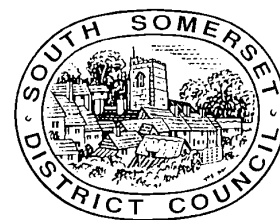


# South Somerset District Council

## Notice of Meeting



# Area North Committee

*Making a difference where it counts*

**Wednesday 22 June 2011**

**2pm**

**Millennium Hall  
Seavington  
TA19 0QH**

(location plan overleaf - disabled access is available at this meeting venue)



The public and press are welcome to attend.

**Please note: Planning applications will be considered no earlier than 4pm.**

If you would like any further information on the items to be discussed, please ring the Agenda Co-ordinator, Becky Sanders on Yeovil (01935) 462462.

email: [becky.sanders@southsomerset.gov.uk](mailto:becky.sanders@southsomerset.gov.uk)

website: [www.southsomerset.gov.uk/agendas](http://www.southsomerset.gov.uk/agendas)

This Agenda was issued on Monday 13 June 2011.

*Ian Clarke, Assistant Director (Legal & Corporate Services)*



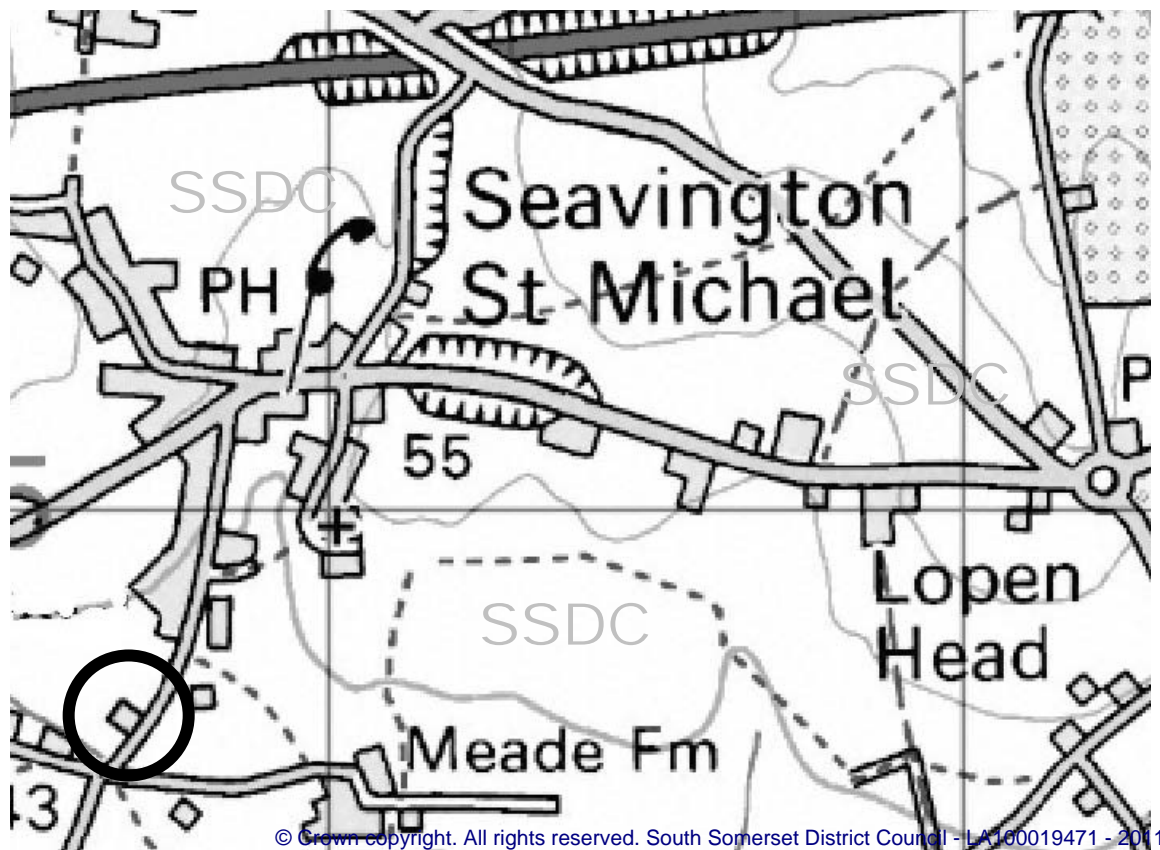
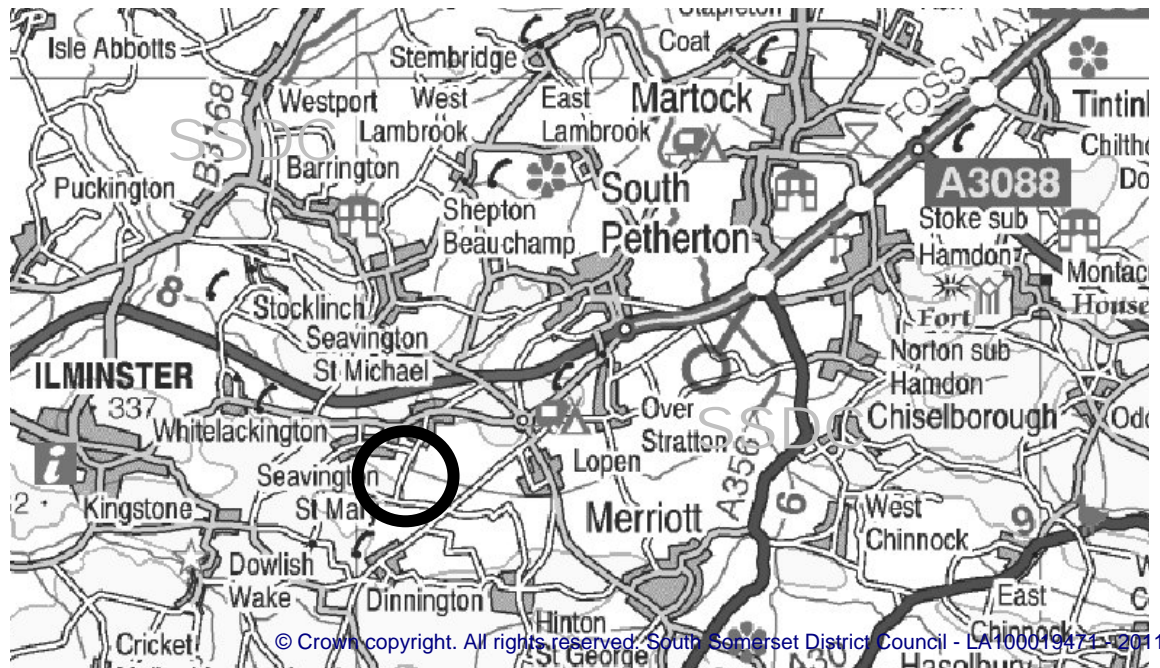
2007-2008  
Neighbourhood and  
Community Champions:  
The Role of Elected Members  
2006-2007  
Improving Rural Services  
Empowering Communities  
2005-2006  
Getting Closer to Communities

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



INVESTOR IN PEOPLE

Location of meeting venue



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## Area North Membership

Pauline Clarke (Vice Chairman)	Patrick Palmer (Chairman)	Sue Steele
Terry Mounter	Shane Pledger	Paul Thompson
Graham Middleton	Jo Roundell Greene	Barry Walker
Roy Mills	Sylvia Seal	Derek Yeomans
David Norris		

## Somerset County Council Representatives

Somerset County Councillors (who are not already elected district councillors for the area) are invited to attend area committee meetings and participate in the debate on any item on the agenda. **However, it must be noted that they are not members of the committee and cannot vote in relation to any item on the agenda.** The following County Councillors are invited to attend the meeting: Councillors John Bailey, Sam Crabb and Anne Larpent.

## South Somerset District Council – Corporate Aims

**Our key aims are:** (all equal)

- To increase economic vitality and prosperity
- To enhance the environment, address and adapt to climate change
- To improve the housing, health and well-being of our citizens
- To ensure safe, sustainable and cohesive communities
- To deliver well managed cost effective services valued by our customers

## Scrutiny procedure rules

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

## Consideration of planning applications

Consideration of planning applications usually commences no earlier than 4.00pm, following a break for refreshments, in the order shown on the planning applications schedule. The public and representatives of parish/town councils will be invited to speak on the individual planning applications at the time they are considered. Anyone wishing to raise matters in relation to other items on the agenda may do so at the time the item is considered.

## Highways

A representative from the Area Highways Office will be available from 1.30pm at the hall to answer questions and take comments from members of the Committee. Alternatively, they can be contacted through Somerset Highways direct control centre on 0845 345 9155.

## Members questions on reports prior to the meeting

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

## Information for the public

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

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

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

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

Meetings of the Area North Committee are held monthly at 2pm on the fourth Wednesday of the month in village halls throughout Area North.

Agendas and minutes of area committees are published on the council’s website [www.southsomerset.gov.uk /agendas](http://www.southsomerset.gov.uk/agendas)

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

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

### Public participation at committees

This is a summary of the protocol adopted by the council and set out in Part 5 of the council’s Constitution.

### Public question time

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

## Planning applications

Comments about planning applications will be dealt with at the time those applications are considered, rather than during the public question time session.

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

At the committee chairman's discretion, members of the public are permitted to speak for up to 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/Agent  
District Council Ward Member

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

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

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

If a councillor has declared a personal and prejudicial interest

Under the new Code of Conduct, a councillor will be afforded the same right as a member of the public, except that once the councillor has addressed the committee the councillor will leave the room and not return until after the decision has been made.



