and in accordance with policy EQ4 of the South Somerset Local Plan

Reptiles

There is the potential for reptiles to use habitats on site, therefore the following will be conditioned:

- Prior to any vegetative clearance or groundworks, any vegetation in the construction area should initially be reduced to a height of 10 centimetres above ground level by hand, brashings and cuttings removed and the remainder left for a minimum period of 48 hours of fine warm weather (limited rain

and wind, with temperatures of 10°C or above) before clearing to minimise the risk of harming/killing any reptiles that may be present and to encourage their movement onto adjoining land. This work may only be undertaken during the period between March and October under the supervision of competent ecologist. Once cut vegetation should be maintained at a height of less than 10cm for the duration of the construction period. Any features such as the spoil heap on site which potentially afford resting places for reptiles will be dismantled by hand by a competent ecologist in April or August to October and any individuals found translocated to a location agreed with the Local Planning Authority prior to works commencing on site. A letter confirming these operations and any findings will be submitted to the Local Planning Authority by the ecologist responsible prior to works commencing on site.

Reason: In the interests of UK protected and priority species and in accordance with South Somerset District Council Local Plan - Policy EQ4

Hedgerows

In order to protect hedgerows on site the following will be conditioned:

- Retained hedgerows and trees shall be protected from mechanical damage, pollution incidents and compaction of roots in accordance with BS5837:2012 during site clearance works, groundworks and construction and to ensure materials are not stored at the base of trees, hedgerows and other sensitive habitats. A 5m buffer around retained hedgerows will be established with Heras fencing.

  Reason: In accordance with BS 5837:2012, NPPF 2018 and UK Government guidance on Ancient woodland, ancient trees and veteran trees: protecting them from development 2018

Biodiversity Enhancement (Net Gain)

As enhancement and compensation measures, and in accordance with National Planning Policy Framework (NPPF), please apply the following conditions to any planning permission granted.

- A Biodiversity Mitigation and Enhancement Plan (BMEP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior commencement or prior to commencement of construction works. Photographs of the installed features will also be submitted to the Local Planning Authority prior to occupation: The content of the BMEP shall include the following:

  a) Three Habibat 001 bat boxes or similar will be installed under the west-facing gable apex of each garage, so that the boxes face new hedgerow planting, which will provide commuting habitat and connectivity.
  b) Three no. Schwegler 1SP or similar bird boxes will be installed under the eaves of the new dwellings.
  c) Three bee bricks will be built into the wall about 1 metre above ground level on the south or southeast elevation of the dwelling as specified in the manufacturer's guidelines
  d) Any new fencing must have accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgehogs into and out of the site.
  e) New hedgerows will be established between dwellings as outlined within section 4.29 of the Crossman Associates Ecological Appraisal (January 2020).
  f) Where the landscaping scheme allows all new trees planted on site should ideally be from local native stock, such as field maple, ash, hornbeam, dogwood, spindle and beech.

  Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 170(d) of the National Planning Policy Framework

Provided the above conditions are applied as worded, I have no objection to this application.

REPRESENTATIONS

17 letters of objection and 1 of comment:

