



Area North Committee

Wednesday 22nd July 2020

2.00 pm

A virtual meeting via Zoom meeting software

The following members are requested to attend this meeting:

Neil Bloomfield
Malcolm Cavill
Louise Clarke
Adam Dance

Mike Hewitson
Tim Kerley
Tiffany Osborne
Clare Paul

Crispin Raikes
Dean Ruddle
Mike Stanton
Gerard Tucker

Planning applications will be considered no earlier than 2.00pm

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 21 July 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 13 July 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 Crime 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.

Agendas and minutes of meetings are published on the council's website at:
<http://modgov.southsomerset.gov.uk/ieDocHome.aspx?bcr=1>

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

Public participation at 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 21 July. 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 21 July 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.

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

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

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

Ordnance Survey mapping/map data included within this publication is provided by South Somerset District Council under licence from the Ordnance Survey in order to fulfil its public function to undertake its statutory functions on behalf of the district. Persons viewing this mapping should contact Ordnance Survey copyright for advice where they wish to licence Ordnance Survey mapping/map data for their own use. South Somerset District Council - LA100019471 - 2020

Area North Committee

Wednesday 22 July 2020

Agenda

Preliminary Items

1. Minutes

To approve as a correct record the minutes of the previous meeting held on 27 May 2020.

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 26 August 2020** using Zoom virtual meeting software.

5. Public question time

6. Chairman's announcements

7. Reports from members

Items for Discussion

8. **Area North Committee Forward Plan** (Pages 7 - 8)
9. **Planning Appeals** (Page 9)
10. **Schedule of Planning Applications to be Determined By Committee** (Pages 10 - 11)
11. **Planning Application 20/01169/FUL - Land Adjoining Kirkholme, Back Lane, Curry Rivel TA10 0NY.** (Pages 12 - 20)
12. **Planning Application 20/01078/FUL - Land At Wearne Farm, Wearne Main Road, Wearne TA10 0QJ** (Pages 21 - 29)
13. **Planning Application 19/02460/FUL - Land At Little Upton Bridge Farm, Langport Road, Long Sutton.** (Pages 30 - 43)
14. **Planning Application 20/00685/HOU - Parsons Barn, Martock Road, Long Sutton** (Pages 44 - 47)
15. **Planning Application 20/00686/LBC - Parsons Barn, Martock Road, Long Sutton** (Pages 48 - 51)

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

This does not apply to decisions taken on planning applications.

Agenda Item 8

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
<i>Aug / Sept</i>	<i>Area North – Area Chapter</i>	<i>Quarterly update report.</i>	<i>Locality Team Manager</i>
<i>TBC</i>	<i>Somerton Conservation Area</i>	<i>Report regarding the Somerton Conservation Area Appraisal and designation of extensions to the Conservation Area.</i>	<i>TBC</i>
<i>TBC</i>	<i>Community Grants</i>	<i>To consider any requests for funding.</i>	<i>TBC</i>

Agenda Item 9

Planning Appeals

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

19/02931/FUL - Melbury House Badgers Cross Lane Somerton TA11 7JF
Erection of 3 dwellings and retention of existing dwelling and the formation of new access/parking.

19/02725/FUL - Lower Hurcot Farm Hurcot Lane Somerton TA11 6AA
Change of use of land from agricultural to residential and the erection of a 3-bay open fronted timber frame garage and adjoining loose-box on a concrete base with an apron in front of two bays.

19/03022/HOU - Long Sutton Farmhouse Martock Road Long Sutton Langport TA10 9HU
Erection of a garden shed (revised application 18/03115/FUL)

19/03162/HOU - Magnolia Cottage Shells Lane Shepton Beauchamp Ilminster TA19 0LX
Demolition of existing garage conversion and the erection of two storey side extension with a Juliet balcony to the rear elevation, new dormer to front elevation & extended dormer and a rooflight on rear roof slope.

Appeals Dismissed

None

Appeals Allowed

None

Agenda Item 10

Schedule of Planning Applications to be Determined by Committee

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 Tuesday 21 July 2020.

SCHEDULE					
Agenda Number	Ward	Application	Brief Summary of Proposal	Site Address	Applicant
11	CURRY RIVEL, HUISH & LANGPORT	20/01169/FUL	Erection of 2 dwellings with garages and new vehicular access.	Land Adjoining Kirkholme, Back Lane, Curry Rivel.	Mrs W Allerton
12	CURRY RIVEL, HUISH & LANGPORT	20/01078/FUL	Demolition of buildings, erection of a dwelling and conversion of an existing building into ancillary living accommodation and garaging.	Land at Wearne Farm, Wearne Main Road, Wearne.	Margaret Cook
13	TURN HILL	19/02460/FUL	The erection of 3No. detached holiday letting units with parking and associated works.	Land at Upton Bridge Farm, Langport Road, Long Sutton.	Mrs G Rickards
14	TURN HILL	20/00685/HOU	Proposed installation of 2No. dormer windows to the rear elevation following removal of 2No. existing roof lights.	Parsons Barn, Martock Road, Long Sutton.	Mr & Mrs P Brand
15	TURN HILL	20/00686/LBC			

Further information about planning applications is shown on the following page and at the beginning of the main agenda document.

The Committee will consider the applications set out in the schedule. The Planning Officer will give further information at the meeting and, where appropriate, advise members of letters received as a result of consultations since the agenda has been prepared.

Referral to the Regulation Committee

The inclusion of two stars (**) as part of the Development Manager's recommendation indicates that the application will need to be referred to the District Council's Regulation Committee if the Area Committee is unwilling to accept that recommendation.

The Lead Planning Officer, at the Committee, in consultation with the Chairman and Solicitor, will also be able to recommend that an application should be referred to District Council's Regulation Committee even if it has not been two starred on the Agenda.

Human Rights Act Statement

The Human Rights Act 1998 makes it unlawful, subject to certain expectations, for a public authority to act in a way which is incompatible with a Convention Right. However when a planning decision is to be made there is further provision that a public authority must take into account the public interest. Existing planning law has for many years demanded a balancing exercise between private rights and public interest and this authority's decision making takes into account this balance. If there are exceptional circumstances which demand more careful and sensitive consideration of Human Rights issues then these will be referred to in the relevant report.

Agenda Item 11

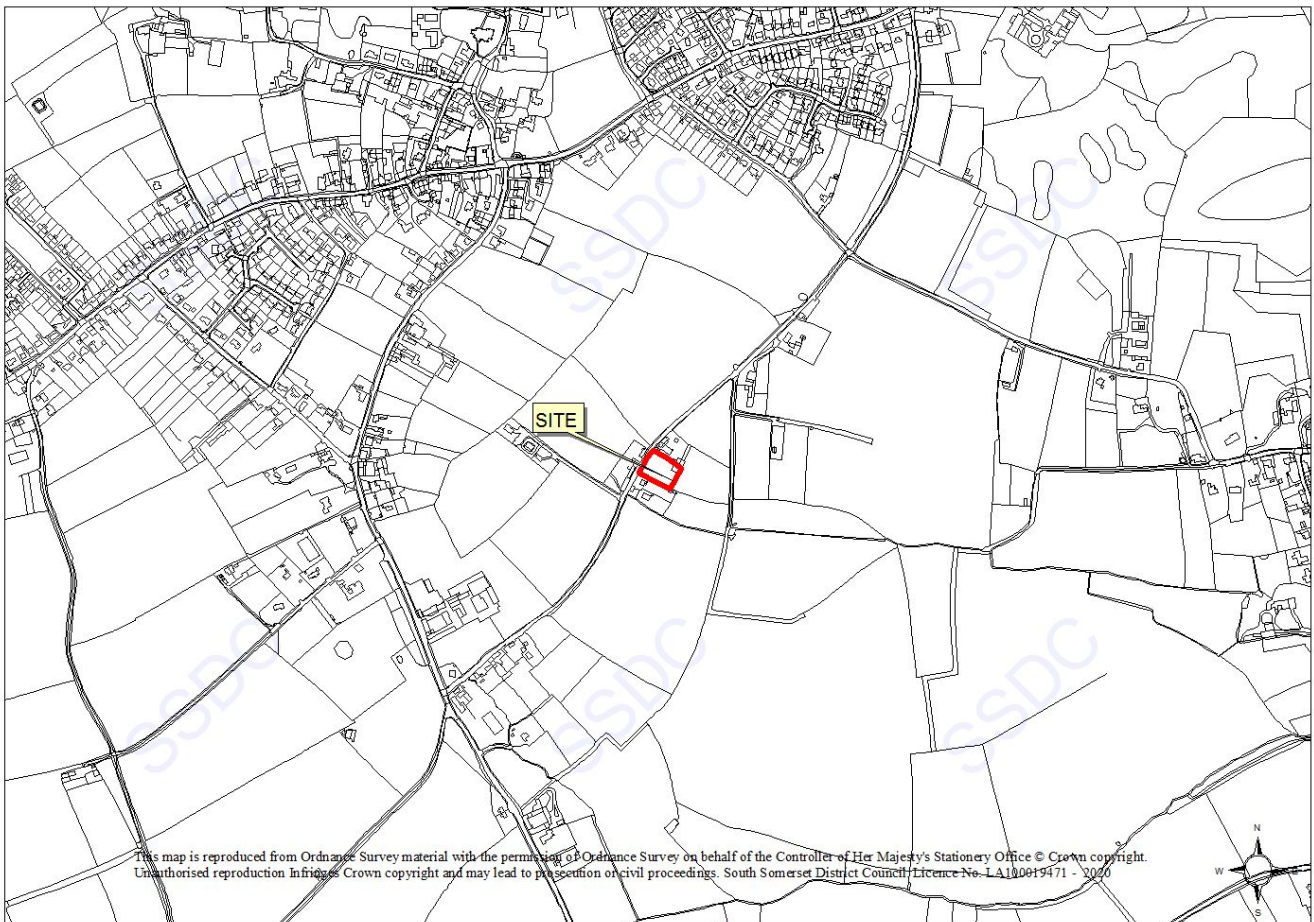
Officer Report On Planning Application: 20/01169/FUL

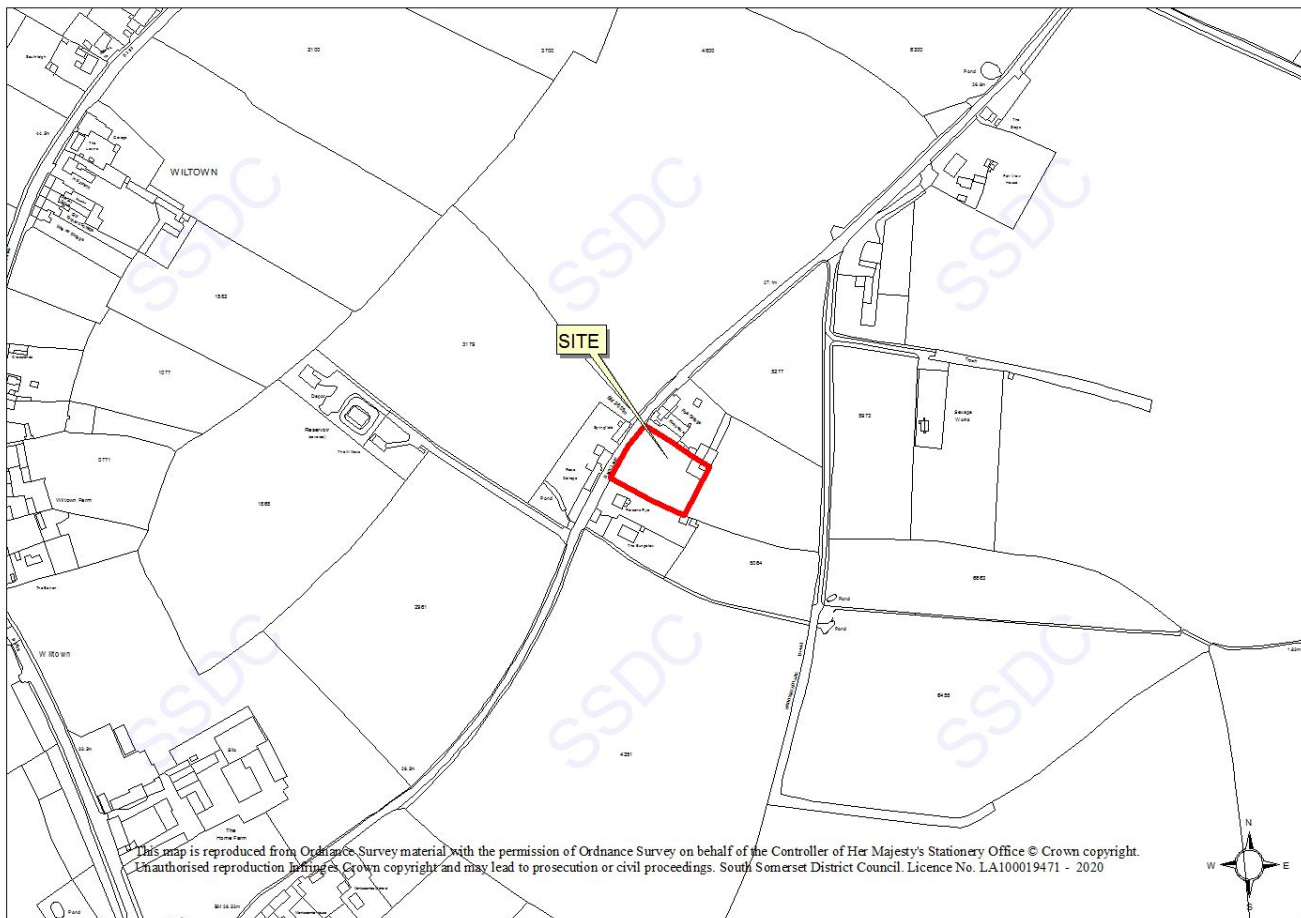
Proposal :	The erection of 2 dwellings with garages and new vehicular access.
Site Address:	Land Adjoining Kirkholme, Back Lane, Curry Rivel TA10 0NY.
Parish:	Curry Rivel
CURRY RIVEL, HUISH & LANGPORT Ward (SSDC Members)	Cllr T Osborne Cllr C Paul
Recommending Case Officer:	Colin Arnold
Target date :	19th June 2020
Applicant :	Mrs W Allerton
Agent: (no agent if blank)	Paul Dance, 11 North Street, Stoke Sub Hamdon TA14 6QQ
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFERRAL TO COMMITTEE

In order for Members to discuss the highway matters associated with this application.