## Area North Committee

**Wednesday 22 June 2011**

### Agenda

#### *Preliminary Items*

1. **To approve as a correct record the minutes of the meetings held on 27 April 2011 and 19 May 2011.**
2. **Apologies for absence**
3. **Declarations of interest**

In accordance with the Council's Code of Conduct, which includes all the provisions of the statutory Model Code of Conduct, members are asked to declare any personal interests (and whether or not such an interest is "prejudicial") in any matter on the agenda for this meeting. A personal interest is defined in paragraph 8 of the Code and a prejudicial interest is defined in paragraph 10. In the interests of complete transparency, members of the County Council, who are not also members of this committee, are encouraged to declare any interests they may have in any matters being discussed even though they may not be under any obligation to do so under the code of conduct.

#### *Planning applications referred to the Regulation Committee*

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

Councillors Patrick Palmer, Shane Pledger and Sylvia Seal.

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

4. **Date of next meeting**

Councillors are requested to note that the next Area North Committee meeting will be held on **Wednesday 27 July 2011 at the Village Hall, Norton Sub Hamdon.**

5. **Public question time**

- 6. Chairman's announcements
- 7. Reports from members

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*Items for Discussion*

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<p><b>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</b></p>
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Area North Committee – 22 June 2011

## 8. Highway Authority Report – Area North

*Lead Officer:* Neil McWilliams, Assistant Highway Service Manager, SCC  
*Contact Details:* countyroads-southsom@somerset.gov.uk or 0845 345 9155

### Purpose of Report

This report is intended to give a brief overview of what Somerset County Highways services have achieved during last financial year and their expectations for 2011/12.

### Public Interest

The report is to inform members of the work carried out by the County Highway Authority during the last financial year and the proposed work programmed for the current financial year.

### Recommendation

That members note and comment on the report.

### Report

Another hard winter has challenged our ability to keep the roads free from ice and snow. The period during November and December was particularly cold which resulted in 116 treatments and the use of 10500 tonnes of salt. Our workforce has again performed well during these difficult times. We had gangs working double shifts around the clock across the region whilst undertaking this very difficult work.

Many Parish and Town Councils have taken the opportunity to purchase grit bins which we filled, free of charge, at the start of winter. We also provided each Parish Council with 10 salt bags to be used within the parish to help keep the network running.

As ever budgets have been largely influential in determining the extent of structural maintenance works undertaken. Schemes completed during the previous financial year (2010/2011) were,

- Aller, A372 Beer Road
- Curry Rivel, A378 Townsend/High Street
- Langport, The Hill
- Huish Episcopi, Muchelney Road
- Somerton, Rocky Hill, Ashen Cross to Lodge Hill and Broad Street/North Street
- High Ham, Nythe Road
- Long Sutton, Martock Road

Structural Maintenance improvement works have resulted in footway works being completed at.

- Somerton, The Millands
- Martock, Ashfield Park.

Structural Maintenance improvement works have resulted in drainage works being completed at.

- Kingsbury Episcopi, Lower Burrow Road
- Curry Mallet, Higher Street
- Long Sutton, Cross Lane and Langport Road



- Somerton, Pye Corner.

Moving on to this financial year (2011/12), some budgets have been cut. These are mainly in our revenue budget which unfortunately has affected our ability to cut verges, empty gullies, kill weeds and clean drains. In broad terms we can now only cut verges on main roads once a year, empty gullies every two years, kill noxious weeds including ragwort and clear drains where there are flooding risks to properties.

On a brighter note, our capital budget is roughly set at the same level as in previous years. This has been enhanced by an additional £5m from the government to target pothole repair in Somerset.

Looking forward, outlined below are the carriageway resurfacing, footway and surface water drainage schemes, to be implemented during the current financial year.

### **Surfacing**

Curry Rivel - School Street  
Martock - Stoke Road  
Tintinhull -Head Street  
Martock - Ashfield Park

### **Footway**

Huish Episcopi - Portland Road  
Stoke Sub Hamdon - Hamdon Close  
Martock - Long Load Road;  
Martock - Ashfield Park (phase 2)  
Ilton - Penny's Meade and King Lear

### **Drainage**

Tintinhull - Queen Street;  
Chilthorne Domer - Vagg Hollow.

*Neil McWilliams, Assistant Highway Service Manager, South Somerset Area Highway Office*

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Area North Committee – 22 June 2011

## 9. Performance of the Streetscene Service

*Strategic Director:* Vega Sturgess, Operations and Customer Focus  
*Assistant Director:* Laurence Willis, Environment  
*Service Manager:* Chris Cooper, Streetscene Manager  
*Lead Officer:* Jon Brown, Streetscene Coordinator  
*Contact Details:* chris.cooper@southsomerset.gov.uk or (01935) 262840

### Purpose of the Report

To update and inform the Area North Committee on the performance of the Streetscene Service in the Area for the period October 2010 – May 2011.

### Public Interest

The report is to inform interested parties what the Streetscene team has been doing in Area North since October 2010, and to indicate what the service will be focussing on over the coming months.

### Recommendation

Members are invited to comment on the report.

### Report

The major achievements of the services so far for this period, that affect Area North are listed below.

- Initial two NI 195 (National Indicator) inspections average result in Street Cleaning of 8% in 2010/11
- Retained our level 1 'Very Effective' NI196 result for Fly tipping for 2010/11

National Indicators (NI's) are set by DEFRA. All Councils' have to submit data returns for National Indicators.

NI 195 is a combined average score of the level of litter and detritus from 300 transects. The NI 195 inspections are carried out 3 times a year and the 8% comes from the average of these scores.

NI 196 is scored by the amount of flytips and also the amount of Enforcement actions. A 'Very Effective' score is a decrease in flytips from the previous year and also an increase in enforcement actions from the previous year.

### Operational Works

#### Horticultural

We continued with grass cutting over the winter period and restructured the mowing rounds for the start of the new season in March. This was to allow for the reduction in the budget from Somerset County Council on the maintenance of their verges. This has changed from 16 cuts per year to 11.

We have delivered our vegetation maintenance program on SSDC/Environment Agency water courses and continued with the fortnightly inspections of the trash screens in the area

Our Landscape team carried out re-landscaping works at the entrances to Tintinhull and Ilton Gypsy sites to enhance the areas.

### **Street cleaning**

Our focus during December to March was litter picking of the A and B roads across the district. In Area North this included the A303 and its Lay-bys and:

A378 Fivehead to Langport  
 B3153 Langport to Somerton  
 B3165 Long Sutton to A303  
 B3168 Curry Rivel to Ilton  
 B3088 Cartgate to Yeovil

Due to the removal of Somerset County Councils weed control budget the District Council will carry out one full spray of all the town and parishes in North, rather than our current process of two visits to South Petherton, Stoke Sub Hamdon, Martock, Curry Rivel, Somerton, Langport and Norton Sub Hamdon. Completed to date are South Petherton, Stoke Sub Hamdon, Martock, Curry Rivel, Somerton, Langport and Huish Episcopi.

The street cleaners are now working in pairs and covering an Area per team in North, East and West. This has made a considerable saving on vehicle costs and allows us to dedicate a team to carry out litter picking of the main roads and weed control.

### **Enforcement**

The final part of the introduction of Dog Control Orders has been rolled out and will come into effect on the 1<sup>st</sup> of July 2011, this is:

- the Fouling of Land by Dogs which is any person in charge of a dog, without reasonable excuse does not remove faeces deposited by the dog at any time, commits an offence and shall be liable to a fixed penalty notice of £80 or on summary conviction to a fine up to £1000 and;
- the Dogs on Leads by Direction whereby a dog must be put on a lead when an authorised officer of the council has directed them to do so, this also carries a fixed penalty notice of £80 or on summary conviction of up to £1000 if there is failure to comply.

The enforcement of this new legislation will be carried out by the Environmental Enforcement team. Further information about the Dog Control Orders is attached as Appendix A.

We are continuing to support community litter picks and attending schools to give talks on awareness of environmental enforcement issues.

### **Training**

Within the team we have delivered some essential health and safety related training for our staff, including:

- First Aid refresher
- Annual machinery assessment

- Annual Driver assessment
- Professional development for the Arboricultural team

The annual refresher training is essential to the health and safety of our staff as well to their personal development in their roles.

### Break Down of Service Requests

The chart below is a break down of the nature of requests received by the service between October 2010 to March 2011 indicating the predominantly responsive nature of most of the contacts made to the service by the public, indicating that the routine maintenance works being delivered are to an acceptable standard, but a responsive approach is also very important.

The types of requests also give an indication of the seasonal variations in work. It is noted that as the lighter nights appear, the level of littering & fly tipping increases, as does the amount of dead animals as they roam in search of territory, this is reflected in the figures.

### Area North Requests October 2010 – March 2011

Job / Month	Oct	Nov	Dec	Jan	Feb	Mar
<b>Horticulture</b>						
Trees	1	0	1	0	0	2
Grass	2	0	0	0	0	3
Hedges	1	0	0	0	0	0
Other	0	0	0	0	1	0
<b>Street Cleaning</b>						
Flytips	16	12	7	29	28	29
Litter/glass	3	6	0	2	4	6
Litter Bins	4	0	0	0	3	4
Household Rubbish	3	4	3	0	3	2
Needles	1	0	0	1	0	0
Sandbags	1	0	0	0	0	0
Dead Animals	2	3	0	2	5	4
Graffiti	0	0	0	0	0	1
Sweeping	2	3	0	1	1	2
Dog Fouling	3	0	1	2	1	2
<b>Enforcement</b>						
Strays	2	4	6	0	3	4
Vehicles	2	2	1	0	0	4
Other	8	0	1	2	1	1
Flyposting	0	0	0	0	0	0
Dog Fouling (E)	0	1	3	5	3	5
<b>TOTAL</b>						<b>276</b>

### National Indicators

We were pleased to announce that in 2009/10 we have scored an average of 8.6% in NI 195 inspections, this is the averaging of three inspection results carried out throughout the year.