Objections

- The access road to this proposal is very unsuitable for large lorries/vehicles which will need to get to the site for construction etc.
- Construction issues - my wall has been damaged several times.
- School parking could cause issues for construction traffic.
- Having already had my house damaged in the past I feel this extra traffic could damage my house structurally.
- Turnhill Road is entirely unsuitable for extra traffic
- Loss of views should the houses be built
- Adverse impact on Conservation Area - buildings to high
- The 'desk' flood risk assessment (IMA-18- 065) is quite incorrect. The corner of the field which is the proposed site, opposite Churchcroft is under about 150mm of water for much of winter months firstly, due to surface water from the surrounding land pooling at this point and secondly due to the surface drainage system of the Grange discharging onto this land.
- The consequence of this is that should houses be built on this site then they will have to be raised above this level. Thus the already imposing new buildings would dominate the existing, adjacent properties within the conservation area. Namely the church, Churchcroft, and Morganside.
- Regardless of any alterations made to the hedge at the entrance to the proposed site the access lane beyond that point on either side is very narrow and limited. It is not possible for articulated or large road transport to reach this site. Any increase in road traffic as would inevitably be caused by this development would adversely impact on the existing users.
- This proposed development would fundamentally and adversely change the nature of the centre of this village and its conservation areas.
- This proposal does not meet the criteria set out in the policy document ss2
- There is no need for this type of housing with in the village it does not provide local employment opportunities nor does it enhance or create community facilities.
- Design. While different designs are visible in the village, the proposed designs are not in keeping with traditional Somerset village styles. Filling the remainder of the field with a further 11 properties will compound this with a high density area of housing not seen currently in the village. A staged approach to planning applications is also seen as slightly deceitful when the environmental study submitted as evidence references 14 properties.
- Loss of field and hedgerow
- It has to be said that just because an agricultural field is near other dwellings it does not make it a good location for building. There has been no new planning legislation regarding a free for all to build on agricultural land.
- It is clear from all the objections that the community does not want this to proceed. Feelings are running extremely high in the Parish and I strongly ask you to consider this in your thinking and refuse this application.
- The boundary of the remaining paddock shows no proposal for a new field entrance.
- There appears to be no future plan for the use of the remaining paddock, which is currently used by the local farm for keeping of sheep during lambing as well as grazing.
- Behind the proposed properties there is a narrow strip of land leading back towards the Grange, but again no apparent reason for this, I fear that it will become another trapped parcel of land with no future?
- The Ecological appraisal appears to have missed the existence of a drainage ditch which run along the boundary with Turn Hill.
- The proposed design, there appears to be no continuity between the semi-detached and the

detached design proposals. Both of which are out of scale with Church Cottage opposite.

- Ecology Appraisal dose not relate to the current proposal and gives scant regard to the local wild life that includes a wide variety of bird life and other mammals including Bats that roust in the area around the Church and are regularly seen flying in the area.
- Total invasion of my privacy
- The proposed development makes provision for 10 resident cars to add to the existing traffic close to the difficult corner. In addition there will be service, utility, trade vehicles and other visitors. It would cause a substantial increase in traffic on a narrow, winding road with a sharp, blind corner on the West side of the site.
- Some traffic from the site will turn right for Bridgwater/Taunton etc. away from the village but that will be pushing the problem of greater traffic in Beer which is a tiny, twisting road with its own issues, through a National Trust Area.

- The sustainable transport mentioned is hardly thus. A bus on some days provides no more than a short trip to Langport. Cycling/walking to facilities: whilst they are close it will be more hazardous with the extra traffic. The desk assessment has stated that the footpath through the churchyard would benefit anyone wishing to access the school, pub, village hall etc. This would entail walking along and crossing the main road with no pavements. At school times, with the chaotic parking, the walk would be particularly hazardous.
- The site is adjacent to the conservation area on two sides. The visual impact will be considerable. These buildings will be high and dominating the site opposite and next to the conservation area, including the church. Churchcroft particularly will be adversely affected. Views of the conservation area would be obscured for any walkers coming from Turn Hill towards the village. Equally, looking out from the village going to Turn Hill the openness of the surrounding area will be affected detrimentally.
- Our rural environment will change substantially. The route up to the National Trust at Turn Hill and around Rushley Road is a popular village walk, there are many times when cyclists, horse riders and walkers enjoy it as a local asset. Removing age old hedging to create new splays will also spoil this environment.
- The county ecology report from the last application is still pertinent. As far as I know there has been no bat, dormouse or butterfly survey which were noted and are high on the list of scientific interest. Whilst no badger activity was reported, there are plenty which cross our land and the development area, in addition to slow worms, deer and owls. I think they all benefit from the lack of light pollution at this end of the village and proximity to the woods at the end of the road.
- The local housing survey identified a need for 5 affordable/low cost homes. This need is currently being addressed by the local Community Land Trust. The proposed Turn Hill development would extend the village to the West. I don't see how it benefits our community. That would be a very cynical claim. It appears the pasture attached to a historic, village house is now deemed to be development land because of the 5 yr. county plan loophole which is being exploited.
- Personally, our privacy will be compromised. There are windows which overlook our garden, patio and main living room window on the West. We need to ensure there is no building or structure within 30 ft. of our boundary as per our deeds.