SITE DESCRIPTION AND PROPOSAL





This is an application for the erection of 2 dwellings with garages and new vehicular access at land adjacent to Kirkholme, Back Lane, Curry River.

The plot of land is situated between two dwellings namely Kirkholme and Parsons Rye. It is fairly isolated but within 500 metres (as the crow flies) of the nearest facility (public house).

The two dwellings are arranged in a semi-detached arrangement whereas the neighbours are detached properties set in fairly large gardens.

Back Lane is subject to the national speed limit although it is accepted that the actual average speeds may be below this.

HISTORY

18/03299/FUL - The erection of two dwellings with garages and new vehicular access. Withdrawn

19/01861/FUL - The erection of two dwellings with garages and new vehicular access. 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, 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: Unanimous objection. Full objection available on website:

- Inappropriate for site being too high and overpowering
- Clashes with local vernacular in design siting and materials
- Access and egress onto Back Lane an issue as its used as a 'rat run'
- These two dwellings are likely to have six vehicles which is contrary to NPPF guidance which is against the low carbon agenda
- Septic tank not appropriate given change in regulations in April
- If Old Oak Farm Entertainment Centre survives the Covid pandemic this will create an extra 40 events a year adding to traffic on road

SCC Highway Authority: Standing Advice Applies

SDDC Highway Consultant:

On the assumption that the proposed access arrangement, layout, position, visibility splays, surfacing, drainage, parking and turning provision is no different to that which was eventually recommended for approval under planning application number 19/01861/FUL, no objection is raised to the current scheme subject to the same highways-related conditions being imposed.

SDDC Environmental Protection Unit:

I have reviewed this application and considered my colleague's earlier view that;
"the proposed development site is located in very close proximity to Old Oak Farm Wedding Venue. This site has been granted planning permission (reference 15/00455/COU) for up to 15 weddings per calendar year. My concern is that occupiers will be significantly adversely affected by live and amplified music especially at weekends when wedding events are most likely. This close proximity increases the possibility of a statutory nuisance occurring.
As such I do not consider this site a suitable location of residential development and I recommend planning permission is refused on this basis."

Since that application the Wedding Venue has itself been granted a variation to its planning permission, ref 19/02531/S73. I have attached the decision notice for your ease of reference. This variation allows for 40 events to be held per calendar year, 25 using unamplified music with 15 permitted to use amplified music. The marquee hereby approved shall only be erected on site, and used in conjunction with the use of the subject land as a wedding and events venue, between 1st May and 30th September in any one calendar year.

As part of the application the Wedding venue submitted a noise impact assessment, ref IMP5629-1, which I have also attached. This assessment states that "It was found that in order to meet criterion on noise a maximum working limit of 80dB LAeq, 15min should be set at the dance floor centre. Additionally, acoustic screening should be installed around and within the marquee." In my experience I believe that should this measure be effectively implemented this would significantly reduce the likelihood of loss of amenity and nuisance. However this was NOT conditioned neither in the S73 planning permission (since in that context it would be unenforceable) nor the operators premises licence; so this remains a recommendation which would only become relevant from an enforcement standpoint where a nuisance was to be determined under Section 80 of the Environmental Protection Act 1990. However in my view, this document represents "Best Practicable Means" and should any enforcement under the EPA 1990 be required the Council can refer back to this measure and insist that it is implemented.

The conditions applied to 19/02531/S73 have been put in place in order to protect local amenity. Given that there are existing dwellings adjacent to the proposed development it would be inconsistent to recommend refusal of this application and in my judgement not a position the Council could defend at any Appeal.

Therefore I have no objection on noise grounds.

SCC Archaeologist:

Thank you for consulting us on this application.

The site lies in an area of archaeological potential. Investigations at Oak Farm found evidence for early Roman activity. The Roman villa at Drayton; a Scheduled Monument, is a further indication of the level Roman occupation in the vicinity. The application site is therefore considered to have potential for activity associated with Romano British (and possibly earlier) settlement activity.

For this reason I recommend that the developer be required to carry out trial trench investigation and provide a report on any discoveries made as indicated in the National Planning Policy Framework (Paragraph 199). This should be secured by the use of the following conditions attached to any permission granted.

"Programme of Works in Accordance with a Written Scheme of Investigation (POW)

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

Please get in touch if you require any further information.

REPRESENTATIONS

2 letters of support:

- I support this application as I feel they will be a great addition to Curry Rivel. The applicants look like they have been very particular with this planning to make the road entrance access suitable.

7 letters of objection:

- Previous application was withdrawn because of the officers concern regarding noise from the nearby wedding venue
- Traffic issues - I don't feel an adequate survey has been done
- Proposed properties to large and out of keeping
- Danger to horse riders and walkers
- Hedge is a habitat to birds and animals and should not be removed.
- Loss of light caused to our property
- Urban design out of keeping in this rural area
- Site lies in an area of geographical roman activity (Case officer - noted and the archaeologist consulted and recommends a condition as above which is duly supported and recommended below)
- Noise issues

CONSIDERATIONS

Principle of Development

Usually housing 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.*

In this instance the site is within easy walking distance of Curry Rivel which has every facility available except a health centre - therefore the site is a sustainable location and the 'titled balance' of the NPPF as stated above applies and limited residential development is considered acceptable - subject to material considerations which are explored below:

Scale and Appearance

The proposed dwellings are arranged in a semi-detached manner which is not common in this part of Back Lane however, this in itself is not considered to be an issue to withhold consent. The design is fairly repetitive and there is no real variation between the two dwellings (although it is noted that the design does have porches and a setback to add a little interest to the proposed design)

However with no real discernible street scene and with no great objection to the proposed design as a whole it is considered that the proposal is acceptable in terms of their scale and appearance.

It is not agreed with the objectors or the Parish Council that the dwellings would be over dominant in the street scene. It will have a similar length frontage to the semi-detached properties to the north for instance.

In terms of materials the application just states local natural stone as one of the proposed finishes and to ensure that the appropriate stone and method of construction using that stone is utilised a condition is proposed asking for further details prior to commencement.

Residential Amenity

There are no objections in terms of adverse impact on residential amenity (notwithstanding noise which is discussed below)

Some of the objections relate to potential overlooking from the proposed dwellings - this is not agreed because the windows on the side elevations (the ones which could potentially be an issue) are all on ground floor level and only an ensuite is at first floor level which is proposed to be obscure glazed. The ground floor level windows can be prevented via appropriate boundary treatments between the proposed dwellings and the existing neighbours. It is accepted that oblique overlooking will occur from the first floor rear windows but this is to be accepted with new development in a cheek by jowl situation (and is replicated throughout the country).

Highway Safety

The SSDC Highways Consultant has raised no objections to the scheme proving adequate conditions are proposed which are recommended below. So whilst the objectors and Parish Councils concerns are duly noted it is considered that this proposal would not severely impact on highway safety in this area and as such a reason for refusal on highway grounds without proper coherent evidence that the accesses are dangerous etc. and without the support of the Highway Consultant would not be sustainable at appeal.

Noise

The objectors are entirely correct when they state that the previous application was withdrawn due to noise issues being raised via the Environmental Protection Unit (EPU) due to a nearby entertainment venue at Oak Tree Farm. The EPU at the time raised objection to the proposal based on the fact that it would be bad planning contrary to Policy EQ2 to place new dwellings in an area where the occupants could be affected by undue noise and disturbance from the venue and may lead to complaints from the occupants etc.

In response to this application the EPU recognise that there has been a change of circumstances (outlined above - noise impact assessment submitted as part of a recent application) which means that the noise is more controlled and they can revise their original objection to that of 'no objection'. They no longer consider that the matter can be defended at appeal and this is agreed.

Other matters

The Parish Council raise concerns about the use of a Septic tank but this would be a building control matter. Notwithstanding this a condition relating to foul and surface water drainage is proposed to ensure that this matter is adequately covered and approved in accordance with the requirements of building regulations in this regard.

The objectors points about the roadside hedge are duly noted and a condition is proposed to ensure that this is removed at the appropriate time outside of nesting periods etc.

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 noise issue has been addressed and the proposed new occupants won't be subjected to undue noise and disturbance and the addition of two new dwellings will assist with the lack of a five year housing supply that the Council currently has in a sustainable location. 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. The noise issue has been addressed and the proposed new occupants won't be subjected to undue noise and disturbance and the addition of two new dwellings will assist with the lack of a five year housing supply that the Council currently has in a sustainable location. 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.

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:

DP1055/29 Location and Site Plan
DP1055/25 Ground and First Floor Plans
DP1055/27 Block Plan
DP1055/26 Elevations
Footpath Plan
Highway Report by LbW Highways Ltd
Acoustic report by Impact Acoustics

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

03. The development hereby permitted shall not be commenced until particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the Local Planning Authority.

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

04. Before the development hereby permitted is commenced, foul and surface water drainage details to serve the development, shall be submitted to and approved in writing by the Local Planning Authority and such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: In the interests of the proper drainage of the site and in accordance with Policy EQ2 of the South Somerset District Local Plan.

05. The area allocated for parking and turning on the submitted plan number DP1055/27 Block Plan shall be kept clear of obstruction and shall not be used other than for parking and turning 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 2006-2028

06. There shall be no obstruction to visibility greater than 600 millimetres above adjoining road level in advance of lines drawn 2.4 metres back from the carriageway edge on the centre line of the vehicular access and extending to points on the nearside carriageway edge 43 metres to the east and 43.5 metres to the west. Such visibility shall be fully provided before the development hereby permitted is brought into use 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 2006-2028

07. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared 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 by the ecologist

Reason: In the interests of nesting wild birds and in accordance with policy EQ4 of the South Somerset Local Plan.

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

Reason: In the interests of archaeology and in accordance with Policy EQ3 of the South Somerset District Local Plan.

09. Prior to occupation of the each dwelling of the dwellings hereby permitted, they shall be fitted with a 16amp electric charging point for electric vehicles

Reason: To ensure that the development is resilient and sustainable, and as required by Policy TA1ii (Low Carbon Travel) of the South Somerset Local Plan (2006-2028) and the provisions of the NPPF.

10. The first floor windows to the south west and north east elevations shall be fitted with obscure glazing and fixed shut (or fitted with a limiter) and thereafter retained and maintained as such.

Reason: In the interests of privacy and in accordance with Policy EQ2 of the South Somerset District Local Plan.

Agenda Item 12

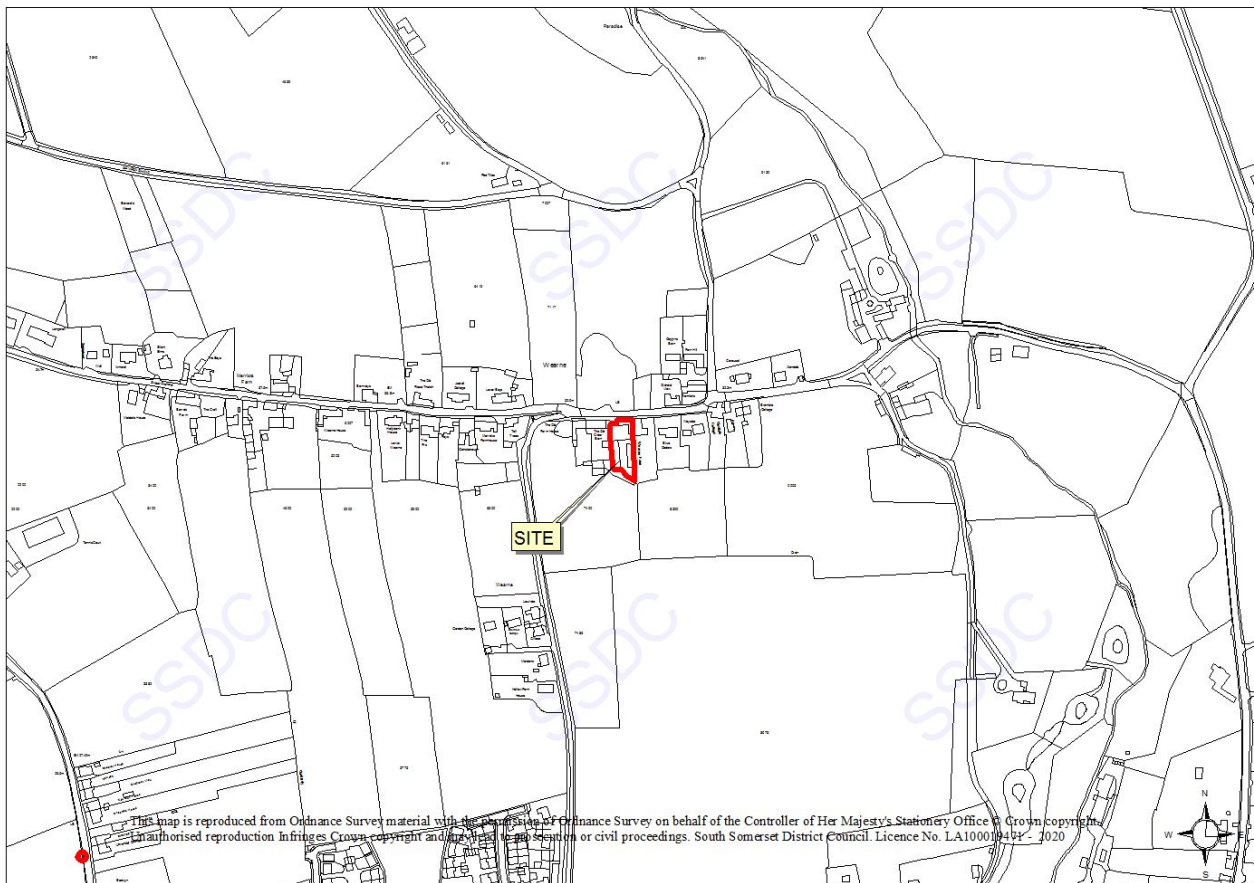
Officer Report On Planning Application: 20/01078/FUL