In 2010/11 we have completed the initial two inspections and recorded an average result of 8% that we are delighted with. We are currently carrying out the third inspection and the result will be due soon.

Our other national indicator NI 196, relating to our performance on dealing with fly tipping, in 2009/10 we scored a level 1 in this indicator (very effective), indicating that the service increased the number of actions it took regarding fly tipping and reduced the number of fly tips reported to us. We are currently awaiting the 2010/11 result which is sent via DEFRA.

### Local Area Quality Inspection Results

Month	Location	Results
October 2010	Montacute Norton Sub Hamdon Stoke Sub Hamdon	37% Good 45% Fair 18% Fail fail due to - Hedges & Hard Areas – NSH & SSH
November 2010	Kingsbury Episcopi Barrington Hambridge Shepton Beauchamp	66% Good 29% Fair 5% Fail fail due to - Sweeping - Kingsbury
December 2010	N/A – DUE TO SNOW & ICE	N/A
January 2011	Compton Dundon Seavington St Mary High Ham Curry Mallet	62% Good 38% Fair 0% Fail
February 2011	Martock Long Load	43% Good 50% Fair 7% Fail fail due to - Litter - Martock
March 2011	Langport Long Sutton Drayton	74% Good 26% Fair 0% Fail
<b>Target Set</b>	<b>90% Pass, 50% at Good Level</b>	
<b>Overall Performance</b>	<b>94% Pass, 56% at Good Level with 6% Fail</b>	

The local area quality inspections are completed by Martin Hacker who is a member of the Streetscene Services, but not in direct supervision of any members of staff. Martin carries out inspections because he is an impartial member of the service along with local Councillors if available. Inspections carried out in this manner helps the service to maintain a very high standard of work and identify areas that need improving.

These results reflect that the quality of the service being delivered is high, and the effect of focussing on rural roads litter during the winter, which, although successful, adversely affected the quality of the road sweeping service for a limited period.

### Watercourse Vegetation Maintenance

The table below shows the watercourse vegetation maintenance carried out by the Streetscene teams on behalf of SSDC and the Environment Agency.

The Councils Engineering service specifies the work program and our teams deliver the operational works.

<b>SSDC Watercourses</b>		
<b>Ref</b>	<b>Parish</b>	<b>Location</b>
N1	Ash	Yeovil Road, Ash to Foldhill Lane
N3	Bower Hinton	Rear of Rose & Crown to Dimmocks Lane; Hoop Lane; Broad Lane
N4	Compton Dundon	Compton street, Combe Hollow
N4a	Compton Dundon	Moor Close
N5	Curry Rivel	Parsonage Place - Dyers Road; Drayton Lane
N 6	Curry Rivel	Portfield Lane
N7	Drayton	East Street, roadside collector
N 8	Huish Episcopi	Wagg Drove, rear of Mill Brook
N9	Ilton	Podgers Lane
N11	Montacute	Townsend, rear of Yeovil Road, Montacute Park, Mill Copse
N13	Pitney	Various
N14	Shepton Beauchamp	Buttle Close; Sheepway; rear of North St.; Silver St., Lambrook Road
N17	Stocklinch	Stoney Lane; Owl Street
N18	Westport	B3168
N19	Isle Brewers	Monks Dairy to Northmead Lane
N20	Seavington	Water Street (down stream of Winchester Cott's)
<b>Environment Agency Watercourses</b>		
N16	South Petherton	Hele Lane to Silver St
N 8	Huish Episcopi	From railway bridge at Wagg Drove to junction with Mill Brook (south of A372)

### **What's coming next?**

- Deliver the summer horticultural maintenance mowing and shrub bed maintenance programs.
- In Martock, Stoke Sub Hamdon and Montacute, we are having a concerted blitz on people who do not pick up after their dog has fouled and we will be issuing Fixed Penalty Notices.
- Adopting the inputting of the NI196 figures which were previous completed by the Environment Agency.
- The delivery of a power washer for graffiti removal which will enable us to carry out the required work without hiring in the equipment.
- £121,000 for the purchase of our new road sweeper via capital bid money to replace a 12 year old sweeper.

### **Financial Implications**

All issues highlighted in the report will be achieved within service budgets.

### **Corporate Priority Implications**

- 2.8 Improve Street and environmental cleanliness by reducing levels of graffiti, litter, detritus, fly-tipping and Flyposting



- 2.9 Increase resident satisfaction on country parks, open spaces, street cleaning, car parks and public toilets

### **Carbon Emissions & Adapting to Climate Change Implications (NI188)**

Carbon emissions arising from use of vehicles will change in Streetscene Services because we have:

- Reduced the number of vehicles in the area
- Purchased an electric van
- Purchased some low-emission vehicles

### **Equality and Diversity Implications**

There are no implications for equalities or diversity associated with this report

**Background Papers:** *Previous progress reports to Area Committees on Performance of Streetscene*

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The Clean Neighbourhoods and Environment Act 2005

**The Fouling of Land by Dogs (Specified land within the administrative area of South Somerset) Order [2011]**

South Somerset District Council has made an Order under the above Act. It applies to land (as specified below) throughout the administrative area of South Somerset, subject to the statutory applications and exemptions.

From the 01 July 2011 a person who being in charge of a dog, without reasonable excuse, does not remove faeces deposited by the dog at any time, commits an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

The offence does not apply to persons who are registered blind; or to a deaf person in respect of a dog which has been trained by Hearing Dogs for Deaf People; or to a person who has a disability which affects his mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects in respect of a dog trained by Dogs for Disabled, Support Dogs or Canine Partners for Independence and upon which he relies for assistance.

**This Order will apply to the following land:**

1. Land owned by or controlled by South Somerset District Council.
2. Land owned by or controlled by any Town or Parish Councils within the administrative area of South Somerset District Council.
3. Highway Land (as defined in the Highways Act 1980) in Somerset County Council's ownership, to include any road carriageway, footpath, bridleway, cycle track, footbridge, pedestrian subway or underpass and any adjoining verges.
4. Land owned or controlled by Recreational Ground Charities within the South Somerset District Council administrative area.

**This Order will not apply to:**

5. Land in private ownership.
6. Land held by a Charitable Trust but not falling within paragraph 4 above, (that owned or controlled by Recreational Ground Charities) within the South Somerset District Council administrative area.
7. Access Land (as defined in the Countryside and Rights of Way Act 2000) within the South Somerset District Council administrative area.
8. Land that is placed at the disposal of the Forestry Commissioners under section 39(1) of the Forestry Act 1967.

The Order may be inspected at and copies obtained from: The Council Offices,  
Brympton Way, Yeovil, Somerset BA20 2HT

Phil Jones  
Environmental Enforcement Supervisor

The Clean Neighbourhoods and Environment Act 2005

**The Dogs on Leads by Direction (Specified land within the administrative area of South Somerset) Order [2011]**

South Somerset District Council has made an Order under the above Act, whereby a dog must be put and kept on a lead when an authorised officer of this council has directed. The Order applies to land (as specified below) throughout the administrative area of South Somerset District Council, subject to the statutory applications and exemptions.

From the 01 July 2011 a person in charge of a dog, who without reasonable excuse, fails to comply with this Order, commits an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

**This Order will apply to the following land:**

1. Land owned by or controlled by South Somerset District Council.
2. Land owned by or controlled by any Town or Parish Councils within the administrative area of South Somerset District Council.
3. Highway Land (as defined in the Highways Act 1980) in Somerset County Council's ownership, to include any road carriageway, footpath, bridleway, cycle track, footbridge, pedestrian subway or underpass and any adjoining verges.
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The Order may be inspected at and copies obtained from: The Council Offices, Brympton Way, Yeovil, Somerset BA20 2HT

Phil Jones  
Environmental Enforcement Supervisor

## **Dog Control Orders – Frequently Asked Questions**

### **What are Dog Control Orders (DCOs)?**

DCOs were introduced by the Clean Neighbourhoods and Environment Act 2005 and replace the Dogs (Fouling of Land) Act 1996 and any byelaws relating to dogs. Councils can now make Orders for the following:

1. Dog fouling
2. Not putting & keeping a dog on a lead when instructed to do so by an authorised officer (of the Council).
3. To exclude dogs from specified areas
4. Not keeping a dog on a lead (at all times)
5. To specify the maximum number of dogs that can be taken onto land

### **What will it mean in South Somerset?**

At present, the District Council will make the first three types of Orders stated above, with the first exclusion Order relating to the lower fenced area at Nine Springs in Yeovil.

### **Why do we need DCOs?**

To ensure that everyone can enjoy our public spaces, without stepping in dog faeces, or being subject to the antics of a boisterous dog and also to protect habitats, livestock and children's play areas.

### **When will DCOs come into force?**

The Council will advertise the date each Order comes into force in the Western Gazette newspaper and on its website; further advertisement will take the form of notices, which will be erected at the appropriate sites

### **Where will DCOs apply in South Somerset?**

- Land owned by or controlled by South Somerset District Council
- Land owned by or controlled by any Town or Parish Councils within the administrative area of South Somerset District Council
- Highway Land (as defined in the Highways Act 1980) in Somerset County Council's ownership, to include any road carriageway, footpath, bridleway, cycle track, footbridge, pedestrian subway or underpass and any adjoining verges
- Land owned or controlled by Recreational Ground Charities within the South Somerset District Council administrative area

In summary this means it will apply to publicly owned or controlled land and recreational trust land that is not access land (as defined in the Countryside and Rights of Way Act 2000) or land that is placed at the disposal of the Forestry Commissioners under section 39(1) of the Forestry Act 1967.