Comment

- Whilst I would not object in principle to this reasonably small development it seems to me that access is the major problem. It would, in my view be much improved if the development site were moved to the west towards the centre of the existing field boundary and perhaps slightly north toward the northern boundary of the field enabling a significant widening of the roadway to facilitate access.
- I note the phase 1 ecological survey and respect the conclusions of that. However, I would point out that the verge at the edge of the site does support a small population of glow-worms and the road-side hedge is a slow-worm habitat. Therefore it would be desirable to ensure appropriate care is taken in dealing with any alterations to the verges and hedges.

CONSIDERATIONS

Principle of Development

The site is located at the heart of High Ham adjacent to the main conservation area. Policy SS1 (Settlement Strategy) of the Local Plan highlights the areas where new development is expected to be focused, grouping certain towns and villages into a hierarchy, of settlements including the Strategically Significant Town (Yeovil), Primary Market Towns, Local Market Towns and Rural Centres. All other settlements, including High Ham, are 'Rural Settlements', which policy SS1 states "will be considered as part of the countryside to which national countryside protection policies apply (subject to the exceptions identified in policy SS2. Policy SS2 states:

"Development in Rural Settlements (not Market Towns or Rural Centres) will be strictly controlled and limited to that which:

- Provides employment opportunities appropriate to the scale of the settlement; and/or
- Creates or enhances community facilities and services to serve the settlement; and/or
- Meets identified housing need, particularly for affordable housing.

Development will be permitted where it is commensurate with the scale and character of the settlement, provides for one or more of the types of development above, and increases the sustainability of a settlement in general. Proposals should be consistent with relevant community led plans, and should generally have the support of the local community following robust engagement and consultation. Proposals for housing development should only be permitted in Rural Settlements that have access to two or more key services listed at paragraph 5.41 (i.e. local convenience shop, post office, pub, children's play area/sports pitch, village hall/community centre, health centre, faith facility, primary school)."

Usually applications in locations such as this would be considered against the settlement strategy contained within Local Plan policies SS1 and SS2, however the Local Planning Authority are currently unable to demonstrate a five year supply of housing sites. In the context of the National Planning Policy Framework these policies should be considered out of date, as they are relevant to the supply of housing. In such circumstances, it is advised that planning permission should be granted unless *1) the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or 2) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.*

As a starting point, in the current policy context, High Ham is a settlement that does contain at least two of the key services listed in paragraph 5.41 of the Local Plan and therefore is considered to be a generally sustainable location, in terms of policy SS2. Specifically there is a public house, children's play area, village hall, church and a primary school. Taking this into account, and noting the lack of 5 year land supply, it is considered that the development of this site for residential purposes could be acceptable in principle, subject of course to the assessment of other appropriate local and national policy considerations, to determine whether there are any adverse impacts that would significantly and demonstrably outweigh the benefits. These are discussed below.

Policy EQ3 is relevant to this planning application and it reads as follows:

POLICY EQ3: HISTORIC ENVIRONMENT Heritage assets will be conserved and where appropriate enhanced for their historic significance and important contribution to local distinctiveness, character and sense of place. Their potential to contribute towards the economy, tourism, education and local identity will be exploited. All new development proposals relating to the historic environment will be expected to:
o Safeguard or where appropriate enhance the significance, character, setting and local distinctiveness

of heritage assets; o Make a positive contribution to its character through high standards of design which reflect and complement it and through the use of appropriate materials and techniques; o Ensure alterations, including those for energy efficiency and renewable energy, are balanced alongside the need to retain the integrity of the historic environment and to respect the character and performance of buildings, adopting principles of minimum intervention and reversibility.

The site is to the west of the main conservation area and adjacent to the Grade II Listed Building known as 'The Grange' and the Grade I Listed Church is to the south of the site. Morganside itself is not a Listed building (but within the Conservation Area). Whilst the concerns of the CPRE (above) are duly noted it is considered that the impact on these important Listed Buildings and Conservation Area is not so great as to warrant withholding planning permission in this instance. This is a view which is shared by both the SSDC Specialist in Conservation and Historic England who both hold the view that intervisibility between the proposed dwellings and the Grade I Church and Grade II The Grange is not so great that the dwellings would cause undue harm to the Historic assets and in any case the design of the proposed dwellings is considered acceptable in a historic setting as a whole.