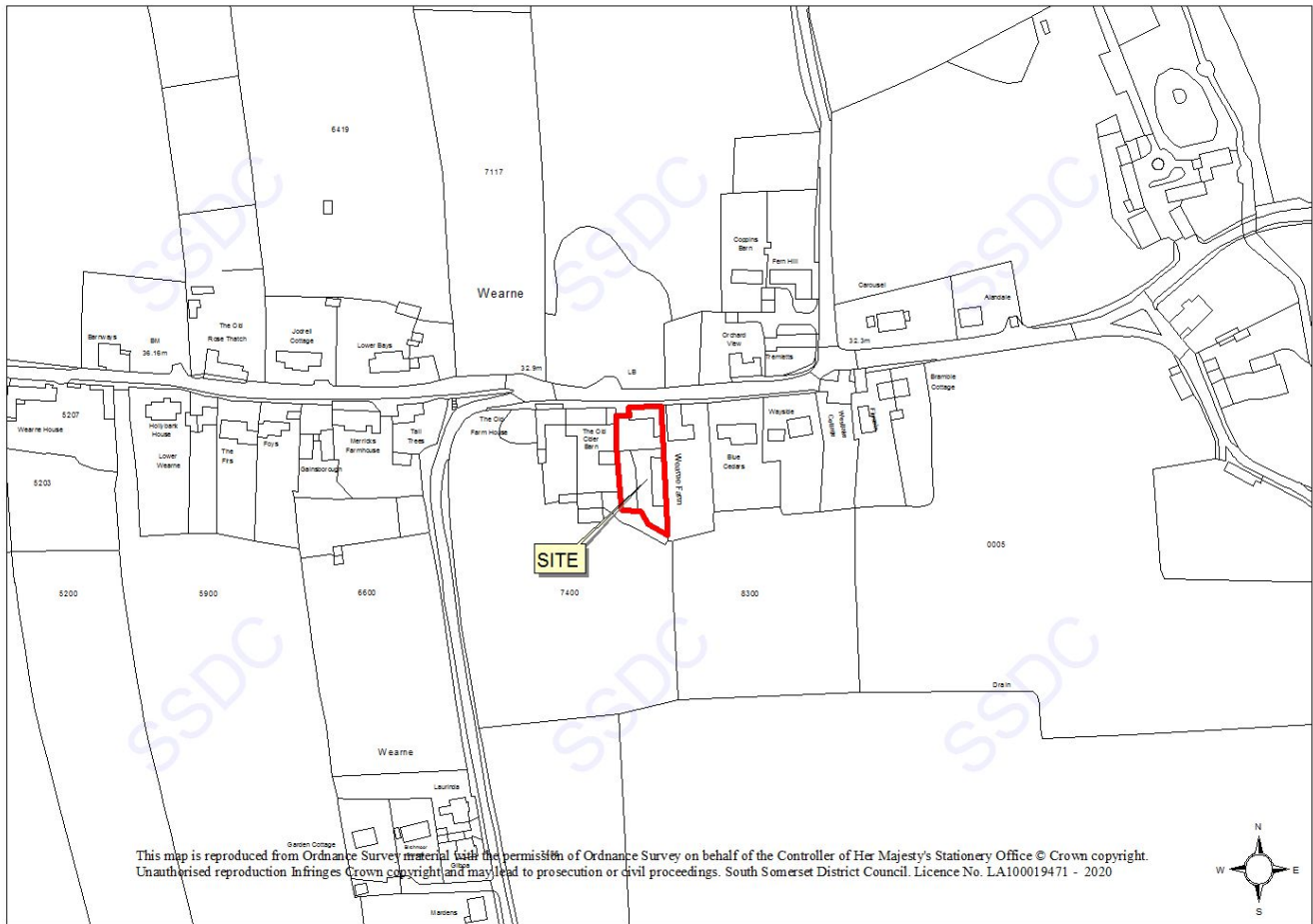
Proposal :	Demolition of buildings, the erection of a dwelling and the conversion of an existing building into ancillary living accommodation and garaging
Site Address:	Land At Wearne Farm, Wearne Main Road, Wearne TA10 0QJ
Parish:	Huish Episcopi
CURRY RIVEL, HUISH & LANGPORT Ward (SSDC Member)	Cllr T Osborne Cllr C Paul
Recommending Case Officer:	Mr Robert Brigden
Target date :	10th June 2020
Applicant :	Margaret Cook
Agent: (no agent if blank)	Michael Williams, Sanderley Studio, Kennel Lane, Langport TA10 9SB
Application Type :	Minor Dwellings 1-9 site less than 1ha

REASON FOR REFFERAL TO COMMITTEE

The Ward Members disagree with the Case Officers recommendation and consider the site to be sustainable. The Area Chairman agreed that the matter should be referred to committee for further debate.

SITE DESCRIPTION AND PROPOSAL





The site comprises land located on the southern side of Wearne Road, and contains three buildings - an L-shaped structure running alongside part of the site's northern and eastern boundaries, and two light-weight, agricultural structures located at the southern end of the site. The submitted information states that the site is currently in use for caravan storage. The northern building is Grade II listed, and forms part of a range of structures connected to Wearne Farm House. The site forms part of a very small rural settlement, which contains no key facilities.

This planning application proposes the demolition of the two southern buildings and their replacement by a detached, single-storey dwelling, and the conversion of the northern building to ancillary accommodation and a car port. The associated curtilage area would contain garden, parking, and manoeuvring spaces, with vehicular access being taken through the existing access onto the highway.

HISTORY

There are no previous planning decisions at the site of particular relevance to the proposal.

Pre-application advice has previously been given in relation to a scheme for three dwellings, including two at the site (reference: 19/00479/PREAPP). It was concluded that the site is not located in a sustainable location and that this harm would not be outweighed by other material considerations in this case.

POLICY

Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that planning applications should be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

For the purposes of determining current applications, 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

SS4 - District Wide Housing Provision

SS5 - Delivering New Housing Growth

SS6 - Infrastructure Delivery

TA5 - Transport Impact of New Development

TA6 - Parking Standards

HW1 - Provision of open space, outdoor playing space, sports, cultural and community facilities in new development

EQ1 - Addressing Climate Change in South Somerset

EQ2 - General development

EQ3 - Historic Environment

The following are material planning considerations:

National Planning Policy Framework

Planning Policy Guidance

Climate change

Design

Adopted Somerset County Council Parking Strategy

Somerset County Council Highways Development Control - Standing Advice

CONSULTATIONS

Huish Episcopi Parish Council - No objections.

SSDC Highways Advisor - Acceptance to the principle of the proposed development in this location must be largely a planning matter to determine. The traffic impact of the scheme on the local highway network is unlikely to be significant or severe, especially when considering the type and volume of traffic that could be generated by the agricultural building that would be demolished. The means of access seems reasonable. While the westerly visibility splay may fall below standard, given that this is an existing entrance and bearing in mind the issue above about comparable traffic generation, I am minded to accept the splay in that direction. The roadside building appears to have an existing entrance directly onto Wearne Lane. I note that it is proposed to retain this feature but for the access to be permanently closed. Provided the roadside building is used ancillary to the main residence (the new dwelling) and not as a separate dwelling (which can be conditioned) I believe the scheme can be supported on highways grounds. I recommend the imposition of conditions securing the submitted visibility splays, on-site parking and turning as shown, the use of the roadside building ancillary to the main residence and the provision of an electric vehicle charging point. The access already appears to be consolidated

and surfaced - any improvements would be a matter for the applicant to consider provided the first 5m remains bound and properly surfaced and the gates being set back at least 5m from the edge of the carriageway.

Highway Authority - Standing advice applies.

Ecologist - No objections; conditions recommended.

Heritage Advisor - The proposal has two parts. The first is to convert the listed barn along the street front into a studio. The second is to demolish the existing Dutch barn and other agricultural structures in the yard beyond a dividing lias wall and to replace them with a single storey stone and brick H shaped three bedroom dwelling.

Part 1

I would agree with previous advice that according to historic map evidence there was a continuous street frontage which included this barn so when applying curtilage tests the barn would be considered as part of the listing.

The current plans would preserve the character of the street front and overall the character and fabric of the building appears to be preserved and improved as far as can be judged by the description. I would consider this part of the proposal overall acceptable. I note the retention of the existing boundary walls.

Part 2

This area is part of the historic farm yard with intervisibility to the listed building and direct views to and from the village street. I would not consider the existing agricultural buildings harmful, neither would I object to their demolition and construction of a new dwelling in this location if and only if, the replacement dwelling would preserve the agricultural character of the setting of Wearne Farm. It would have to contribute to the significance of a heritage asset and be sympathetic with the vernacular character of this farm and village in design, materials and placement.

While the materials are sympathetic, the shape and massing of the proposed replacement building is not agricultural or locally distinctive but domestic. The proportions of the building and the design of the elevations facing the road and the listed building are in my view not compatible with the historic context and would have an adverse effect on the setting of the listed building.

I would doubt that comparison with similar local historic farmsteads would be able to identify a building of this form and proportions.

I recommend refusal of the application in its present form.

Archaeologists - No objections.

REPRESENTATIONS

One representation has been received from the general public, which supports the proposal.

"We walk our dog past this site most days and live within 1 mile of the application site. We consider that the scheme will offer enhancements to the wider site setting and local area.

Our reasons for supporting the scheme are as follows:

- The site is located within the existing built-up part of Wearne and will provide a natural infill dwelling;
- The principle of the development is acceptable as the existing barn (proposed ancillary building) could've been converted to a modest dwelling without major or complete re-construction, so there would be a realistic fall-back position for the applicant;
- The dwelling will offer benefits for housing supply, where SSDC cannot currently demonstrate a secured 5 year rolling supply;
- It will enhance the landscape setting of the site through the removal of unsightly and unsuitable agricultural buildings, replacing them with a well designed and sensitive infill dwelling;
- -It will create enhancements to the historic setting of adjoining listed buildings;
- It will provide bio-diversity gains within its construction;
- Overall trip generation from the site will be reduced in comparison to the lawful commercial use as a caravan storage site. It will therefore not foster growth in the use of private cars to a harmful extent;
- Local services in Huish and Langport are a short walk or bike ride from the site, so cars can be left at home;
- SSDC should be consistent in their approach to this development and take into regard the decision made at Merriots Farm, which is a short walk from the site."

ASSESSMENT

Principle of Development

Policy SS1 (Settlement Strategy) of the South Somerset 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, 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, proposals for residential development in locations such as this would be considered contrary to the settlement strategy contained within Local Plan policies SS1 and SS2. However, the Local Planning Authority is currently unable to demonstrate a five year supply of housing land. As such, several recent appeal decisions have confirmed that, 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, the main consideration will be whether any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the guidance in the NPPF taken as a whole. The site is located in Wearne, which is a very small rural settlement that does not contain any

key services. The nearest services are located around 800m away by road. Safe access to these on foot is limited and the proposal's future occupiers are most likely to access services by car. As such, the location of the proposal is not considered to be sustainable.

The applicants have referred to the recent granting of planning permission for two dwellings in Wearne (17/01301/FUL) and state that the Council should be consistent in its decision making. However, the decision in that case was a balanced one, where the harm by reason of an unsustainable location was considered to be outweighed by the other benefits, including the replacement of visually harmful structures. The same benefits are not apparent in the case now under consideration, where the existing structures are not considered to be visually harmful. The two structures to be removed have a light-weight, agricultural appearance and views of them from the highway are fleeting as people pass the site entrance by car, with the northern building and neighbouring buildings serving to screen the site. Moreover, as will be discussed below, the design of the proposed replacement building is considered to be harmful to the setting of the listed building.

A letter of support has been received making the following points in relation to the principle of development, and these will be addressed in turn.

- The site is located within the existing built-up part of Wearne and will provide a natural infill dwelling;

Wearne is a small, rural settlement lacking key services. The location of the site is not considered to be sustainable and the proposal is therefore contrary to Local Plan Policies SS1 and SS2.

- The principle of the development is acceptable as the existing barn (proposed ancillary building) could've been converted to a modest dwelling without major or complete re-construction, so there would be a realistic fall-back position for the applicant.

In the absence of supporting information to the contrary, it is unclear whether the listed building would be capable of being converted to a dwelling in a manner that would provide an acceptable standard of accommodation; would not result in unacceptable harm to the character of the building; and would be financially viable. Therefore, based on the information available, a realistic fall-back position has not been demonstrated.

- The dwelling will offer benefits for housing supply, where SSDC cannot currently demonstrate a secured 5 year rolling supply;

As discussed above, even in the absence of a five year housing land supply, the provision of a dwelling in an unsustainable location is not justified in this case, and is contrary to policy.