### **Can new DCOs be made?**

Yes, further Orders can be made should the need be proven and the staff resources available.

### **Can DCOs be amended?**

Orders for Dog Fouling and to Put and Keep a Dog on a Lead when Directed, can be amended to cover more types of land if the 'need' has been established and there are sufficient staffing resources for enforcement. The land in question must however, still be open to air on one side and the public must be entitled or permitted to enter it with or without payment.

### **Can town or parish councils make their own Orders?**

Yes. Town or Parish Councils can make their own Orders to exclude Dogs from certain areas or to introduce the other two types of Order that the District Council has not; however with regard to dog fouling and putting and keeping a dog on lead when directed, it may only make such Orders on land where the District Council has not included it in its own Order e.g. in relation to dog fouling, it may do so if the land is privately owned.

Should a Town or Parish Council wish to make an Order, they must follow the statutory procedure for consultation and implementation and will be responsible for the enforcement of that land.

If the District Council subsequently make an Order of the same type for land that the Town or Parish Council has already made an Order, that Order (meaning the Order of the Town or Parish Council), will cease to have effect.

### **How long does a DCO last?**

DCOs last for an indefinite period, or until they are revoked, however Orders can specify the period(s) or times they apply.

### **Is anyone exempt from DCO offences?**

Yes. If someone is blind or has a registered disability that affects their mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects and has a dog trained by a prescribed charity and upon which they rely for assistance, they are not required to clear up after their dog has fouled neither do they commit an offence if their dog has entered land from which dogs are excluded. However these groups of people are still be required to put their dog on a lead when instructed to do so by an authorised officer.

### **Who will enforce this legislation?**

The Streetscene enforcement officers

### **Could anyone else be authorised to enforce DCOs?**

The District Council can appoint other suitably trained persons to carry out enforcement on their behalf where they have made the Order. Chief Police officers can also authorise community support officers and accredit other persons to issue fixed penalty notices.

### **What are the penalties associated with DCOs?**

A Fixed Penalty Notice (FPN) may be issued where a suitably authorised officer believes that an offence has been committed and it is appropriate to do so. The FPN fee is £80 for all types of DCO offences, however an early payment fee of £50 will be levied if the payment is made within ten days. Failure to pay the FPN within 14 days may result in legal action being taken against the alleged offender. This action will be taken in the magistrates' court with a maximum fine of £1,000. The actual fine and awarding of costs is at the discretion of the magistrates.

### **If dog-waste bins are not available, do I still have to clear up after my dog?**

Yes, ordinary litter bins can be used to dispose of dog faeces if it is double wrapped providing that a dog waste bin is not available. If neither types of bin are available, it must be taken home and disposed of.

### **How do I obtain further information on dog control orders or report a problem?**

Problems can be reported via the councils website or by telephone 01935 462462.

Area North Committee – 22 June 2011

## 10. Area North Development Plan 2010-11 – Outturn Report

*Strategic Director* Rina Singh, Place and Performance  
*Assistant Directors* Helen Rutter / Kim Close - Communities  
*Service Manager:* Charlotte Jones, Area Development Manager (North)  
*Lead Officer:* As above  
*Contact Details:* charlotte.jones@southsomerset.gov.uk or (01458) 257401

### Purpose of the Report

To provide a end of year report of work undertaken by, or in conjunction with the Area Development Service in support of the Area North Committee priorities for the year 2010-11.

### Public Interest

This report provides information on work supported (through influence or direct investment) by the Area Development Service and Area North Committee, completed or taking place from April 2010 to March 2011.

### Recommendation

Note and comment on the report.

### Background

In a rural area such as Area North in South Somerset, economies of scale can be harder to achieve for public services. Building on existing partnerships, or promoting voluntary action can assist to make real improvements for local people.

South Somerset District Council aims to address this challenge, and build upon the local skills and knowledge found in local communities, through its nationally acclaimed arrangements for Area Working, the Council's 'enable-partner-deliver' ethos, and its mission to be 'an organisation consistently improving local quality of life for all'.

The area priorities, together with a range of powers and functions delegated to the Area Committee by SSDC form the SSDC Area Portfolio, held by the Chairman of the Area Committee. The Area Chairman is a member of the District Executive for SSDC, and also represents SSDC as a member of the Local Strategic Partnership board (South Somerset Together.)

The Area Development Service aims to **enable**:

- The delivery of community-led projects and initiatives that promote local economic, social and environmental well-being.
- Local involvement in decision making.
- Local partnerships and investments between communities and public services.
- 'Face to face' public access to services through community offices / Local Information Centres.



## Area North Priorities 2010-11

The Area Committee adopted the following six priorities in May 2010, and has used these throughout the year to inform decisions for allocating resources under its control, implementing local scrutiny and service performance monitoring, promoting local partnership working and supporting community engagement activities.

TOP	
1	Ensure delivery of current Area North programme and continue to develop further <b>affordable housing</b> .
All Equal	
2	Increase <b>access to services</b> to improve quality of life, through local and outreach services, transport and ICT.
3	Promote resilience and growth for <b>local services and businesses</b> .
4	Promote <b>community safety</b> - reduce crime, fear of crime and anti-social behaviour – where it occurs.
5	Increase local action towards carbon descent and enhance the <b>local environment</b> .
6	Increase and improve voluntary run <b>community facilities and activities</b> for all ages.

**Appendix A** provides further information to the current six Area North priorities and links to the SSDC corporate plan.

### Key points to note from 2010-11

- The overall work programme supported by the Area Development Service contains over 100 projects and issues and included:-
  - Support to 21 community facilities – village halls, play areas, recreation grounds, helping to improve facilities and develop new activities.
  - 3 post offices – including relocated services in Ash and Stoke sub Hamdon. Ilton Post Office also closed during the year and we will continue to help identify alternative premises.
  - ‘Clean up and tidy’ (section 215) Notice served on Downside, North Street, Langport, with the required work completed by the owner.
  - Support to carry out community consultation to establish local needs and priorities in Somerton, Martock and Tintinhull.
  - Roundabout completed in Huish Episcopi in partnership with SCC and Yarlington Housing Group
  - Support to the ongoing development of four Local Information Centres / community offices in Martock, South Petherton, Somerton and Langport.
  - Public consultation events for the draft Core Strategy and the Annual Meeting with Parish and Town Councils.
  - Improvements to local visitor facilities completed with funding from the Market Towns Investment Group (MTIG), in the four member towns / villages (Langport, Somerton, Martock and South Petherton) - together with new signage and facilities at the Langport Visitor Centre.
  - Support for voluntary led young people’s clubs and community partnerships, including the Martock Youth Project and the new parish network seeking to increase support for young people’s activities in Area North.

- Continued partnership with SSVCA (South Somerset Voluntary and Community Action) to provide the Somerton and Langport Links Transport Service.
- 21 projects within the year's programme, were helped with £49,529 of grants from Area North, with a total project value of £317,167.
- In addition the Area Development team dealt with 117 enquiries from community groups and parish councils, including help with procedures or locating contacts, funding advice, loans of display boards and help with printing.
- During the year 3819 customers chose to access SSDC services 'face to face' from one of three locations for our community office services – Somerton, Martock and Langport. An average of 26% of all enquiries were for help with welfare benefits, housing and homelessness.
- The Somerton community office hours were reviewed and reduced, maintaining a valuable local service at a reduced cost. The Langport community office service relocated into the town centre, sharing premises leased by the town council – again at a reduced cost to SSDC.
- The Area Development team, and other service staff working from Area North relocated from Old Kelways, Langport to Bridge Barns, Long Sutton on a short term lease, pending the review of Area Working. The move contributed to a 6.5% efficiency saving on the Area North budget.
- Under the European / nationally funded Local Action for Rural Communities programme (LARC) – for the Somerset Levels and Moors, 13 projects are running either in or covering South Somerset. The programme was suspended by DEFRA earlier this year as part of a national review of the Rural Development Programme. A further six South Somerset based projects are awaiting a final decision - expected June 2012. These projects are for grants of £414,000 with a combined value of £1.3million.
- Work in parishes to promote new affordable homes in small scale schemes included Norton sub Hamdon, Long Sutton, Long Load, and Ash. (A detailed report on Affordable Housing will be submitted to the Area Committee at the July meeting.)

The presentation of this report will include further highlights of recent positive achievements and indicate issues that require further attention.

Further information on the content of this report is available from Area North Development.

### **Financial implications**

None from this report. The current financial position of the Area North budget is included in the next report.

## Corporate Priority Implications

The set of six area priorities has been fully informed by the SSDC Corporate Plan (2009-12), including priority outcomes and key targets. The Area Development team's work programme is developed with direct reference to 'Our Targets' for 2010-11.

In the main the programme supported is drawn from local priorities raised by community groups, residents, local businesses and Town & Parish Councils. In consultation with ward members, a greater proportion of time may be spent on certain projects than on others, where this can also be directly linked to corporate priorities. Examples include where there may be budget savings for SSDC through reduced demand on services, local income generation or community asset transfer.

## Carbon Emissions and Adapting to Climate Change Implications (NI188)

None directly from this report. There are a number of local initiatives designed to promote carbon reduction including support to 'Transition' volunteers. In particular where we are asked to support buildings projects, applicants are expected to assess the business case for energy efficiency and carbon reduction. Opportunities for sustainable transport and promoting local self-containment are priorities.

## Equality and Diversity Implications

None directly from this report. The Area Development plan includes a number of projects and initiatives, which actively promote equalities through removing barriers to discrimination and promoting diversity.

**Background Papers:** *Community Priorities for SSDC Services and investment in Area North – May '10.*  
*Reports of surveys and consultation activity are available, in addition to published town and parish plans.*

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## Appendix A – Area North priorities – 2010-11 – areas of investment and corporate plan links.