Historic England sums up the proposal well when they note "Whilst it pulls the development in closer to the church, we consider it to offer a more appropriate, natural extension to the village/conservation area. The building types also relate more contextually to the village than the previous iterations (i.e. the original barn complex and the subsequent row of three substantial detached dwellings). As stated previously, we do not consider a small degree of development within this general location to unduly harm the setting of the church, and therefore advise that this scheme sits more comfortably with us."

This is also noted in the submitted Heritage Statement which states:

'The completed assessment has identified no significant harm in respect of the significance or setting of any designated heritage assets due to the predicted effects of the proposed development. Whilst a minor impact has been assessed regarding the wider landscape setting of the Grade II Listed Grange,
its setting is considered to offer only a minor contribution to its overall heritage significance which is derived largely from its historical and architectural value. Assessment of the contribution made by the Site in its current form to the setting of the Grade I Listed Church of St. Andrew concluded that the designated heritage asset will not be directly or indirectly affected by the proposed development area to the north, which comprises land assessed to make no major contribution to its setting or significance.

Scale and Appearance

The proposed dwellings are of a suitable design to respect the historic character of this core of the village. The use of natural stone as a dominant building material is to be welcomed and will be in keeping with the conservation area as a whole which has some fine examples of natural stone properties. The appearance would be similar to both Morganside and the property across the road so the new dwellings would be in keeping with the street scene. This part of the Conservation Area is also characterised by fairly large properties set in big plots (as is the case with this proposal - so in terms of scale and appearance this is considered acceptable)

Residential Amenity

There are no residential amenity issues raised by this proposal. The plots are set back from the road so that the new dwellings will not appear over dominant to the properties across the road and are far enough from Morganside so as not to cause any undue overlooking issues between the properties. It is noted that one of the objectors is concerned about overlooking but this is a residential area and whilst it may appear that one is being more overlooked there are no technical overlooking issues (i.e. the normal separation distances between overlooking windows are maintained throughout this application)

Environmental Health have suggested some conditions to ensure disruption is kept to a minimum during

the construction period, this is agreed and supported as the building work will be near to some residential properties and whilst there will be noise during constriction if it could be restricted to daytime hours would minimise disturbance for these properties.

Highway Safety

The County Highway Authority have raised no objections to the proposal subject to suitable conditions and informatives which are duly supported. In terms of parking - Plots 1 and 2 would be provided with a minimum of three car parking spaces including a garage. Plot 3 would have at least four car parking spaces including a double garage.
The garaging would have minimum dimensions as set out in the SPS (Somerset Parking Strategy), and the external spaces would measure at least 4.8m x 2.4m which is in accordance with the Strategy.

Ecology

It is noted that this is an agricultural field which is currently being grazed by sheep - therefore the ecological value is perhaps lessened by the constant agricultural use. However an ecological appraisal has been submitted with this application which has the following recommendations:

'It is recommended that the following to be undertaken as part of the proposals;

- Sensitive removal of vegetation in relation to nesting birds.
- Retention and translocation of boundary hedgerows.
- New landscape planting.'

It is noted that an objector points out that badgers are around the site and the ecological report recognises this saying that it may be a territorial area for them - but there are no setts present on site that would be affected by this proposal. The report also states that there are no bats present nor any likely habitats for them on site. It says that dormice are unlikely to be present on site and points out that domestic cats act as a predator for them in any case.

An objector points out that slowworms may be present and whilst this is not confirmed by the ecologist it is noted that hedgerows on the site will be carefully managed to ensure that disruption is kept to a minimum as the objector requests.

Extensive negotiations over a protracted period have taken place between the agent and the County Ecologist the outcome being a list of proposed conditions which will make the development acceptable and these are reproduced and recommended as below. It is also noted the Parish Council had concerns about the translocation of the hedge and it impact on ecology which is covered by the suggested conditions.

Planning Obligations

As of 3rd April 2017, the Council adopted CIL (Community Infrastructure Levy), which is payable on all new residential development (exceptions apply) should permission be granted, an appropriate informative will be added, advising the applicant of their obligations in this respect.