- Local services in Huish and Langport are a short walk or bike ride from the site, so cars can be left at home;

The pedestrian links to the nearest services are not considered to be safe, either involving unlit pathways or walking along main roads.

- SSDC should be consistent in their approach to this development and take into regard the decision made at Merriots Farm, which is a short walk from the site.

That proposal involved mitigating factors which were deemed sufficient to outweigh the harm identified. The harm identified in relation to the proposal now under consideration is not outweighed by other considerations.

The proposal is unacceptable in principle.

Access

Policy TA5 of the Local Plan states that the nature and volume of traffic and parked vehicles generated by a proposal should not compromise the safety and/or function of local or strategic road networks.

A letter of support states that overall trip generation from the site would be reduced in comparison to its lawful commercial use as a caravan storage site. It would therefore not foster growth in the use of private cars to a harmful extent.

The Highway Authority has raised no objections to the proposal, subject to compliance with their standing advice. The Council's Highways advisor has raised no objections subject to the use of conditions to secure safe access arrangements.

Subject to the use of the aforementioned conditions, it is considered that the proposal's vehicular access and parking arrangements would have an acceptable impact in relation to highway safety, and be in accordance Policies TA5 and TA6 of the Local Plan.

The proposed pedestrian access arrangements are not considered to be safe, however, this is considered to be of greater significance in relation to the sustainability of the location and therefore the principle of development.

Visual Impact and Heritage Assets

Policy EQ2 of the Local Plan states that development should preserve or enhance the character and appearance of the district.

Policy EQ3 states that "heritage assets will be conserved and where appropriate enhanced for their historic significance and important contribution to local distinctiveness, character and sense of place... All new development proposals relating to the historic environment will be expected to:

- Safeguard or where appropriate enhance the significance, character, setting and local distinctiveness of heritage assets;
- 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..."

A letter of support states that the proposal would enhance the landscape setting of the site through the removal of unsightly and unsuitable agricultural buildings, replacing them with a well designed and sensitive infill dwelling and that it would create enhancements to the historic setting of adjoining listed buildings.

The Council's Heritage Advisor does not raise any objections to the proposed conversion of the listed building. The existing buildings are not considered to be harmful to the setting of the listed building, however, in relation to the proposed dwelling:

"While the materials are sympathetic, the shape and massing of the proposed replacement building is not agricultural or locally distinctive but domestic. The proportions of the building and the design of the elevations facing the road and the listed building are in my view not compatible with the historic context and would have an adverse effect on the setting of the listed building."

Given the suburban design and proportions of the proposed dwelling, it is considered that it would not be in keeping with the historic character of its immediate surroundings, and that it would be harmful to the setting of the listed building. The identified harm to heritage assets is less than substantial and public benefits that outweigh this have not been demonstrated in this case. In terms of its effects on heritage assets and the character of the area, the proposal is contrary to Policies EQ2 and EQ3 of the Local

Plan, and the guidance contained in the NPPF.

Local Amenity

Policy EQ2 of the Local Plan states that development proposals should protect the residential amenities of neighbours, and that new dwellings should provide acceptable amenity space.

It appears that the proposed development would provide sufficient internal living and amenity space areas to ensure an adequate standard of accommodation for future occupiers.

Bearing in mind the existing situation, given its siting, scale, and design, it is considered that the proposal would not result in unacceptable harm to the amenities of neighbours, in terms of their outlook, privacy, or access to natural light, or in terms of general disturbance, and it is therefore in accordance with Policy EQ2 of the Local Plan.

Drainage Arrangements

Policy EQ1 of the Local Plan concerns flood risk and drainage arrangements in relation to new development.

The site is located in Flood Zone 1, which is at the lowest risk of flooding.

The submitted information states that the proposed foul drainage measures are unknown. The surface water drainage arrangements would employ soakaways. A condition is recommended to secure specific details and the implementation of a scheme of foul and surface water drainage measures.

Subject to the use of this condition, the proposal is considered to be in accordance with Policy EQ1 of the Local Plan.

Ecology

A letter of support states that the proposal would provide bio-diversity gains within its construction.

The application is supported by an ecological report and the Council's ecological advisors have raised no objections, subject to the use of conditions intended to secure measures for the protection and enhancement of biodiversity. Subject to the use of these conditions, it is considered that the proposal would not result in harm to nature conservation interests and would be in accordance with Policy EQ4 of the Local Plan.

Conclusions and Planning Balance

The location of the site is not considered to be sustainable and the design of the proposed dwelling would be harmful to the setting of a listed building and the character of the area. The benefits of the proposal, including the provision of a new dwelling to meet the district's housing needs; a possible reduction in the number of vehicle movements from the site compared to the existing situation; along with very modest biodiversity enhancements, are not considered sufficient to outweigh the identified harm.

RECOMMENDATION

Refuse planning permission.

FOR THE FOLLOWING REASONS:

01. The site is located in Wearne, which is a very small rural settlement that does not contain any key services, and the proposal's future occupiers are most likely to access services elsewhere by car. As such, the location of the proposal is not considered to be sustainable, and the proposal is contrary to the district's settlement strategy, including Policies SS1 and SS2 of the South Somerset Local Plan.
02. Given the suburban design and proportions of the proposed dwelling, it is considered that it would not be in keeping with the historic character of its immediate surroundings, and that it would be harmful to the setting of a listed building. The identified harm to heritage assets is less than substantial and public benefits that outweigh this have not been demonstrated in this case. In terms of its effects on heritage assets and the character of the area, the proposal is contrary to Policies EQ2 and EQ3 of the Local Plan, and the guidance contained in the NPPF.

Agenda Item 13

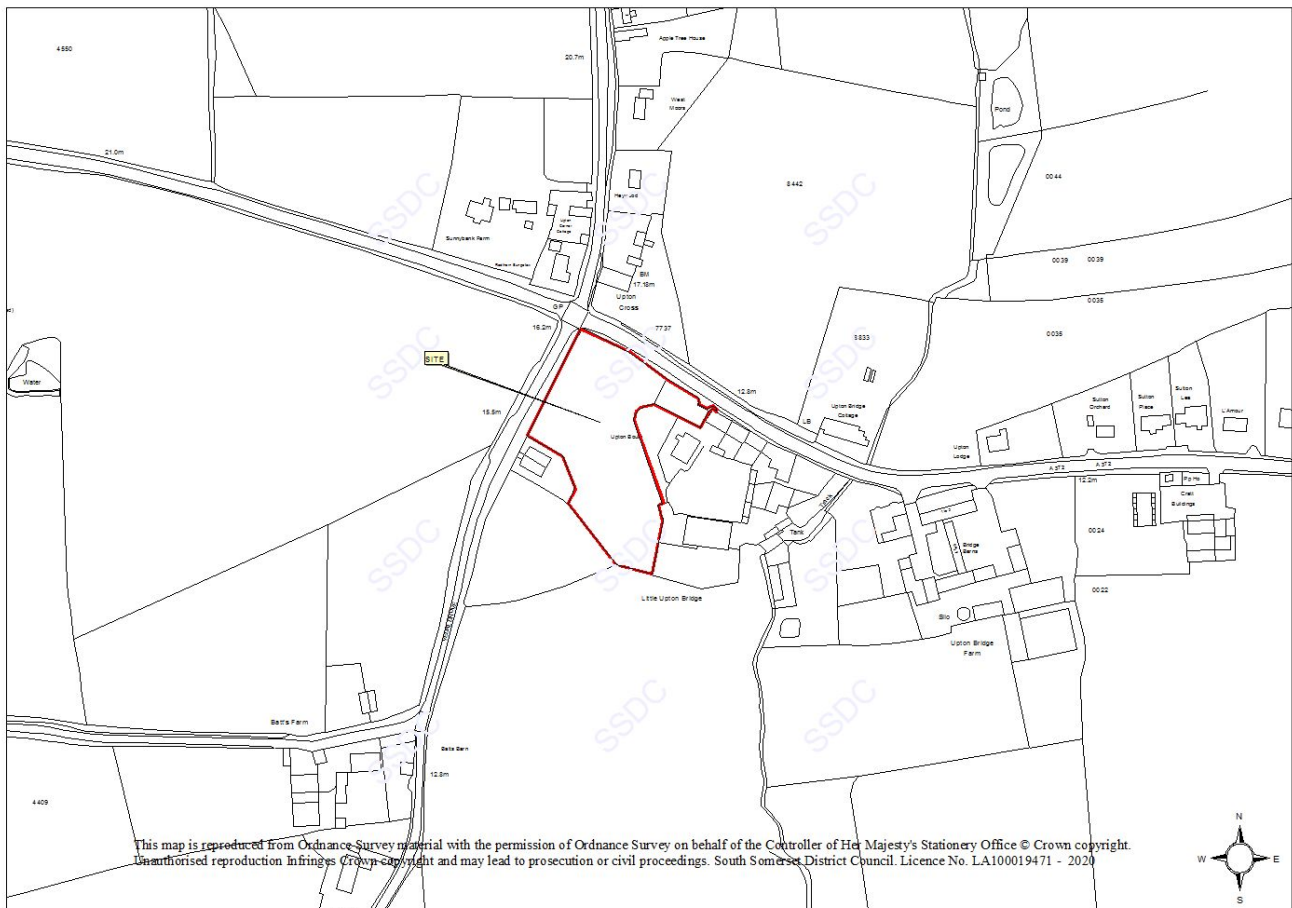
Officer Report On Planning Application: 19/02460/FUL

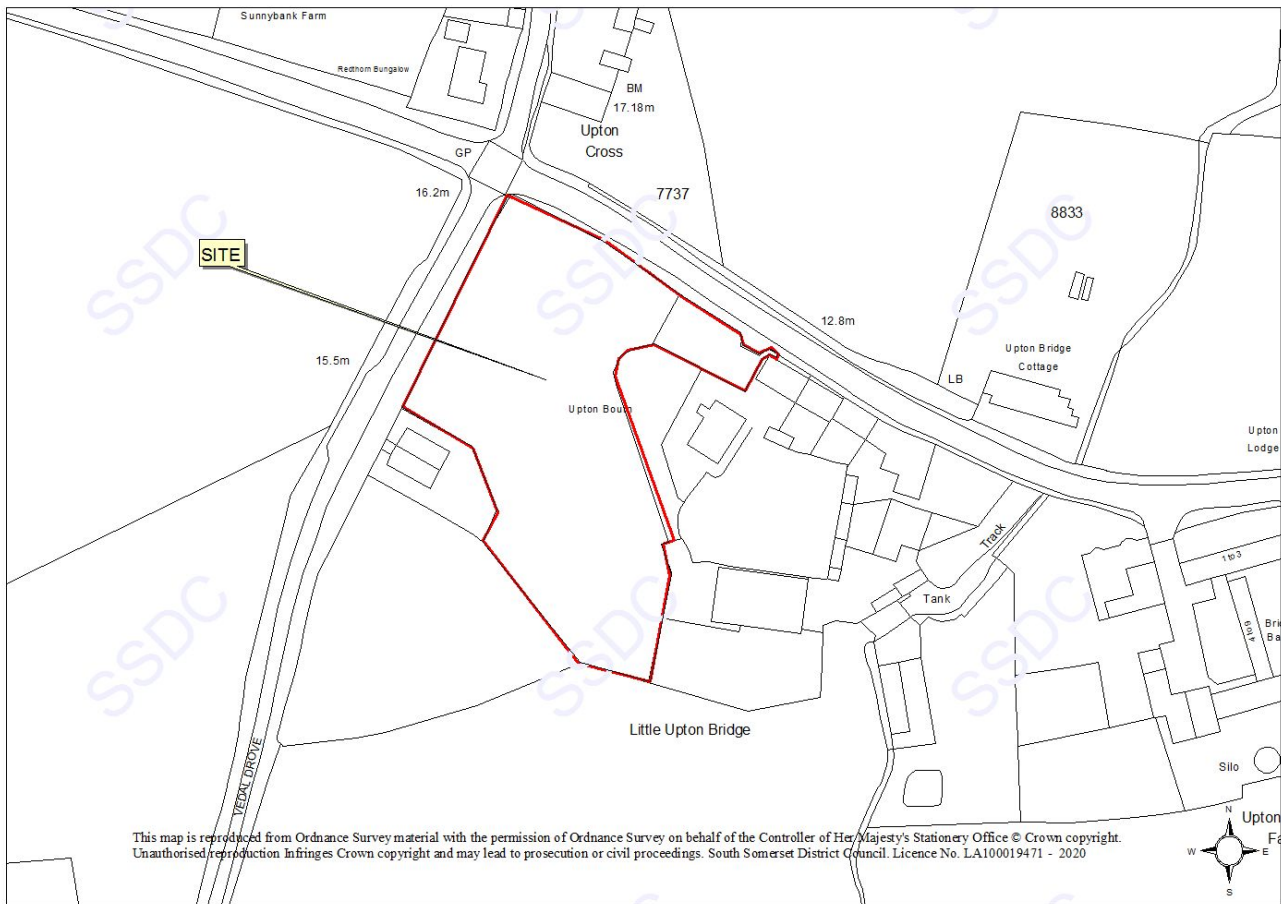
Proposal :	The erection of 3No. detached holiday letting units with parking and associated works.
Site Address:	Land At Little Upton Bridge Farm, Langport Road, Long Sutton.
Parish:	Long Sutton
TURN HILL Ward (SSDC Member)	Cllr G Tucker
Recommending Case Officer:	Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk
Target date :	9th December 2019
Applicant :	Mrs Gill Rickards
Agent: (no agent if blank)	Mr Ian Lloyd, Greyskies Ltd, 6 Old Orchard, Butleigh, Glastonbury, Somerset BA6 8JW
Application Type :	Major Other f/space 1,000 sq.m or 1 ha+

REASON FOR REFERRAL TO COMMITTEE

This application has been referred to Area North Committee at the request of the Ward Member and with the agreement of the Area Chair to allow for the economic arguments and local concerns to be discussed in further detail.