The column on the right refers to the SSDC Corporate Plan, a copy can be provided on request.

Area Priority	Special area(s) of focus	Key SSDC services to address this priority	SSDC Corporate plan outcome and Key Target Areas.
<b>TOP PRIORITY</b>			
1. Ensure delivery of current Area North programme and continue to develop further <b>affordable housing</b> .	Delivery of small-scale schemes in villages for local people.	Spatial Policy - Strategic Housing Development Management Area Development	3.0 A district where housing options are maximised Key target areas: 3.1, 3.2, 3.4.
<b>ALL EQUAL</b>			
2. Increase <b>access to services</b> to improve quality of life, through local and outreach services, transport and ICT.	Target lower income and vulnerable households; Build capacity of local community offices and information points; Community and public transport;	Housing & Welfare; Partnerships & Third Sector; Customer Services; ICT & Communications; Area Development	1.18 A district tackling economic disadvantage 3.11 Increased choice and quality of life for older and vulnerable people. 5.0 A successful council delivering services valued by residents Key target areas: 1.21, 1.22, 3.12, 3.13, 3.14, 3.15, 3.17, 3.26-3.28, 5.1, 5.5,
3. Promote resilience and growth for <b>local services and businesses</b> .	Access to business support & networking; Local infrastructure; Rural broadband; Key village services; Sustainable tourism – including walking, riding, cycling, boating; Local supply / produce	Economic Development, Heritage & Tourism Development Management; Streetscene Business Rates; Engineering & Property; Area Development	1.0 A well-supported business community 1.11 A vibrant and sustainable Yeovil, Market Towns and Rural Economy Key target areas: 1.6-1.9, 1.12, 1.14, 1.15,
4. Promote <b>community safety</b> - reduce crime, fear of crime and anti-social behaviour - where it occurs.	Diversions activities for young people; Local Action Groups / PACT; Partnership with Neighbourhood Policing team & Restorative Justice Programme; Community 'watches' – Speed, Farm, Pub, Neighbourhood.	Partnerships and Third Sector; Community Health & Leisure; Streetscene; Area Development	4.0 A community that feels safe  Key target areas: 4.1, 4.2, 4.4, 4.5, 4.8, 4.9, 4.13
5. Increase local action towards carbon reduction and enhanced <b>local environment</b> .	Flood risk mitigation; Quality of natural and built environment; Local enforcement priorities; Transition Town / Village action	Streetscene (and Waste); Civil Contingencies Spatial Planning; Countryside; Development Management; Area Development	2.13 A low-carbon council adapting to climate change 2.6 An enhanced built environment Key target areas: 1.14, 2.7, 2.8, 2.9, 2.18 2.23, 2.25, 3.12
6. Increase and improve <b>community facilities and activities</b> for all ages	Community centres / village halls Recreation trusts and sports clubs; Community groups for sport, leisure and arts. Volunteering; Developer Obligations for facilities (s106).	Community Health and Leisure Sports Development Development Management Area Development	3.18 – Individuals and communities enjoying healthier and more active lifestyles 4.22 Sustainable local communities  Key target areas: 3.20, 3.31, 3.12, 4.17, 4.19

Area North Committee – 22 June 2011

## 11. Area North Financial Outturn Report 2010/11 (Executive Decision)

*Strategic Director: Mark Williams, Chief Executive*  
*Assistant Director: Donna Parham, Finance and Corporate Services*  
*Service Manager: Amanda Card, Finance Manager*  
*Lead Officer: Nazir Mehrali, Management Accountant*  
*Contact Details: nazir.mehrli@southsomerset.gov.uk or 01935 462205*

### Purpose of the Report

To inform Members of the actual spend against budgets for 2010/11 of the services over which this Committee exercised financial control.

### Public Interest

This report gives an update of the Area North Committee's financial outturn for the twelve months ended 31<sup>st</sup> March 2011.

### Recommendations

Members are recommended to:

- (1) Review and comment on the outturn position and explanation of variances from budgets for the financial year 2010/11
- (2) Note the position of the Area North Reserve as at 31<sup>st</sup> March 2011
- (3) Carry forward the slippage of £161,034 on the Area North capital programme (Appendix A)
- (4) Note the position of the Play & Youth capital investment programme in Area North (Appendix B)
- (5) Note the position of the Area North Community Grants budget, including details of grants authorised under the Scheme of Delegation by the Area Development Manager (North) in consultation with the ward member(s) (Appendix C)

## REVENUE BUDGETS

### Background

Full Council in February 2010 set the General Revenue Account Budgets for 2010/11 and delegated the monitoring of the budgets to the four Area Committees and District Executive. Area North now has delegated responsibility for the Area North Development revenue budgets (which include revenue grants and regeneration), the Area North Capital Programme and the Area North Reserve.

### Financial Position

The table below shows the position of revenue budgets as at 31<sup>st</sup> March 2011. This includes transfers to or from reserves. It also includes the carry forwards agreed by District Executive in July 2010:

<b>Approved base budget as at Feb 2010</b>	<b>324,350</b>
Carry forwards approved July 2010	53,780
Funding contribution to 3 <sup>rd</sup> Sector & Partnership Assistant	(3,500)
Printer funding transferred to Finance	(1,960)
<b>Revised Budget as at 31<sup>st</sup> March 2011</b>	<b>372,670</b>

A summary of the revenue position as at 31<sup>st</sup> March 2011 is as follows:

Element	Original Budget £	Outturn Budget £	Actual Spend £	Carry Forward £	Actual + Carry Forward £	Variance £	%
<b>Development</b>	295,990	330,340	255,732	38,000	293,732	(36,608)	(11.1)
<b>Grants</b>	28,360	42,330	29,652	12,050	41,702	(628)	(1.5)
<b>Group Total</b>	<b>324,350</b>	<b>372,670</b>	<b>285,384</b>	<b>50,050</b>	<b>335,434</b>	<b>(37,236)</b>	<b>(9.99)</b>

*Note that figures in brackets in the variance column are favourable variances.*

### Area Development Manager (North) comments

The underspend for the year (under 'variance') includes £30,000 of the uncommitted Service Enhancement budget which was not approved for carry forward to next year at the District Executive meeting on 2<sup>nd</sup> June 2011. The results for the year reflect various efficiencies made during the year in the course of changing our accommodation requirements.

In addition, the planned savings of around 4% of the budget were achieved.

The approved carry forwards relate to uncommitted Service Enhancement expenditure and allocated revenue projects and programmes that are underway but their delivery timetable spans more than one financial year. Under Grants there are also some carry forwards where a grant has been approved but payment will not be made until satisfactory details are obtained about payments or project completion.

### Budget Virements

Under the financial procedure rules and providing that the Assistant Director (Finance & Corporate Services) has been notified in advance, the Area Development Manager can authorise virements for each individual cost centre within their responsibility (as defined by Appendix B of the Annual Budget Report) and Assistant Director/Portfolio Holder can authorise virements up to a maximum of £25,000 between services within their responsibility. All virements exceeding these limits need the approval of District Executive. All virements between different services, irrespective of value, need approving by District Executive. Area Committees can approve virements between their reserves and budgets up to a maximum of £25,000 provided that all such approvals are reported to the District Executive for noting. (In accordance with the constitution).

The following virements have taken place since the last report:

Amount £	From	To	Details
1,960	Area North Admin	Finance	Lease for MFD printer to be treated as finance lease. Costs & funding transferred to Finance



## AREA RESERVE

The position on the Area North Reserve as at 31<sup>st</sup> March 2011 is as follows:

	£	£	Comments
<b>Position as at 1<sup>st</sup> April 2010</b>		<b>43,920</b>	
<u>Less amounts allocated:</u>			
Completion of feasibility study for the Langport – Cartgate Cycleway	(1,000)		Partially completed £500 spent. Remaining work has now been completed.
Promoting local access to services – Area North Community Offices	(2,000)		Additional work achieved without cost to date.
Support towards progressing affordable rural housing schemes within the Area North	(15,000)		To transfer as required for additional staffing, printing, and professional fees. Work to date covered from existing budgets.
Professional fees and associated costs to progress priorities for the re-use of redundant buildings or workspace development	(2,000) 2,000		£500 spent from original allocation to progress re-use of empty property. Remaining allocation of £2,000 transferred to the enforcement action below
Serving of Section 215 Planning Enforcement Notice to owner of property in dilapidated condition	(17,500)		To cover the costs of SSDC carrying out remedial works if owner of property fails to comply; and subsequently reclaiming from owner. Enforcement process is complete with no requirement for funding.
Listed building enforcement action	(1,000)		As above. Some work completed by owner. Urgent Works Notice served May 2011.
<b>Total Committed</b>		<b>(36,500)</b>	
<b>Uncommitted balance remaining</b>		<b>7,420</b>	

## CAPITAL PROGRAMME

The revised capital programme for this financial year and beyond is attached following this report together with a progress report on each scheme either Area or District Wide that are current within Area North.

In summary the actual spend to 31<sup>st</sup> March 2011 was £57,944 on an approved 2010/11 programme of £152,080. £66,898 of the unallocated programme for 2010/11 was unused. It is recommended that the slippage of £161,034 for both approved and reserve schemes be carried forward into 2011/12.

For future years, there is £61,531 in the main programme and £175,000 in the reserve schemes awaiting allocation.

The details of the Reserve Schemes for future years are as follows:

<b>Schemes</b>	<b>Future Spend including slippage from 2010/11 £</b>
Unallocated Capital Reserve	111,240
Langport Vision, including boating access to parking and pathways	20,000
Local priority projects – enhancing facilities and services	110,658
<b>TOTALS</b>	<b>241,898</b>

If Members would like further details on any of the Area North budgets or services they should contact the relevant budget holder or responsible officer.