Conclusion

The proposal by reason of size, scale and materials, is acceptable as it respects the character of the site and its surroundings, and has no detrimental impact on local ecology, residential amenity or highway safety. The Specialist Conservation raises no concerns relating to the impact on heritage assets and the provision of three extra dwellings will assist against the lack of the Councils five year housing land supply. As such, the proposed development is considered to accord with the aims and objectives of policies SD1, TA1, TA5, TA6, EQ2, EQ3 and EQ4 of the South Somerset Local Plan and the aims and

objectives of the NPPF.

RECOMMENDATION

To grant permission subject to appropriate conditions.

01. The proposal by reason of size, scale and materials, is acceptable as it respects the character of the site and its surroundings, and has no detrimental impact on local ecology, residential amenity or highway safety. The Specialist Conservation raises no concerns relating to the impact on heritage assets and the provision of three extra dwellings will assist against the lack of the Councils five year housing land supply. As such, the proposed development is considered to accord with the aims and objectives of policies SD1, TA1, TA5, TA6, EQ2, EQ3 and EQ4 of the South Somerset Local Plan and the aims and objectives of the NPPF.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans:

    Location Plan 1:1250 3863-PL-101
    Proposed site plans and street scene 3863-PL-102A
    Plots 1 and 2 Plans, Elevations and Sections 3863-PL-103
    Plot 3 Plans, Elevations and Sections and Plot 3 Garage Plans, Elevations and Sections 3863-PL-104.

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

03. Before the dwellings hereby permitted are first occupied, 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 and in accordance with Policies TA5 and TA6 of the South Somerset District Local Plan

04. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority. Such provision shall be installed before occupation and thereafter maintained at all times.

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

05. The area allocated for parking on the submitted plan, drawing number 3863-PL-102, shall be kept clear of obstruction at all times and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

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

06. At the proposed accesses there shall be no obstruction to visibility greater than 300 millimetres above adjoining road level within the visibility splays shown on the submitted plan. (Drawing number 3863-PL-102) Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

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

07. Any gates shall be hung so as to open inwards and not project onto the highway.

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

08. No part of the development hereby permitted shall be occupied until the proposed highway works consisting of the widening of Turnhill Road along the site frontage as shown on the submitted plan, drawing number 3683-PL-02 has been carried out in accordance with a design and specification to be approved in writing by the Local Planning Authority and being fully implemented in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

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

09. Noise emissions from the site during the development of the site i.e. the demolition, clearance and redevelopment of the site, shall be limited to the following hours where noise is audible at any point at the boundary of any noise sensitive dwelling:

Mon - Fri	08.00 - 18.00
Sat	08.00 - 13.00

All other times, including Sundays, Bank and Public Holidays there shall be no noisy activities.

Reason: In the interests of the amenity of nearby existing residential properties and in accordance with Policy EQ2 of the South Somerset District Local Plan.

10. There shall be no burning of materials arising on site during any phase of the demolition, site clearance and redevelopment.

Reason: In the interests of the amenity of nearby existing residential properties and in accordance with Policy EQ2 of the South Somerset District Local Plan.

11. Prior to the development commencing, the applicant shall submit a method statement for written approval by the Local Planning Authority which shall detail the working methods to be employed on site during the construction (and preparation associated with construction) of the site. Measures (including screening) to be taken to minimise emissions of dust, fumes, odour, noise, vibration etc. shall be included in the method statement. Details for the safe disposal of waste materials shall also be included.

Reason: In the interests of the amenity of nearby existing residential properties and in accordance with Policy EQ2 of the South Somerset District Local Plan.

12. Prior to occupation, a "lighting design for bats", following Guidance note 8 - bats and artificial lighting (ILP and BCT 2018), shall be submitted to and approved in writing by the local planning authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

    Reason: In the interests of biodiversity and in accordance with Policy EQ4 of the South Somerset District Local Plan.

13. No vegetation removal works around the site shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the trees, shrubs and scrub and tall ruderal vegetation to be cleared for active birds' nests immediately before works proceed and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

    Reason: In the interests of biodiversity and in accordance with Policy EQ4 of the South Somerset District Local Plan.

14. The translocation of the northern hedgerow shall not in any circumstances commence unless the Local Planning Authority has been provided with either:
    a) a copy of the licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the development to go ahead; or
    b) a statement in writing from the licensed dormouse ecologist to the effect that he/she does not consider that the specified development will require a licence.