SITE DESCRIPTION AND PROPOSAL





This application is seeking full planning permission for the erection of three units of self-catering holiday accommodation.

The application site comprises a parcel of agricultural land that sits within the southeast corner of the Langport Road (A372) / Vedal Drove / Hermitage Road crossroads. The site sits immediately alongside the applicant's own residential property and self-catering holiday business. There are two grade II listed cottages on the opposite side of the A372, Upton Cross which is directly opposite the site, and Upton Bridge Cottage which is a short distance to the north east. To the south of the site is an agricultural barn and farmland as well as a relatively new agricultural workers dwelling. There is some mature tree planting along the northern roadside boundary as well as along the southwest corner of the site. The west boundary with Vedal Drove is contained by a stone wall.

The site is not located within any areas of special designation and is within flood zone 1 which is considered to be at the lowest risk of flooding.

RELEVANT HISTORY:

18/00028/REF: Appeal against refusing planning application 17/03020/FUL. Appeal dismissed.

17/03020/FUL: Erection of four detached dwellings with associated external works. Refused for the following reasons:

- "01. The proposal would represent new residential development in the countryside, for which an overriding essential need has not been justified. The application site is remote from local key

services and as such will increase the need for journeys to be made by private vehicles. The proposal fails to enhance the sustainability of any settlement, and constitutes unsustainable development that is contrary to policies SD1, SS1 and SS2 of the South Somerset Local Plan (2006-2028) and to the aims and objectives of the National Planning Policy Framework.

02. The proposal, by reason of its layout, design, scale and massing, represents a dominant and visually intrusive development that fails to respect the established character and appearance of the locality, or to reinforce local distinctiveness of the setting, contrary to the aims of the NPPF and Policies EQ2 and EQ3 of the South Somerset Local Plan (2006 - 2028).
03. The proposal, by reason of its siting within the setting of a Grade 2 listed building, fails to safeguard or enhance the setting of a designated heritage asset, contrary to the aims of the NPPF and Policy EQ3 of the South Somerset Local Plan."

Applicant's existing house and holiday business:

16/03391/FUL: Creation of new access to rear of Little Upton Bridge Farm. Permitted.

14/04506/FUL: Conversion of an unused industrial building to a four bedroom dwelling. Permitted.

11/00475/FUL: Change of use of the Cider Barn to holiday let. Permitted.

10/00938/FUL: Conversion of two barns into one dwelling and one holiday let together with associated access, parking and turning. Permitted.

882456 (Reserved Matters): Erection of a bungalow. Permitted

872219 (Outline): Erection of a bungalow. Permitted.

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

EP8 New and Enhanced Tourist Facilities

TA1 Low Carbon Travel

TA5 Transport Impact of New Development

TA6 Parking Standards

EQ1 Addressing Climate Change in South Somerset

EQ2 General Development

EQ3 Historic Environment

EQ4 Biodiversity

EQ7 Pollution

National Planning Policy Framework

Part 2 - Achieving sustainable development

Part 5 - Delivering a sufficient supply of homes

Part 6 - Economy (Para 83) Supporting a prosperous rural economy

Part 8 - Promoting healthy and safe communities

Part 9 - Promoting sustainable transport

Part 11 - Making effective use of land

Part 12 - Achieving well-designed places

Part 14 - Meeting the challenge of climate change, flooding and coastal change

Part 15 - Conserving and enhancing the natural environment

Part 16 - Conserving and enhancing the historic environment

Planning Policy Guidance

Climate change

Design

Other

Somerset County Council Parking Strategy (September 2013)

Somerset County Council Highways Development Control - Standing Advice (June 2017)

CONSULTATIONS

Long Sutton Parish Council: Recommends this application is refused in the strongest terms on the following grounds

"SSDC is reminded that the erection of 4 residential houses on land at Little Upton Bridge Farm (17/03020/FUL) was refused by SSDC and HM Planning Inspector who said "I consider that the appeal site does not lie within the settlement; it forms an open field on the edge of an outlier cluster of development which forms a loose ribbon of development along Langport Road. Even if that were not the case, the proposal would not fall within any of the specified circumstances where exceptions may be made to the presumption against new development, that is, development which provides employment opportunities appropriate to the scale of the settlement, or creates or enhances community facilities and services to serve the settlement or meets identified housing need, particularly for affordable housing. Accordingly, the proposal conflicts with Policies SS1 and SS2"

This new application should be judged against the same criteria set out by HM Planning Inspector and while the applicant's Planning Statement attempts to justify a material difference it is our view that the proposed use and design conflicts even further with the views of the Planning Inspector. There is no justifiable need or requirement for such a development.

The Planning Inspector for the original application for 4 houses discusses "sustainability" and that each element of sustainability should be "assessed in the round". This new application fails the test of policies TA1, TA5 and EQ3 even more so than the refused application. Everyone has to drive to the venue which increases the need for car travel (TA1) ; there is little opportunity for low carbon travel (TA5); there is little evidence in any of the plans or supporting material that this application does anything to address climate change (EQ3) in fact it could be argued that the continual traffic movements in and out of the site on an on-going basis is more harmful to the environment and CO2 emissions than the original application for residential; with the exception of a minimal socialising off-site, the venture offers little economic benefit to the local community.

Other matters:

1. While SS2 allows for employment opportunities, we would argue that this should not be at any cost. Are the minimal jobs that are estimated to be created by this large expansion of the present business worth the increased disruption caused by increased traffic; even more unregulated anti-social noise emanating from the party houses; and the proposed visual intrusion of the gateway to the village?
2. EP8 allows for tourism businesses, but as set out above, not at any cost. If this application is approved, it will increase the total population of the village by 10% when fully occupied. The present use of the entire site and business can cater for 50 bed spaces, so with another 30 being

proposed this takes the total number of bed spaces to 80 - the equivalent to some of the largest hotels in Somerset. This is an unfair impact on village life and for the local residents in particular as these "visiting residents" do not have the social and civic conscience as people who live in the community - they are in party mood with little respect for the community they are in, and do not appear to be West Country tourists. There is ample bed capacity in the village's hotel, pubs, Air BnBs, holiday lets and bed & breakfast establishments to meet the demand of future tourism in the village.

3. Excess and unacceptable noise pollution is a growing issue at present. The noise from the site is unregulated as is the time at which revelling concludes. Any entertainment venue would normally have hours of activity and noise levels managed through planning conditions. This site has been allowed to incrementally grow and with it the impact of noise on neighbours. This new application, with the front of the properties facing outward on the edge of the village would exacerbate this considerably. As with point 2 above, this application will have a greater negative impact on the community and the environment than the earlier refused application.
4. We are concerned about the impact on the management of surface water. We believe that the use of soakaways to take the water from such a large roof expanse and parking places will be insufficient at times of heavy rain and we cannot allow any increased risk of flooding caused by an additional circa 950 sq metres of roof area and similar area of tarmac and trackway.
5. Finally the design of the 3 buildings. It is wholly inappropriate to allow anyone to build what are glorified agriculture/chickens houses in the name of sustainable development. Over 3,000 sq ft of "box" shows no architectural respect for the village and the buildings that border the site, including Listed Buildings, and no architectural imagination in attempting to make the buildings aesthetically pleasing on the eye."

County Highways: Referred to their standing advice.

SSDC Highway Consultant: No comments received.

Environmental Health: Raise no objection.

I have looked through the objections, and I think the only thing that we can add is an advisory. Holiday Lets are not noisy by their very nature and as far as I can tell we have never received any complaints regarding noise.

Suggested advisory note: The applicant is reminded that the granting of this consent does not preclude the Council from taking action for noise generated from the site under the Statutory Nuisance provisions of Part III of The Environmental Protection Act 1990 or the Antisocial Behaviour Crime and Policing Act 2014. The applicant is therefore minded to reduce noise from the holiday lets so that it does not adversely impact on neighbouring properties.

Wessex Water: No objection, however, they note that the area is prone to sewer flooding caused by high levels of groundwater during prolonged periods of wet weather, they therefore recommend a condition to secure details of a sealed foul drainage system to address this concern. They also recommend that there be no increase in surface water from any new areas of hardsurfacing.

Ecology: No objection subject to conditions to protect bats, birds, amphibians and reptiles as well as biodiversity enhancements.

Tree Officer: (Verbal comments) No objection. The revised position of Plots 1 and 2 and additional planting set out on the amended plans are as discussed and acceptable. Please secure the planting scheme through an appropriate condition.

SSDC Economic Development: Support this application. The tourism sector is critical for South Somerset's economy and its growth is a priority for the Council. In February 2019 South Somerset

District Council published its Economic Development Strategy. The Strategy includes the priorities for economic development and growth established by our Elected Members through the District Council's four Area Committees. These priorities also feature within the Council Plan. Priorities identified which directly relate to this application include:

- promote and develop tourism
- attract tourists and increase spend in, and visits to, the district

It will also indirectly benefit 2 other priorities:

- support local food and drink producers
- support businesses across all sectors

The tourism sector in South Somerset is long established as part of the wider South-west region's offer and features as a bedrock economy within the Heart of the South West's Local Enterprise Partnership's Productivity Strategy thus emphasising its importance to the area.

This particular application seeks to expand a successful tourism business through a capital investment in the creation of three additional holiday letting units. Not only will this attract additional visitors to the district, and therefore spend, but it will add to our year round tourism offer which is imperative to the growth of the sector.

The impact that the current business has on the wider economy should not be overlooked. We are aware of several companies who have benefited from additional visitors as a direct result of tourists staying at the current accommodation provision. Furthermore we anticipate that the additional units will benefit our local market towns, in particular Langport and Somerton, through increased footfall and visitor spend.

REPRESENTATIONS

Written representations have been received from 10 local households / businesses, of these 2 were expressing support of the proposal and 8 were raising concerns and objections. A summary of these comments are provided below, please note the full comments can be viewed on the public website.

Comments raised in objection include:

- Contrary to local plan policies, i.e. SD1, SS1, SS2, EQ2, EQ3.
- Location. Outside the village envelope and unsustainable.
- Scale. The site already caters for around 53 guests plus their associated vehicles. This application will take the total to 83 beds. This number of people staying (and partying) on this small area would and already does create noise and traffic problems which has become totally unacceptable.
- The accommodation being provided could easily be adapted to enable even more sleeping space with more people and activity than suggested.
- There has been a long succession of applications on this site, where will it end.
- There is no need for this accommodation, there is already plenty of tourist accommodation locally.
- There exists a government policy local democracy where the views of local residents are prioritised over unnecessary and inappropriate building applications, such as this.
- Matters of concern raised by the Inspector in respect of the previous application for four houses on this site remain the same for the current application.
- The site does not lend itself to this type of holiday business, it is surrounded by agricultural land, there have been incidences of holiday makers straying off the footpaths, this will only get worse.

- Have had problems with groups wandering into the farmyard to see the livestock and machinery which is a health and safety problem.
- Misuse of our farmland by people using to play ball games on, not sticking to the footpaths, trampling crops and dropping litter.
- Noise from the site can be very intrusive and particularly loud on still evenings. This is a quiet rural location.
- Benefit to local economy is questionable. Once on site the guests do not seem to get out to spend money locally.
- Poor design / aesthetics. The proposed buildings look like chicken houses, there is no attempt to accord with the local vernacular.
- The buildings are very big and totally out of context.
- Harmful to the countryside.
- Loss of view.
- Harm to the setting of nearby listed buildings, i.e. Upton Cross and Upton Bridge Cottage.
- How will the rural aspect, context, character and setting of Upton Cross be preserved by the building of these huge sheds opposite which will completely block any historical views.
- The planting along the northern boundary is deciduous and will not provide the visual buffer/screen claimed.
- Highway safety. The existing access on to the main road is poor. Evidence shows that the majority of passing traffic are over the speed limit.
- Increased parking requirements and traffic to and from the site. There is already parking problems.
- The accommodation is designed to accommodate larger groups which will have a higher parking requirement.
- Guests are often lost when arriving and drive onto our drive in error and ask for directions.
- Existing local drainage problems. Concerned whether soakaways will be workable due to local ground conditions.

Comments received in support include:

- The tourist industry is critical to the economic health of the local area and communities.
- Visitors staying in the area represent a high proportion of our customers and makes a huge contribution to the viability and growth of ours and other local businesses, especially in the hospitality industry.
- Without good quality accommodation tourism and the economy will suffer.
- Little Upton attracts guests with very high disposable incomes who actively seek out local food and drink and so are a benefit to sustainable employment.
- The units reflect an agricultural style which in an attractively landscaped setting will reflect and compliment the historic farm use of the site.

CONSIDERATIONS

This application is seeking full planning permission for three new units of detached holiday accommodation in support of the applicant's existing holiday accommodation business operating at Little Upton Bridge Farm.

Principle of Development

The site has been subject to a previous planning application (17/03020/FUL), which sought permission for the erection of four dwellings, and which was refused for multiple reasons including on the matter of principle as it was considered to be too distant from the local services that are available within the village of Long Sutton. Whilst the site's distance from local services clearly has not altered since that time, the

nature of the current proposal varies from the previous scheme in that it is seeking three new units of holiday accommodation and needs to be considered on this basis.

Paragraph 83 of the NPPF is clear in its support of a prosperous rural economy and states that planning policies and decisions should enable "the sustainable growth and expansion of all types of business in rural areas, both through the conversion of existing buildings and well-designed new buildings" and "sustainable rural tourism and leisure developments which respect the character of the countryside.