## COMMUNITY GRANTS

The details of the Community Grants are included in Appendix C. At the end of March 2011, out of a total budget of £42,330, there was an uncommitted balance remaining of £628.

## Corporate Priority Implications

The budget is closely linked to the Corporate Plan.

## Carbon Emissions & Adapting to Climate Change Implications (NI188)

There are no implications currently in approving this report.

## Equality and Diversity Implications

When the Area North budget was set any savings made included an assessment of the impact on equalities as part of that exercise.

**Background Papers** – *Financial Services Area North budget file*

	2010/11 Estimated  Spend £	Actual Spend to 31/03/2011 £	Slippage to Carry Forward £	Future Spend Excluding Slippage £	Responsible Officer (s)	Responsible Officers Comments	
						Action Taken to  Control Slippage	Performance Against Targets
<b>Health and Well-Being</b>							
Improvement to District owned Play Areas January 2001 Play Audit.	15,850	0	15,850	16,531	R Parr		Curry Rival Stanchester Way Phase 2 (£16,531) now expected to be completed in 2011/12. Bracey Road Martock - work is largely finished with final completion to take place May / June 11.
Bracey road Martock - Play area improvements (in addition to above)	10,000	0	10,000		R Parr		see above
Chilthorne Domer Pavilion refurbishment	12,500	0	12,500		L Collett	Project regularly monitored by the lead officer	Grant awarded to Chilthorne Domer Recreation Trust, work underway, grant paid once work completed.
Curry Rival refurbishment of Old School Room	1,500	0	1,500		L Collett	Project regularly monitored by the lead officer	Grant awarded to Curry Rival Old School Room. Work underway. Grant paid once work completed.
<b>Total Health and Well-Being</b>	<b>39,850</b>	<b>0</b>	<b>39,850</b>	<b>16,531</b>			
<b>Environment</b>							
Cockle Moor Bridge	28,452	0	28,452		C Jones	Payment is dependent upon final completion of wayleaves which is in hand.	Works completed. Payment to be made to SCC once easement across SSDC land approved.
New roundabout at Huish Episcopi (Field Road / Somerton Road junction)	35,000	35,000	0		C Jones		project completed by SCC and in use.
Feasibility Fees - West Street, Somerton (Traffic survey)	10,000		10,000		C Jones	This is an allocation only, the business case to be reviewed.	Survey work postponed pending further discussion with STC / SCC. Project needs to be re-defined to consider review of current parking strategy.
Langport Vision - improvements to Langport and River Parrett Visitor Centre and car parking at Westover	10,000	3,804	6,196		K Munday		Improvements made to first section of Langport - Muchelney cycleway; two new benches in place outside visitor centre, scheme of signage drawn up to better highlight centre and improve parking situation. Work to complete early in 11-12.
Langport Vision - preparation of Upper Parrett Waterway Plan and progress of recreational access to and near River Parrett at Langport	5,000		5,000		C Jones	This will be reviewed in 2011-12 with local councils and EA.	Match funded project in association with the Langport River Group and the Environmental Agency. Levels and Moors programme has been suspended and EA have re-structured - both affecting match funding.
<b>Total Environment</b>	<b>88,452</b>	<b>38,804</b>	<b>49,648</b>	<b>0</b>			
<b>Economic Vitality</b>							
Planning Enforcement	0	0	0	45,000	I Clarke		Provision for compensation due to enforcement action (Discontinuance Order)
Martock, town centre improvements - Phase 2 (YD979(YC233) A140 AN08)	16,778	14,140	2,638		G Green		Scheme is largely complete except final completion to lighting.
Martock Town centre Improvements - Phase 3	2,000		2,000		C Jones		Grant to Martock Parish Council. Improvements to Martock Precinct in hand.
Seavington Community Shop and Services - grant	5,000	5,000	0		L Collett		Grant to Seavington Shop & Community Services Association. A combination of loans and grants achieved. Shop opened July 2010.
<b>Total Economic Vitality</b>	<b>23,778</b>	<b>19,140</b>	<b>4,638</b>	<b>45,000</b>			
<b>Total North Capital Programme</b>	<b>152,080</b>	<b>57,944</b>	<b>94,136</b>	<b>61,531</b>			
<b>Reserve Schemes Awaiting Allocation But Approved in Principle</b>							
Unallocated Capital Reserve	36,240		36,240	75,000	C Jones		Provision for investment not otherwise covered in reserve programme. Additional £35k awarded in February 2011.
Langport Vision - river and countryside access to promote sustainable tourism in Cockle Moor / Upper Parrett area			0	20,000	C Jones / P Burr		Provision only. Plan for additional access pathway on Cockle Moor. Subject to partnership with EA and Langport River Group. Linked to development of Waterway Access Plan and access for visitors.
Local priority projects - enhancing facilities and services	30,658		30,658	80,000	C Jones		Detailed allocations through grants or capital appraisal. Additional £25k awarded in Feb 2010 for allocation in 2010/11. Profiling this over the next three years would provide £40,000 per annum to support partnership investment into local infrastructure and facilities.
<b>Total Reserve Schemes</b>	<b>66,898</b>	<b>0</b>	<b>66,898</b>	<b>175,000</b>			
<b>Summary</b>							
North Capital Programme	152,080	57,944	94,136	61,531			
Reserve Schemes (Unallocated)	66,898	0	66,898	175,000			
<b>Total Programme to be Financed</b>	<b>218,978</b>	<b>57,944</b>	<b>161,034</b>	<b>236,531</b>			

<b>Corporate Capital Programme within Area North</b>							
Martock Parish Hall	50,000		50,000		C Jones		This project is under discussion with Martock Parish Council as part of a strategic plan for facilities in Martock.
Community Play Schemes	49,000	47,000	2,000	63,000	R Parr		Projects profiled 2010/11 are moving forward and being closely monitored to control slippage
Youth Facilities Development	0		0	15,000	R Parr		A letter has gone to Parishes setting out grant offer and explaining that if projects are not delivered within timescales the offer may be withdrawn.
Multi Use Games Area	0		0	105,000	R Parr		Match funding is slowing down some projects developing. Officers are assisting parishes where possible.
Grants for Parishes with Play Area	0		0	25,000	R Parr		This year's project at Shepton Beauchamp is actively being developed and officers are working closely with local parish councils to keep the scheme moving forward. Unfortunately this is now expected to slip into 2011/12

<b>Gypsy &amp; Traveller Sites programme:</b>							
<b>Health &amp; Well-Being</b>							
Infrastructure & Park Homes, Tintinhull Gypsy Site	664	623	41	0	S Joel		
Infrastructure & Park Homes, Tintinhull Gypsy Site -Income	(664)	(623)	(41)	0	S Joel		
Infrastructure & Park Homes, Ilton Gypsy Site	488	479	9	0	S Joel		
Infrastructure & Park Homes, Ilton Gypsy Site -Income	(488)	(479)	(9)	0	S Joel		
Infrastructure & Park Homes, Twisted Willows, Ilton	233	65	168	0	S Joel		
Infrastructure & Park Homes, Twisted Willows, Ilton -Income	(233)	(65)	(168)	0	S Joel		
Infrastructure & Park Homes, Ilton - Grant for MUGA	0	0	0	0	S Joel		
Infrastructure & Park Homes, Ilton - Grant for MUGA - Income	(60)	0	(60)	0	S Joel		
Infrastructure & Park Homes contingency	123	0	123	0	S Joel		
Infrastructure & Park Homes contingency - Income	(67)	0	(67)	0	S Joel		
<b>Economic Development - Spatial Policy</b>							
Gypsy & Traveller Acquisition Fund	134	1	133	0	C McDonald		
Gypsy & Traveller Acquisition Fund - Income	(84)	(1)	(83)	0	C McDonald		
Affordable Housing - Gypsy Site, Tintinhull	0	0	0	0	C McDonald		Budget returned to affordable housing 'general' pot.
	46	0	46	0			

**Key**  
 Delayed Projects ■  
 Projects in progress/likely to span further than current financial year ■  
 Projects Completed/ On course to be completed in current financial year ■

Summary Youth and Play schemes within the Area North Capital Programme 2010/11 - 2014/15