    Reason: In the interests of biodiversity and in accordance with Policy EQ4 of the South Somerset District Local Plan.

15. Prior to any vegetative clearance or groundworks, any vegetation in the construction area should initially be reduced to a height of 10 centimetres above ground level by hand, brashings and cuttings removed and the remainder left for a minimum period of 48 hours of fine warm weather (limited rain and wind, with temperatures of 10°C or above) before clearing to minimise the risk of harming/killing any reptiles that may be present and to encourage their movement onto adjoining land. This work may only be undertaken during the period between March and October under the supervision of competent ecologist. Once cut vegetation should be maintained at a height of less than 10cm for the duration of the construction period. Any features such as the spoil heap on site which potentially afford resting places for reptiles will be dismantled by hand by a competent ecologist in April or August to October and any individuals found translocated to a location agreed with the Local Planning Authority prior to works commencing on site. A letter confirming these operations and any findings will be submitted to the Local Planning Authority by the ecologist responsible prior to works commencing on site.

    Reason: In the interests of biodiversity and in accordance with Policy EQ4 of the South Somerset District Local Plan.

16. Retained hedgerows and trees shall be protected from mechanical damage, pollution incidents and compaction of roots in accordance with BS5837:2012 during site clearance works, groundworks and construction and to ensure materials are not stored at the base of trees,

hedgerows and other sensitive habitats. A 5m buffer around retained hedgerows will be established with Heras fencing.

Reason: In the interests of biodiversity and in accordance with Policy EQ4 of the South Somerset District Local Plan.

17. A Biodiversity Mitigation and Enhancement Plan (BMEP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior commencement or prior to commencement of construction works. Photographs of the installed features will also be submitted to the Local Planning Authority prior to occupation: The content of the BMEP shall include the following:

a) Three Habibat 001 bat boxes or similar will be installed under the west-facing gable apex of each garage, so that the boxes face new hedgerow planting, which will provide commuting habitat and connectivity.
b) Three no. Schwegler 1SP or similar bird boxes will be installed under the eaves of the new dwellings.
c) Three bee bricks will be built into the wall about 1 metre above ground level on the south or southeast elevation of the dwelling as specified in the manufacturer's guidelines
d) Any new fencing must have accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgehogs into and out of the site.
e) New hedgerows will be established between dwellings as outlined within section 4.29 of the Crossman Associates Ecological Appraisal (January 2020).
f) Where the landscaping scheme allows all new trees planted on site should ideally be from local native stock, such as field maple, ash, hornbeam, dogwood, spindle and beech.

Reason: In the interests of biodiversity and in accordance with Policy EQ4 of the South Somerset District Local Plan.

18. No building operations above damp proof course level of the dwellings and garages shall take place until details of the materials to be used in the construction of the external surfaces (doors/windows/stonework/render/brick/roof finish) of the dwellings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity and to accord with policy EQ2 of the South Somerset Local Plan.

Informatives:

01. The County Highways Authority advises:

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

- Footnote: The proposal involves road widening, which should be dedicated to form part of the public highway. The applicant is therefore advised to contact the Transport Development Group at County Hall, Taunton, TA1 4DY, for details of the dedication procedure. The Highway Service Manager for the South Somerset Area at The Highways Depot, Mead Avenue, Houndstone Business park, Yeovil, Somerset, BA22 8RT, Tel No 0845 345 9155, must also be consulted regarding the specification and supervision of these works before they commence on site.

- Having regards to the powers of the Highway Authority under the Highways Act 1980the

applicant is advised that the creation of the new access will require a Section 184 Permit. This must be obtained from the Highway Service Manager for the South Somerset Area at The Highways Depot, Mead Avenue, Houndstone Business park, Yeovil, Somerset, BA22 8RT Tel No 0845 345 9155. Application for such a permit should be made at least four weeks before access works are intended to commence.

02. 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.

03. The SCC Ecologist advises:

The developers are reminded of the legal protection afforded to badgers and their resting places under the Protection of Badgers Act 1992 (as amended). It is advised that during construction, excavations or large pipes (>200mm diameter) must be covered at night. Any open excavations will need a means of escape, for example a plank or sloped end, to allow any animals to escape. In the event that badgers or signs of badgers are unexpectantly encountered during implementation of this permission it is recommended that works stop until advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.