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, unless material considerations indicate otherwise. Policy EP8 of the Local Plan also makes provision for new and enhanced tourist facilities.

Bearing this policy context in mind, it is accepted that the sustainability arguments are applicable to new tourist accommodation but that a more flexible approach can be taken in terms of the arguments relating to accessibility to local services and public transport compared to new build dwellings. Indeed this approach is supported by paragraph 84 of the NPPF (Chapter 6 - Supporting a Prosperous Rural Economy) which states that "Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport".

Tourist accommodation needs to be located where it will attract to potential visitors, in the case of South Somerset one of its most attractive qualities for visitors is its countryside. It is accepted that the rural characteristics of this location are likely to prove attractive to potential visitors, which the success of the applicant's existing business would appear to support. The Council's Economic Development Officer has noted the importance of the tourism sector to South Somerset's economy, noting that its growth is a priority for the Council and the benefits that it brings to other local businesses, in particular local food and drink producers, the hospitality industry and local attractions.

It is noted that local residents have stated that there is no need for this development, however, there is no evidence to support the suggestion that the development would not be meeting a need. Indeed in the current economic climate it is clear that 'staycations' are increasingly popular and the Economic Development has not raised any concerns that would not be a market for such accommodation.

Therefore whilst the site is located beyond an accepted walking distance of the facilities found within Long Sutton, it is within a short driving distance of the village as well as surrounding market towns and settlements where a plethora of facilities can be found. The attractive qualities of the locality are likely to prove a draw to potential visitors and overall, bearing in mind the economic arguments in favour of the proposal, it is considered to be an appropriate location for new tourist accommodation that is broadly inline with the principles of sustainable development.

On this basis the principle of the proposed development is considered to be acceptable.

Visual amenity / impact on nearby listed buildings

The application site is not located within a conservation area but there are two listed building in close vicinity, including Upton Cross which sits on the opposite side of the A372 from the site and Upton Bridge Cottage which is located a short distance to the northeast. Both are grade II listed.

The previous application for four two-storey detached houses on this site was refused for reasons of their layout, scale and design which was considered to have a negative impact upon the character of the area as well as the setting of a nearby listed building (Upton Cross).

- “02. The proposal, by reason of its layout, design, scale and massing, represents a dominant and visually intrusive development that fails to respect the established character and appearance of the locality, or to reinforce local distinctiveness of the setting, contrary to the aims of the NPPF and Policies EQ2 and EQ3 of the South Somerset Local Plan (2006 - 2028).
03. The proposal, by reason of its siting within the setting of a Grade 2 listed building, fails to safeguard or enhance the setting of a designated heritage asset, contrary to the aims of the NPPF and Policy EQ3 of the South Somerset Local Plan.”

That decision was challenged at appeal and whilst the Inspector felt that the application site made little contribution to the attractiveness of the surrounding open countryside, he did agree that the scheme was overly suburban in character and that the houses, which were of a large scale, would appear dominant and at odds with the surrounding varied local development. He noted that "rather than providing an appropriate transition to the open countryside to the west, the development would appear as overly suburban, with an insufficient landscaped buffer to Vedal Drove and the open field beyond". He did not however offer a view that the site was not capable of accommodating development.

The Inspector also concluded that the site contributed to the setting of the listed property Upton Cross located on the opposite side of the A372 from the site, although he recognised that the intervening planting did impede views between the two properties. In his observations he noted that proposed Unit 1 was to be a large two-storey dwelling positioned close to the boundary with the main road and for these reasons it would compete with Upton Cross, causing a small amount of harm to its setting. He concluded that the harm was less than significant. He raised no setting concerns in respect of Upton Bridge Cottage.

The scheme currently proposed is very different to that previously refused. Whilst the footprint of the holiday units are relatively large, the buildings are all low profile, single storey buildings and of a functional agricultural design that is similar to one of the applicant's existing holiday units. It is acknowledged that the design may not be to everyone's taste however what is relevant here is how they respond to the context in which they sit, including the setting of Upton Cross.

The applicant has provided an amended site plan and landscaping plan at the request of the planning officer and following consultation with the Council's Tree Officer. The purpose of these amended details is to move Unit 1 (the northern most unit) into the site slightly from that originally proposed so that the planting, which is also to include understorey planting to provide a denser screen, along the northern side of the site. The amended landscaping plan also includes additional planting along the western boundary which abuts Vedal Drove.

Based on the scale, layout and design of the units it is considered that they should have a relatively unobtrusive presence within views into the site, in particular in views from the public highways to the west and north. The low profile of the buildings coupled with the proposed landscaping should mean that not only will they be little seen from beyond the site but also that they should not compete with or intrude into the setting of Upton Cross. The functional agricultural design has avoided any suggestions of suburbanisation and is considered to be in keeping in this rural context. Overall the proposal is considered to have successfully addressed the concerns of the previous scheme. Subject to appropriate conditions to secure the materials and the landscaping, the proposal is not considered to be harmful to the setting of nearby listed buildings.

Residential amenity

Due to the nature, layout, scale and design of the proposed development it is not considered to give rise to any new demonstrable harm to neighbour amenity.

It is noted that a number of local residents have raised concerns regarding noise and activities arising from the existing holiday units which they say affect the enjoyment of their own properties and which would be made worse if the current proposal were allowed.

It is acknowledged that the site is relatively close to a number of neighbouring residential properties and as such it is quite feasible that noise from the guests may be audible from these properties. In view of these concerns the views of the Council's Environmental Health Officer have been sought. He has confirmed that he has received no complaints from local residents in relation to noise coming from the site and that he has no objection to the proposal. He has suggested an informative to remind the applicant that the granting of planning permission does not preclude the Council from taking action for noise considered to be a Statutory Nuisance and to accordingly ensure that noise from the holiday lets do not adversely impact on neighbouring properties. On the basis of these comments it would be unreasonable to object to the scheme on this basis.

Highway safety

The proposal is seeking to utilise an existing access located at the northeast corner of the site and which currently serves the applicant's private residence. The access is of a good design, with a wide bellmouth and visibility splays of 2.4m by 43m in either direction that comply with the Highway Authority's standing advice. Each unit is to be served by five dedicated parking spaces each along with additional space for on-site turning, which exceeds that required under the HA's standing advice and parking standards. Subject to these parking spaces and visibility splays being secured by condition, the proposed development is not considered to give rise to any new substantive highway safety concerns.

Other matters

- Drainage and flooding - The site is located within flood zone 1 where it is at low risk of flooding. It is acknowledged however that there are localised foul drainage issues, with the area prone to sewer flooding caused by groundwater infiltration during prolonged wet weather. In view of this Wessex Water has been consulted however they have raised no objection to the proposal subject to the imposition of a condition to secure details of a sealed foul drainage system. Therefore subject to this condition and a condition to secure a surface water drainage scheme the proposal is not considered to give rise to any substantive flooding or drainage concerns.
- Ecology - Subject to a number of conditions sought by the Council's Ecologist it is accepted that the proposal should not be detrimental to biodiversity or any protected species.
- CIL - The scheme will be liable for the Community Infrastructure Levy (CIL). A completed Form 1 has been provided by the applicant.

Conclusion

For the reasons set out above, the proposed development is considered to represent an appropriate and sustainable form of development that will be beneficial to the rural economy without causing harm to the setting of nearby heritage assets or demonstrable harm to residential amenity, highway safety, ecology, flooding and drainage or other environmental concern. On this basis the proposal accords with policies SD1, TA1, TA5, TA6, EP8, EQ1, EQ2, EQ3, EQ4 and EQ7 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework and is therefore recommended for approval.

RECOMMENDATION

Grant consent for the following reasons:

The proposed development, by reason of its siting, layout, nature, scale and design, represents an appropriate and sustainable form of development that will be beneficial to the rural economy without causing harm to the setting of nearby heritage assets or demonstrable harm to residential amenity, highway safety, ecology, flooding and drainage or other environmental concern. On this basis the proposal accords with policies SD1, TA1, TA5, TA6, EP8, EQ1, EQ2, EQ3, EQ4 and EQ7 of the South Somerset Local Plan (2206-2028) and the provisions of the National Planning Policy Framework.

SUBJECT TO THE FOLLOWING:

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

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

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

- Location Plan - numbered 1393-01A
- Proposed Site Plan - numbered 1393-05G
- Proposed Elevations - numbered 1393-08B
- Floor Plan of Unit - numbered 1393-06B
- Section Through Unit - numbered 1393-07A

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

03. The accommodation hereby approved shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The owners/operators shall maintain an up-to-date register of the names of owners/occupiers of the accommodation provided, and of their main home addresses, and shall make this information available at all reasonable times to the local planning authority.

Reason: To ensure an appropriate form of development, in the interests of sustainable development and the benefit of the local economy in accordance with Policies SD1 and EP8 of the South Somerset Local Plan 2006-2028 and the aims and provisions of the National Planning Policy Framework.

04. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those detailed on the approved plans, with the colour and finish to match that used on the existing Unit known as the Pictureworks (permitted under planning permission 14/04506/FUL), unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity to accord with policy EQ2 of the South Somerset Local Plan 2006-2028.

05. The planting scheme, as detailed on the drawing titled 'Proposed Landscape Site Plan' and numbered 1393-09, shall be carried out in the first dormant planting season (November to February inclusively) following the commencement of any aspect of the development hereby permitted. If any trees or plants which within a period of twenty years from the completion of the

development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of visual amenity to accord with policy EQ2 of the South Somerset Local Plan 2006-2028.

06. Prior to commencement of this planning permission, site vegetative clearance, demolition of existing structures, ground-works, heavy machinery entering site or the on-site storage of materials, a scheme of tree protection measures, including tree protection fencing and signage; shall be prepared, installed and made ready for inspection. The locations and suitability of the tree protection measures shall be inspected by the Tree Officer and confirmed in-writing by the Council to be satisfactory prior to commencement of the development. The approved tree protection requirements shall be implemented in their entirety for the duration of the construction of the development.

Reason: To safeguard the character of the conservation area and in the interests of visual amenity to accord with policy EQ2, EQ3 and EQ5 of the South Somerset Local Plan 2006-2028.

07. Prior to the commencement of works on site details of the surfacing of the section of track that connects the existing parking area located within the northeast corner of the site to Unit 1 has been provided. Such details shall include measures that will protect the roots of trees growing within this area. The track shall be constructed in complete accordance with the approved details prior to any site clearance or construction works being undertaken on the wider site.

Reason: In the interest of visual amenity to accord with Policy EQ2 of the South Somerset Local Plan 2006-2028.

08. 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 43.0 metres in either direction. Such visibility shall be fully provided before the development hereby permitted is first occupied and shall thereafter be maintained and retained at all times.

Reason: In the interest of highway safety to accord with Policy TA5 of the South Somerset Local Plan 2006-2028.

09. The areas allocated for parking and turning on the approved plans shall be kept clear of obstruction and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety in accordance with Policies TA5 and TA6 of the South Somerset Local Plan (2006-2028).

10. At least one charging point for electric vehicles of at least 16 amps shall be provided for each unit of holiday accommodation hereby permitted. The charging points shall be provided prior to the first occupation of the associated holiday unit.

Reason: To facilitate and encourage low carbon means of transport in the interests of addressing climate change, in accordance with policies TA1 and EQ1 of the South Somerset Local Plan and the provisions of the National Planning Policy Framework.

11. Before any foul drainage pipework is installed, the details of that system and how it will be implemented to ensure it results in a sealed system, must be submitted to and approved by the Local Planning Authority. The system must be installed entirely in accord with the agreed details.

Reason: To ensure no groundwater enters the foul water drainage system within the site to accord with Policies TA1 and EQ7 of the South Somerset Local Plan 2006-2206 and the provisions of the National Planning Policy Framework.

12. Surface water drainage details to serve the development shall be submitted to and approved in writing by the Local Planning Authority. Such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use. Following its installation such approved scheme shall be permanently retained and maintained thereafter.

Reason: To minimise surface water runoff, in the interests of sustainable drainage to accord with Policy TA1 of the South Somerset Local Plan 2006-2028 and the provisions of the National Planning Policy Framework.

13. 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: All bats are afforded protection under the Habitats Regulations 2017 by which populations are to be maintained at Favourable Conservation Status as defined under Article 1 of the Habitats Directive 1992. To accord with Policy EQ4 of the South Somerset Local Plan 2006-2028.

14. Any features such as stone and rubble piles which potentially afford resting places for reptiles [and / or amphibians] 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.

Reason: In the interests of protecting UK protected and priority species in accordance with Policy EQ4 of the South Somerset Local Plan 2006-2028.

15. 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, scrub and tall ruderal vegetation to be cleared or cut back 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. To accord with Policy EQ4 of the South Somerset Local Plan 2006-2028.

16. A Biodiversity Mitigation and Enhancement Plan (BMEP) shall be submitted to, and be approved in writing by, the local planning authority. The content of the BMEP shall include the following:
- 1 x Build-in WoodStone Bat Box, or similar, to be installed on the southern and/or western elevation of the new dwelling, at a height of over 3m.
 - 2 x integrated bee bricks, or similar, must be built into the external wall space of the new building. The bricks will be placed one meter above ground level on a south facing aspect, vegetation must not block the entrance holes. Solitary bees are harmless and do not sting.
 - Any new fencing must have accessible hedgehog holes, measuring 13cm x 13cm to allow the movement of hedgerows into and out of the site.
 - All new shrubs must be 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.
 - 1x 1SP Schwegler Sparrow Terrace (<https://www.nhbs.com/1sp-schwegler-sparrow-terrace?bkfno=185100>), or similar, will be fitted high (at least 4-5m above adjacent ground level), under the eaves and away from any windows on an north or east facing elevation of the dwelling.
 - 1 x log pile for hibernating common reptiles/amphibians to be created on the southern boundary of of the garden
 - 3 x new native trees to be planted which will benefit pollinators, selected from 3 of the following: wild cherry, lime, hazel, field maple, hawthorn, common whitebeam and rowan.
 - 2 x reptile habitat piles, comprised of stacked branches and logs within the sites boundary.