Appendix B

	Committee Date	Original Profile Year	Original Budget £	Paid prior April 10 £	Balance 2010-11 £	Paid 2010-11 £	Remaining Budget 2010-11 £	Estimate 2011-12 £	Estimate 2012-13 £	Estimate 2013-14 £	Estimate 2014-15 £	Comment
<b>CURRENT SCHEMES APPROVED</b>												
<b>SSDC owned Play Areas</b>												
Work approved following the 2001 Play audit.												
Bracey Rd Martock			20,666	7,089	13,577		13,577	0	0	0		Bracey Road Martock - work is largely finished, with final completion to take place in the next few weeks.
Curry Rival - Stanchester Way phase2			28,000	11,469	16,531			16,531	0	0		Expect works to be completed in 2011/12.
South Petherton -West End View			10,000	0	273		273	0	0	0		Work completed.
Tintinhull - Thurlocks			2,000	0	2,000		2,000	0	0	0		Expect works to be completed in 2011/12
SSDC play	<b>TOTAL</b>		<b>60,666</b>	<b>18,558</b>	<b>32,381</b>	<b>0</b>	<b>15,850</b>	<b>16,531</b>	<b>0</b>	<b>0</b>	<b>0</b>	
Other Approvals												
Bracey Rd Martock	<b>June 02</b>		<b>10,000</b>	<b>0</b>	<b>10,000</b>		<b>10,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	see above
<b>SCHEMES FROM THE CORPORATE PROGRAMME IN AREA NORTH</b>												
Community Play Schemes 2006 approved Feb 07 Council												
								0				
Bracey Rd Martock	Feb 07		30,000	0	30,000	30,000	0		0	0		see above
Hills Lane Martock	Feb 07		20,000	1,000	19,000	17,000	2,000		0	0		Project complete.
Thurlocks Tintinhull	Feb 07		20,000	0	0		0	20,000		0		Project being developed in 2011/12
Stanchester Way Curry Rivel	Feb 07		10,000	0	0		0	10,000	0	0		Project being developed in 2011/12
Lavers Oak Martock	Feb 07		15,000	0	0		0	0	13,000			Future years
Abbey Close Curry Rivel	Feb 07		10,000	0	0		0	0	10,000			Future years
Barrymore Close Huish Episcopi	Feb 07		10,000	0	0		0	10,000		0		Future years
	<b>TOTAL</b>		<b>115,000</b>	<b>1,000</b>	<b>49,000</b>	<b>47,000</b>	<b>2,000</b>	<b>40,000</b>	<b>23,000</b>	<b>0</b>	<b>0</b>	
Grants for Parishes with Play areas 2008 approved Feb 08												
Ilton	feb 08						0	12,500		0		Parish asked to delay project. They are now actively developing project and expect delivery in 11/12
Shepton Beauchamps	feb 08				0		0	12,500	0			Project being developed in 2011/12
	<b>TOTAL</b>				<b>0</b>	<b>0</b>	<b>0</b>	<b>25,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	
Youth Facilities 2006 approved Feb 07 Council												
Chilthorne Domer	Feb 07		5,000	0	0		0	5,000	0	0		Parish have been written to giving deadline for them to access fund. Briefing meeting held in March 2011 to encourage Parishes to move projects forward.
Huish Episcopi	Feb 07		5,000	0	0		0	5,000	0	0		Parish have been written to giving deadline for them to access fund. Briefing meeting held in March 2011 to encourage Parishes to move projects forward.
Compton Dundon	Feb 07		5,000	0	0		0	5,000		0		Parish have been written to giving deadline for them to access fund. Briefing meeting held in March 2011 to encourage Parishes to move projects forward.
	<b>TOTAL</b>		<b>15,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>15,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	
Multi Use Games Areas 2008 approved Feb 08												
Martock	feb 08				0	0		35,000				Parish have been written to giving deadline for them to access fund. Briefing meeting held in March 2011 to encourage Parishes to move projects forward.
Langport	feb 08				0			35,000	0			Parish have been written to giving deadline for them to access fund. Briefing meeting held in March 2011 to encourage Parishes to move projects forward.
South Petherton	feb 08						0		35,000		0	Parish have been written to giving deadline for them to access fund. Briefing meeting held in March 2011 to encourage Parishes to move projects forward.
	<b>TOTAL</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>70,000</b>	<b>35,000</b>	<b>0</b>	<b>0</b>	

Area North Revenue Grants - Outrun Statement 2010-11							
Original Budget	£28,360						
Carry Forward approved June 2010	£13,970						
<b>TOTAL REVISED 10/11 BUDGET</b>	<b>£42,330</b>						
<b>Under £750 Delegated Grants</b>	<b>App No</b>	<b>Organisation</b>	<b>Project Details</b>	<b>£ Allocated</b>	<b>Project costs</b>	<b>% grant</b>	<b>Payment Comment</b>
<b>Carried Forward from 09/10</b>	AN09/21	Long Load Parish Council	Welcome Packs	306.06	765.15	40	Paid
	AN09/30	Petherton Arts Trust, South Petherton	Commercial photocopier	587.00	1175.00	50	Paid
	AN09/32	Langport Parish Council	Local Information Centre	500.00	6375.00	8	Paid
	AN09/33	South Petherton Parish Council	Community Information Centre	750.00	9500.00	8	Paid
	AN09/34	Martock Parish Council	Local Information Centre	500.00	1000.00	50	Paid
	AN09/04	Over Stratton Village Hall, South Petherton	Window mullion repairs	84.00	1780.00	36	Paid.
	AN09/14	Wessex Youth Club, Somerton	Additional youth activities	750.00	2000.00	38	Paid
<b>Grants Offered Qtr 1 (April - June)</b>	AN10/35	Actiontrack Performance Company, South Petherton	Stoke Priory Community Arts Project	750.00	3000.00	25	Paid
	AN10/36	South Petherton Cricket Club	Purchase of cricket facilities (mower)	750.00	1750.00	43	Paid
<b>Grants Offered Qtr 2 (July - Sept)</b>	AN10/38	Stoke Sub Hamdon Methodist Church	Drug Proof Your Kids Course	300.00	600.00	50	Paid
<b>Grants Offered Qtr 3 (Oct - Dec)</b>		None					
<b>Grants Offered Qtr 4 (Jan - March)</b>	AN10/40	Martock Rugby Club	Purchase of rugby equipment - goalposts	634.50	1269.00	50	Paid
	AN10/41	Tintinhull Parish Plan Steering Group	Support programme of community engagement with a view to producing a local community plan	750.00	2133.00	35	C/f to 11/12 budget
	AN10/43	Montacute new village hall sub committee	Legal & Consultancy costs	750.00	1500.00	50	Paid
	An10/44	Drayton Village Hall Management Committee	Essential works to village hall gable end wall	750.00	2000.00	38	Paid

	AN10/47	Huish & Langport Cricket Club	Fencing project	750.00	1742.00	43	Paid
	AN10/48	Somerton Allotments	Allotments improvements	750.00	1750.00	43	C/f to 11/12 budget
	AN10/49	Somerton Parish Rooms Management Committee	Purchase of furniture for meeting room	750.00	1690.00	44	Paid
	AN10/50	Martock Youth Club	Garden project	750.00	1860.00	40	Paid
	AN10/51	M3CP	Martock Parish Plan	550.00	1100.00	50	C/f to 11/12 budget
<b>Over £750 Committee Approval</b>							
	<b>App No</b>	<b>Organisation</b>	<b>Project Detail</b>	<b>£ Allocated</b>	<b>Project costs</b>	<b>% paid</b>	<b>Payment Comment</b>
<b>Carried Forward from 09/10</b>	AN09/19	Long Sutton Cricket Club	Refurbishment of training facilities at Cricket Club	1368.00	5945.00	23	Paid. Original grant award was £1750. Project came in under budget of £5944.79
	AN09/20	South Petherton Parish Council	Additional allotments & associated works	2267.00	4667.00	48	Paid
	AN09/23	Huish & Langport Cricket Club	Enhancement of cricket facilities	3000.00	22474.00	13	Paid
	AN09/27	East Lambrook Schoolroom	Refurbishment of old schoolroom roof	2010.00	4020.00	50	Paid
	AN09/28	Hambridge & Westport Parish Council	Flashing safety lights	1500.00	4000.00	38	Paid
<b>Grants Offered Qtr 1 (April - June)</b>		None					
<b>Grants Offered Qtr 2 (July - Sept)</b>	AN10/37	Curry Rivel Cricket Club	Purchase of cricket equipment	1445	8766	16	Paid
<b>Grants Offered Qtr 3 (Oct - Dec)</b>		None					
<b>Grants Offered Qtr 4 (Jan - March)</b>	AN10/42	Kingsbury Muga	Kingsbury Episcopi Amenities Committee	10000	80,100	13	C/f to 11/12 budget
<b>Service Level Agreements</b>							
	<b>App No</b>	<b>Organisation</b>	<b>Project Detail</b>	<b>£ Allocated</b>	<b>Project costs</b>	<b>% paid</b>	<b>Payment Comment</b>
	AN19/18	South Somerset Links	3rd year of 3 year SLA - Financial support towards the Langport & Somerton Links Community Transport Service	5000	80,500	6	Paid



	AN08/16	Martock Youth Centre Management Committee	3rd year of 3 year SLA - Financial support towards Martock youth project	3000	45,485	7	Paid
<b>Bursaries</b>	<b>App No</b>	<b>Name</b>	<b>Details of Activity</b>	<b>£ Allocated</b>	<b>Project Costs</b>	<b>% paid</b>	<b>Payment Comment</b>
	2010/01	J Nelson/E Nelson/ C Merrett/ R Owen	22nd World Scout Jamboree 2011.	400	8000	5	Paid
				£			
		<b>Budget</b>		<b>42330.00</b>	<b>Total value of projects</b>		<b>306946.15</b>
		<b>Committed</b>		<b>41701.56</b>	<b>Grants awarded</b>		<b>41701.56</b>
		<b>Balance</b>		<b>628.44</b>	<b>% from SSDC</b>		<b>14%</b>
<b>Carried forward approved by DX to 11/12 Budget</b>				<b>12,050</b>			

Area North Committee - 22 June 2011

## 12. **Area North Working Groups and Outside Bodies – Appointment of Members 2011/12 (Executive Decision)**

*Strategic Director: Mark Williams, Chief Executive*  
*Assistant Director: Ian Clarke, Legal and Corporate Services*  
*Service Manager: Angela Cox, Democratic Services Manager*  
*Lead Officer: Becky Sanders, Committee Administrator*  
*Contact Details: becky.sanders@southsomerset.gov.uk or 01935 462055*

### **Purpose of the Report**

As the Council has entered a new municipal year, the Committee is asked to review its appointments to outside bodies within Area North.

### **Recommendation**

That the Committee review and appoint members to the outside bodies as set out in the report for 2011-12.

### **Outside Bodies**

The organisations and groups to which representatives are required to be appointed by the Area North Committee for 2011-12 are indicated in the table overleaf.

### **Financial Implications**

None from this report.