The requirements of the approved BMEP shall be carried out in full prior to the development being first occupied.

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, and Policies EQ4 and EQ5 of the South Somerset Local Plan 2006-2028; and the council's obligations for biodiversity under the Natural Environment and Rural Communities Act 2006.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no extensions or alterations to the buildings hereby permitted and no outbuildings erected within the site area without the prior express grant of planning permission.

Reason: To control the scale of the proposed use and to protect the rural character of the area in accordance with policies SD1 and EQ2 of the South Somerset Local Plan 2006-2028.

Informatives:

01. The applicant is reminded that the granting of this consent does not preclude the Council from taking action for noise generated from the site under the Statutory Nuisance provisions of Part III of The Environmental Protection Act 1990 or the Antisocial Behaviour Crime and Policing Act 2014. The applicant is therefore advised to ensure that noise from the holiday lets do not adversely impact on neighbouring properties.

Agenda Item 14

Officer Report On Planning Application: 20/00685/HOU

Proposal :	Proposed installation of 2No. dormer windows to the rear elevation following removal of 2No. existing roof lights.
Site Address:	Parsons Barn, Martock Road, Long Sutton TA10 9HT.
Parish:	Long Sutton
TURN HILL Ward (SSDC Member)	Cllr G Tucker
Recommending Case Officer:	Cameron Millar
Target date :	30th April 2020
Applicant :	Mr & Mrs P. Brand
Agent: (no agent if blank)	Mr Peter Clark, Lake View, Charlton Estate, Shepton Mallet BA4 5QE
Application Type :	Other Householder - not a Change of Use

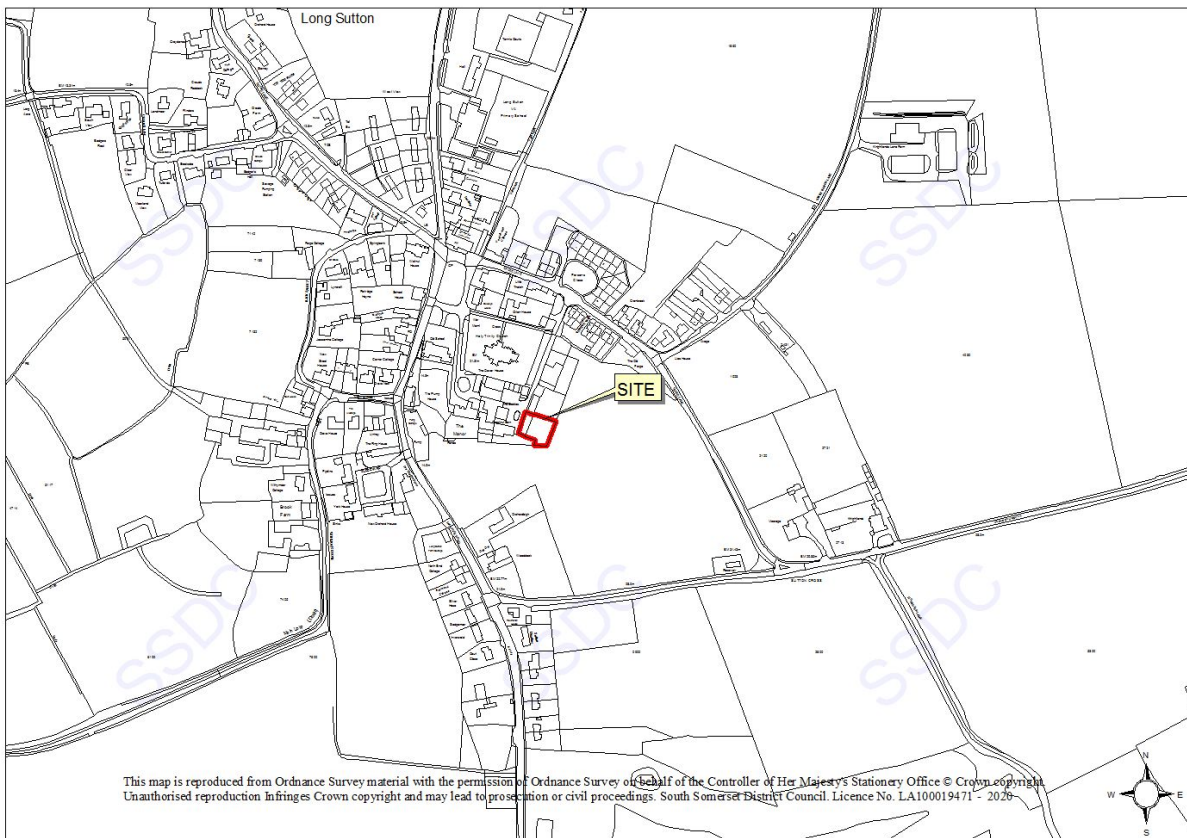
REASON FOR REFERRAL TO COMMITTEE

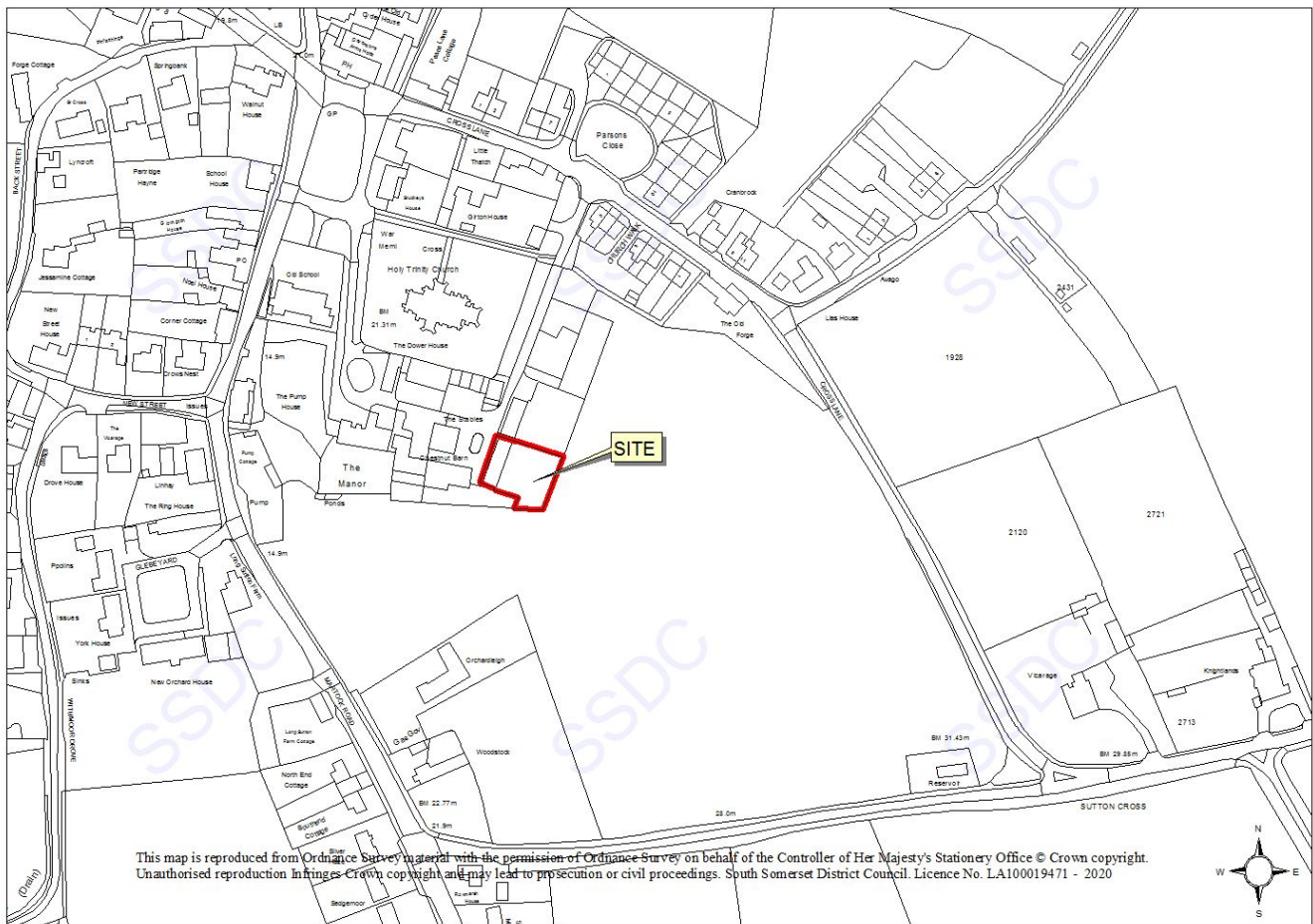
This application is referred to area committee at the request of the ward member and with the agreement of the Area Chairman to discuss the merits of the application.

Date of site visit: 11/04/2020

Neighbours/consultees correct: Yes

SITE DESCRIPTION





Description:

Parsons Barn is a listed two storey converted barn dwellinghouse constructed of natural stone lias, with clay double roman roof tiling that is listed due to its association with the Grade II* Manor Farm. Parsons Barn is located in the parish of Long Sutton, is also located within a conservation area and the setting of three listed buildings. The proposal is for the erection of two rear dormer windows, constructed of double roman clay roof tiling to match existing, leaded cheeks, black UPVC guttering, and double-glazed casement timber windows. These rooflights will replace two existing rear conservation rooflights. This application runs concurrently with 20/00686/LBC.

Planning History:

Recent and Relevant:

20/00686/LBC - Proposed installation of 2No. dormer windows to the rear elevation following removal of 2No. existing roof lights.

16/02066/FUL - Installation of 2 No. 230 mm diameter sunpipes over lounge. Granted 2016.

14/01038/FUL - Erection of a rear extension and insertion of first floor rooflight. Granted 2014.

04/02477/FUL - Conversion of barns to dwellings and associated works. Granted 2005.

Policy:

South Somerset Local Plan 2006-28:

Policy SD1 - Sustainable Development
Policy EQ2 - Design and General Development
Policy EQ3 - Historic Environment
Policy TA5 - Transport Impact of New Development
Policy TA6 - Parking Standards

NPPF:

Chapter 12 - Achieving Well Designed Places
Chapter 16 - Conserving and Enhancing Historic Environment

Planning Practice Guidance.

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

CONSULTATIONS

Parish Council: Long Sutton Parish Council - " The Parish Council has no objections and support this application."

Highways Authority: "No Observations."

Highways Consultant: " No highways issues - no objection."

SSDC Conservation Officer: " The application site is in the conservation area and affects the setting of a Grade I listed church. I would consider dormers on a barn not compatible with the character of this type of building which is why they only had permission for roof lights. I would not consider dormers suitable in this highly sensitive setting and would refuse it on those grounds.

Please have a look at the HE guidance for barn conversions. <https://historicengland.org.uk/images-books/publications/adapting-traditional-farm-buildings/heag158-adapting-traditional-farm-buildings/>
'New dormer windows are generally inappropriate in all farm-building adaptations except where there is already evidence of their use.' Please also see the comments on rainwater goods on page 30.

There are wide views on the approach to the village of this elevation as you can see from the photo in the statement. The roofs of the barns are clearly distinct as building forms relative to the Manor house. Insertion of dormers would domesticate the building and severely harm its historic character of a barn."

Historic England: "On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers."

Neighbour Comments: No responses were received.

Design/Layout/Materials: The proposed rear dormers are to replace two existing rear rooflights, but would not affect the existing third rear rooflight. The dormers are to be constructed of double roman clay roof tiling to match the existing roof materials of Parsons Barn, with leaded cheeks, black UPVC guttering and double-glazed timber casement windows. The use of Black UPVC guttering is not considered appropriate in the use of this listed building due to its location within a conservation area and setting of other listed buildings, including the setting of Grade I listed Church of the Holy Trinity which is located

approximately 55 metres to the North-West of Parsons Barn. The proposed UPVC would match the existing guttering on Parsons Barn, however the explicit use of UPVC as a guttering material was not found within previous planning approvals. Instead of using UPVC, cast iron or extruded aluminium guttering would be a more suitable material for visual material, in line with Historic England guidance on adapting traditional farm buildings.

Moreover, the use of dormer windows on Parsons Barn are considered to demonstrably harm the character of the listed Parson Barn, the setting of listed buildings, and the character of the conservation area. The reasons for this are because dormers would domesticate the building and severely harm its historic character of a barn, and would be centrally visible from the right of way L 21/20 which is located approximately 25 metres to the rear of Parsons Barn and looks upon the setting of the proximate listed buildings ('The Granary' - Grade II listed located approximately 15 metres to the West, 'The Stable and Coach House' Grade II listed located approximately 50 metres North-West, 'The Manor House' Grade II* listed located approximately 45 metres to the West, and the previously mentioned Grade I listed The Church of The Holy Trinity) thus harming the setting of listed buildings and the character of the conservation area. In addition the dormers would also be visible from Cross Lane, one of the main roads of Long Sutton which would mean that the dormers would be visible for vehicles and pedestrians alike, and would demonstrably impact the character of the conservation area and setting of some of the most important historic buildings of Long Sutton. It is therefore considered that the use of UPVC and the principle of dormers on Parsons Barn would have an unacceptable demonstrable impact to the visual amenity and character of Parsons Barn and to the setting and character of the conservation area, as well as to the setting of locally important listed buildings.

Residential Amenity: It is not considered that the proposal would give rise to undue overlooking / loss of privacy or an overbearing relationship with neighbouring properties. Therefore it is considered that the development does not have an unacceptable impact upon the residential amenity of neighbouring properties.

Highways: The proposed development has no impact upon highway safety.

CIL: This Authority does not collect CIL from householder development.

Summary: The Parish council have supported the proposed plans. Notwithstanding the parish support, the proposed development is considered to have an unacceptable demonstrable effect upon the visual amenity and character of Parsons Barn, the conservation area and the setting of listed buildings and recommended for refusal.

RECOMMENDATION

Refuse.

FOR THE FOLLOWING REASONS:

01. The proposal, by reason of its use of design, materials and prominent location, would cause demonstrable harm to the character of the curtilage listed barn conversion Parsons Barn, as well as causing demonstrable harm to the visual amenity and character of the conservation area and to the setting of locally important listed buildings and is therefore contrary to Policies EQ2 and EQ3 of the South Somerset Local Plan (2006-28) and the provisions of the National Planning Policy Framework 2019.

Agenda Item 15

Officer Report On Planning Application: 20/00686/LBC

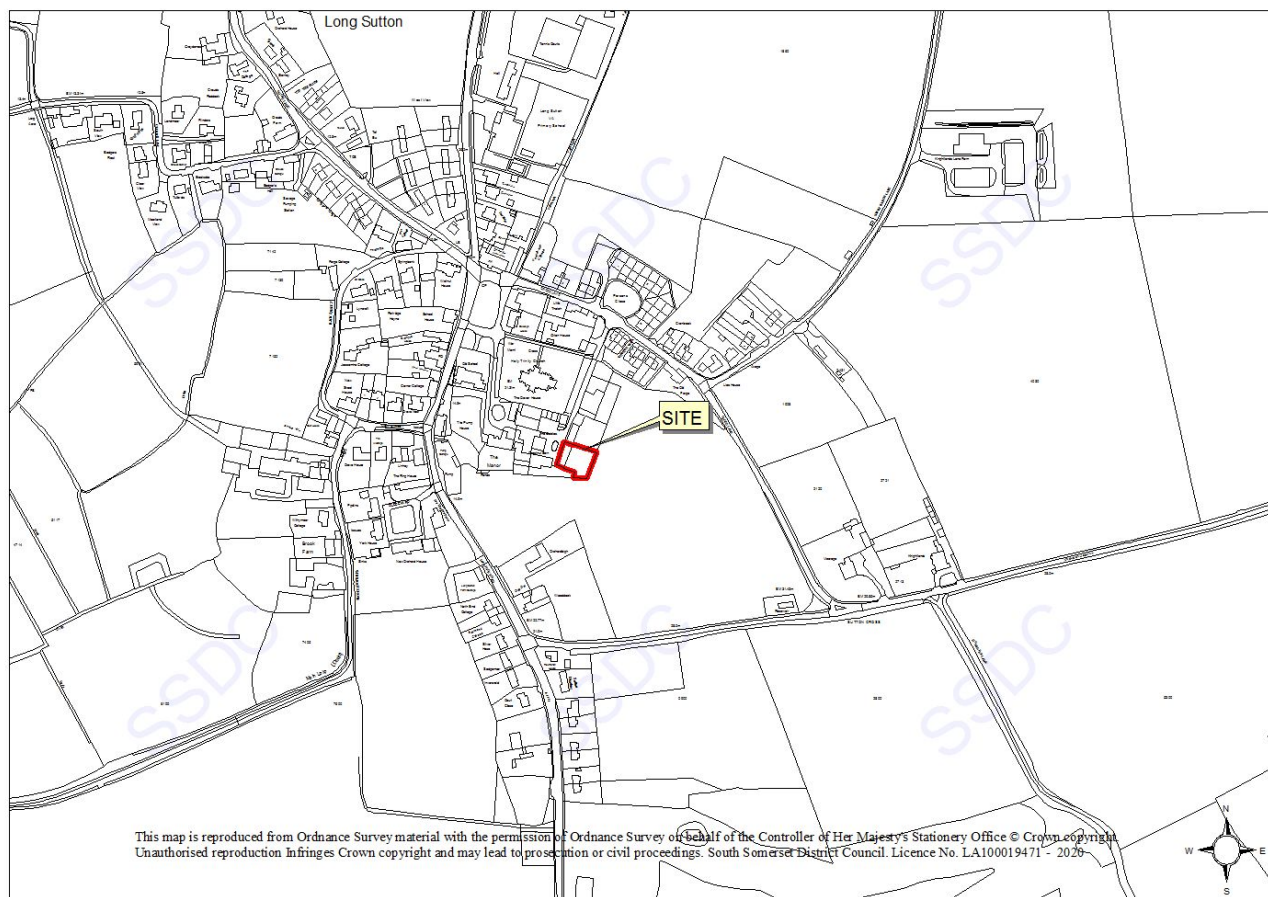
Proposal :	Proposed installation of 2No. dormer windows to the rear elevation following removal of 2No. existing roof lights.
Site Address:	Parsons Barn Martock Road Long Sutton TA10 9HT
Parish:	Long Sutton
TURN HILL Ward (SSDC Member)	Cllr G Tucker
Recommending Case Officer:	Cameron Millar
Target date :	30th April 2020
Applicant :	Mr & Mrs P. Brand
Agent: (no agent if blank)	Mr Peter Clark, Lake View, Charlton Estate, Shepton Mallet BA4 5QE
Application Type :	Other LBC Alteration

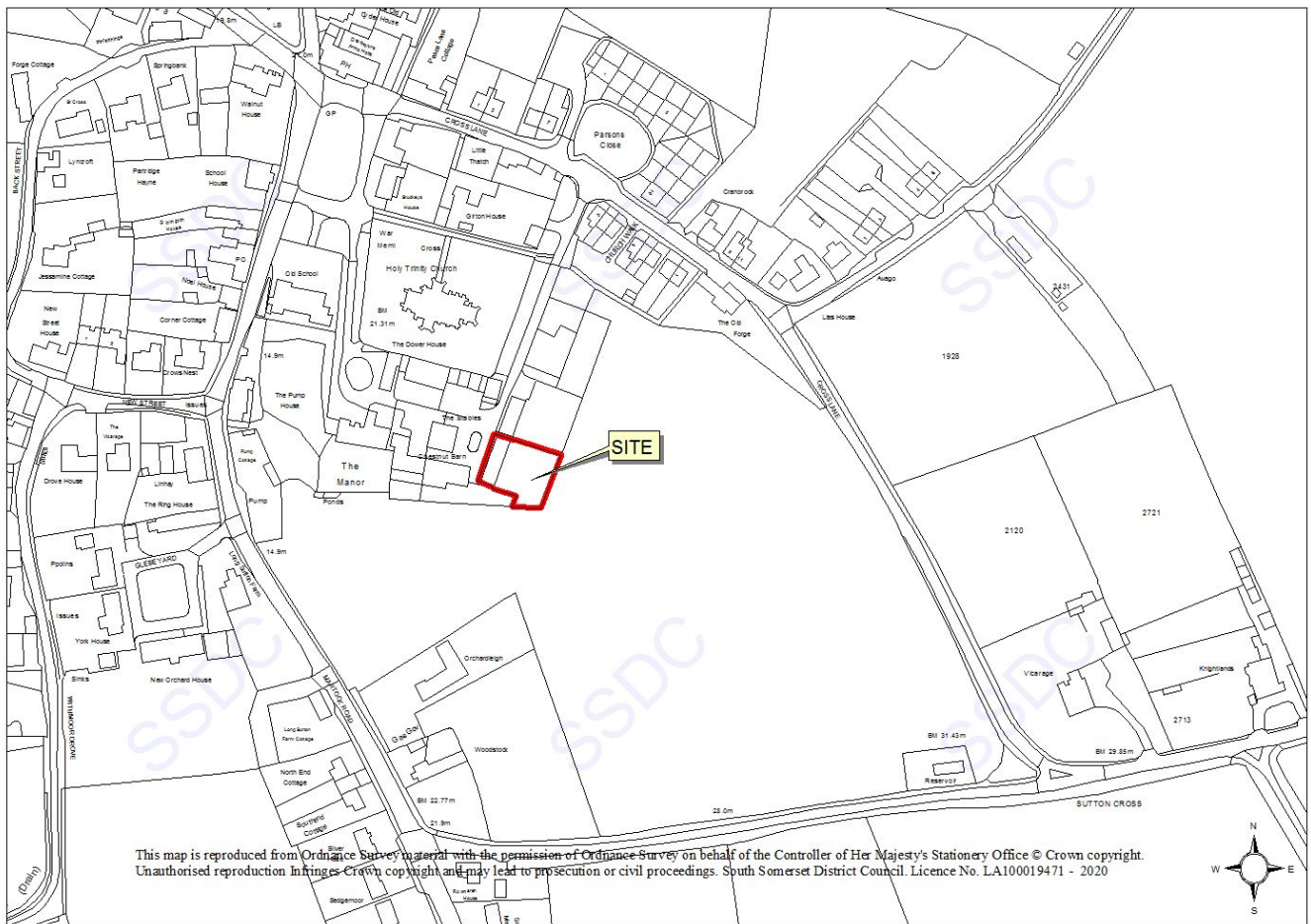
REASON FOR REFERRAL TO COMMITTEE

This application is referred to area committee at the request of the ward member and with the agreement of the area chairman to discuss the merits of the application.

Date of site visit: 11/04/2020

SITE DESCRIPTION





Description:

Parsons Barn is a listed two storey converted barn dwellinghouse constructed of natural stone lias, with clay double roman roof tiling that is listed due to its association with the Grade II* Manor Farm. Parsons Barn is located in the parish of Long Sutton, is also located within a conservation area and the setting of three listed buildings. The proposal is for the erection of two rear dormer windows, constructed of double roman clay roof tiling to match existing, leaded cheeks, black UPVC guttering, and double-glazed casement timber windows. These rooflights will replace two existing rear conservation rooflights. This application runs concurrently with 20/00685/HOU.

History :

Recent and Relevant:

20/00685/HOU - Proposed installation of 2No. dormer windows to the rear elevation following removal of 2No. existing roof lights.

16/02066/FUL - Installation of 2 No. 230 mm diameter sunpipes over lounge. Granted 2016.

14/01038/FUL - Erection of a rear extension and insertion of first floor rooflight. Granted 2014.

04/02477/FUL - Conversion of barns to dwellings and associated works. Granted 2005.

Policy:

Section 16 of the Listed Building and Conservation Areas Act is the starting point for the exercise of listed building control. This places a statutory requirement on local planning authorities to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'

NPPF: Chapter 16 - Conserving and Enhancing Historic Environment is applicable. This advises 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building; park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'

Whilst Section 38(6) of the 2004 Planning Act is not relevant to this listed building application, the following policies should be considered in the context of the application:

Policies of the South Somerset Local Plan (2006-2028)
Policy EQ3 - Historic Environment

CONSULTATIONS

Town/Parish Council: Long Sutton Parish Council - "The Parish Council has no objections and support this application."

SSDC Conservation Officer - "The application site is in the conservation area and affects the setting of a Grade I listed church. I would consider dormers on a barn not compatible with the character of this type of building which is why they only had permission for roof lights. I would not consider dormers suitable in this highly sensitive setting and would refuse it on those grounds."

Please have a look at the HE guidance for barn conversions. <https://historicengland.org.uk/images-books/publications/adapting-traditional-farm-buildings/heag158-adapting-traditional-farm-buildings/>
'New dormer windows are generally inappropriate in all farm-building adaptations except where there is already evidence of their use.' Please also see the comments on rainwater goods on page 30.

There are wide views on the approach to the village of this elevation as you can see from the photo in the statement. The roofs of the barns are clearly distinct as building forms relative to the Manor house. Insertion of dormers would domesticate the building and severely harm its historic character of a barn."

Historic England: "On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers."

Other Comments:

A site notice was displayed, no representations were received.

Impact upon Heritage Asset:

It is considered that the proposal is unacceptable as the proposed dormers will have an adverse impact upon the character of this curtilage listed barn conversion, as dormer windows would domesticate the

building and severely harm its historic character of a barn. The proposals will also adversely affect the setting of the following proximate listed buildings - 'The Granary' - Grade II listed located approximately 15 metres to the West, 'The Stable and Coach House' Grade II listed located approximately 50 metres North-West, 'The Manor House' Grade II* listed located approximately 45 metres to the West, and the Grade I listed 'The Church of The Holy Trinity' located approximately 55 metres to the North-West of Parsons Barn.

Proposed Conditions:

See below

Summary:

The Conservation Officer has, in their comments, indicated that they consider the proposal to have an unacceptable level of harm to Parsons Barn and to listed buildings within the setting of Parsons Barn. It is considered that there will be demonstrable harm caused to the historic character of the building by these proposals. Therefore it is considered that the proposals are contrary with Section 16 of the Listed Building and Conservation Areas Act, policy EQ3 of the South Somerset Local Plan and Chapter 16 of the NPPF.

RECOMMENDATION

That Listed Building Consent be refused.

FOR THE FOLLOWING REASONS:

01. The proposal by reason of its intervention into the historic design of this listed barn conversion building is considered to cause demonstrable harm to the historic and architectural interests of Parsons Barn and to settings of other listed buildings proximate to Parsons Barn contrary to Policy EQ3 of the South Somerset Local Plan 2006-28, and the provisions of Chapter 16 of the National Planning Policy Framework 2019.