### **Corporate Priority Implications**

None from this report.

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

None

### **Equality and Diversity Implications**

None

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### Area North Outside Bodies Information – Appointments to be made for 2011-12

Organisation / Group	Number of Council Reps.	Aims & Objectives	Frequency of Meetings	Representatives last year
Somerset Levels and Moors Executive Group	1 (+ 1 officer)	To enable the delivery of a regeneration programme for the Somerset Levels and Moors. £1.8m was awarded by DEFRA for a five year programme up until 2013.	About 6 – 8 per year	John Calvert (Area East)
Langport Abattoir Liaison Group	2	To provide a forum for liaison between the operating companies, the communities of Huish Episcopi and Langport and the local Authorities and other agencies responsible for the regulation of the site.	Twice a year	Roy Mills Derek Yeomans
(Area North) Community Safety Area Action Panel	1	Work with local communities to identify and address community safety issues and to support and encourage local action. Also, to empower communities to take joint responsibility for appropriate aspects of community safety.	Bi-monthly	Sue Steele
Martock M3 Community Partnership	1	To own the Martock Vision and to maintain a strong partnership committed to work cooperatively and efficiently to ensure its realisation. Its object is to coordinate and monitor delivery of the Martock Local Community Plan.	Quarterly	Ann Campbell
Somerset Waterways Advisory Committee	1	An advisory committee of the County Council, but its membership also includes co-opted members of the four Somerset District Councils in whose Districts there are existing or disused canals. The Committee's terms of reference include the restoration, enhancement and future use of the historic canal corridors and waterways in Somerset, and it has from time to time explored other possibilities for developing or restoring waterways in the County.	Quarterly	Patrick Palmer

<b>Organisation / Group</b>	<b>Number of Council Reps.</b>	<b>Aims &amp; Objectives</b>	<b>Frequency of Meetings</b>	<b>2010/11 Representative</b>
South Somerset Disability Forum (1 Member appointed from each area)	1	To enhance the quality of life for people with disabilities in South Somerset by improving access to services, facilities, buildings, leisure, transport and the countryside.	Bi-monthly on first Tuesday of the month	Ann Campbell
Langport and Somerton Links Service Steering Group	1	To provide transport to the people of Somerton, Langport and the surrounding villages who are currently unable to access public transport due to isolation, unemployment, disability or age. To provide access to transport where mainstream public transport services do not exist.	Quarterly email updates with meetings as necessary	Derek Yeomans
Strode College Community Education Committee	1	Further Education College. The purpose of the committee is to review and promote the development of the College's work with adult students and its role in supporting community work.	3 per year - 19/10/2011, 22/2/2012 and 16/05/2012 all at 5.30pm	Tony Canvin
Langport and District Community Youth Centre (Ridgeway Hall)	1	To assist and educate all young people, primarily in the 11-21 range, through their leisure and recreational activities, and to manage the centre in ways will achieve this objective and will also provide facilities for other groups within the Langport community.	4 to 5 per year	Roy Mills
Huish Episcopi Sports Centre Management Committee	2	The Management Committee takes care of the administration of the sports centre in respect of public use.	?	Roy Mills Derek Nelson

Area North Committee – 22 June 2011

### 13. Revised Scheme of Delegation – Development Control – Nomination of Substitutes for Chairman and Vice Chairman (Executive Decision)

Assistant Director: *Martin Woods, Economy*  
 Service Manager: *David Norris, Development Manager*  
 Lead Officer: *As above*  
 Contact Details: *david.norris@southsomerset.gov.uk or 01935 462382*

#### Purpose of the Report

As the Council has entered a new municipal year, the Committee is asked to review the appointment of two members to act as substitutes for the Chairman and Vice Chairman in the exercising of the Scheme of Delegation for planning and related applications. The previous member substitutes were Councillors Paull Robathan and Tony Carvin.

#### Recommendation

That, in line with the Development Control Revised Scheme of Delegation, two members be nominated to act as substitutes for the Chairman and Vice Chairman to make decisions in the Chairman's and Vice Chairman's absence on whether an application should be considered by the Area Committee as requested by the Ward Member(s).

#### Background

The Council's scheme of delegation for Development Control delegates the determination of all applications for planning permission, the approval of reserved matters, the display of advertisements, works to trees with Tree Preservation Orders, listed building and conservation area consents, to the Development Manager except in certain cases, one of which being the following:-

"A ward member makes a specific request for the application to be considered by the Area Committee and the request is agreed by the Area Chairman or, in their absence, the Vice Chairman in consultation with the Development Manager. (This request must be in writing and deal with the planning issues to ensure that the audit trail for making that decision is clear and unambiguous). In the absence of the Chairman and Vice Chairman there should be nominated substitutes to ensure that two other members would be available to make decisions. All assessments and decisions to be in writing."

#### Financial Implications

None from this report

#### Corporate Priority Implications

None from this report.

#### Carbon Emissions and Adapting to Climate Change Implications

None from this report.

## Equality and Diversity Implications

None from this report.

**Background Papers:** *Minute 36, Council meeting of 21 July 2005*

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Area North Committee – 22 June 2011

## 14. Area North Committee - Forward Plan

*Portfolio Holder:* Cllr. Patrick Palmer, Area North Chairman  
*Strategic Director:* Rina Singh, Place and Performance  
*Assistant Directors:* Helen Rutter & Kim Close, Communities  
*Service Manager:* Charlotte Jones, Area Development (North)  
*Lead Officer:* Becky Sanders, Committee Administrator  
*Contact Details:* [becky.sanders@southsomerset.gov.uk](mailto:becky.sanders@southsomerset.gov.uk) or (01458) 257437

### 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.

### Recommendations

Members are asked to: -

- (1) Note and comment upon the proposed Area North Committee Forward Plan as attached at Appendix A and Identify priorities for further reports to be added to the Area North Committee Forward Plan.

### Area North Committee Forward Plan

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

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

To make the best use of the committee, the focus for topics should be on issues where local involvement and influence may be beneficial, and where local priorities and issues raised by the community are linked to SSDC and SCC corporate aims and objectives.

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

**Background Papers:** None

**Appendix A – 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; Becky Sanders, becky.sanders@southsomerset.gov.uk

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

<b>Meeting Date</b>	<b>Agenda Item</b>	<b>Background / Purpose</b>	<b>Lead Officer(s) SSDC unless stated otherwise</b>
27 Jul '11	"Keeping South Somerset Orchards Alive"	A brief presentation to highlight the aims of a new two year project covering 26 out of 32 parishes in Area North, offering advice and training in restoring, managing and planting orchards. The project is part funded by SSDC.	Charlotte Thomas – Project Officer - Somerset Wildlife Trust
27 Jul '11	SSDC Partnerships	For the Area North Committee to comment on the findings of the Scrutiny Task and Finish Review of Partnerships with regard to the partnerships specific to Area North.	Alice Knight, Third Sector and Partnership Manager.
27 Jul '11	Area North Affordable Housing Programme	Update report on the progress of the current programme	Colin McDonald, Strategic Housing Manager / Jo Calvert – Housing Development Officer
27 Jul '11	Huish Episcopi Sports Centre Management Agreement	Report on the Huish Episcopi Sports Centre Management Agreement – a revised agreement is required due to recent changes – approved by the ANC, on behalf of SSDC who grant aided the centre, under a 30-year agreement.	Steve Joel, Assistant Director (Heath and Wellbeing)
24 Aug '11	<i>Environmental Health</i>	<i>Report on the work of the of SSDC Environmental Health services</i>	<i>Alasdair Bell – Environmental Health Manager</i>
24 Aug '11	Area North Quarterly Budget Monitoring	To provide a statement on the Area North budget, including community grants and the capital programme.	Nazir Mehrali, Management Accountant
24 Aug '11	<i>Safer and Stronger Neighbourhoods Team</i>	<i>Report of neighbourhood policing and partnership working to reduce crime and the fear of crime in Area North</i>	<i>Sgt Alan Bell – Avon &amp; Somerset Police.</i>



<b>Meeting Date</b>	<b>Agenda Item</b>	<b>Background / Purpose</b>	<b>Lead Officer(s) SSDC unless stated otherwise</b>
<i>TBC</i>	<i>Historic Buildings At Risk Register</i>	<i>Report on the work of the Conservation Team with a special focus on the historic Buildings at Risk Register for Area North.</i>	<i>Adron Duckworth, Conservation Manager</i>
<i>TBC</i>	<i>Section 106 Monitoring Report</i>	<i>To provide an update report on the collection and allocation of funds secured through s106 agreements from development in Area North.</i>	<i>Neil Waddleton, S. 106 Monitoring Officer</i>
<i>TBC</i>	<i>SSDC Asset Strategy – Area North</i>	<i>Draft Asset Management Strategy – the plan that sets out the council's future approach to retaining or disposing of assets.</i>	<i>Donna Parham, Assistant Director (Finance)</i>
<i>TBC</i>	<i>Civil Contingencies - Severe Weather</i>	<i>An update report on measures to plan for and react to severe weather conditions</i>	<i>Pam Harvey – Civil Contingencies and Business Continuity Manager</i>

Area North Committee – 22 June 2011

## 15. Planning Appeals

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

### **Purpose of the Report**

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

### **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**

11/00067/FUL – Land rear of Robins, Ham Lane, Compton Dundon.  
The change of use of existing building to a holiday let and the formation of a vehicular access (Revised Application)

### **Appeals Dismissed**

None

### **Appeals Withdrawn**

None

### **Appeals Allowed**

10/00820/COL – Land opposite Autumn Leaves, Pibsbury, Langport.  
Certificate of Lawfulness for the existing use of building for Use Class B8 (storage).

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

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# Appeal Decision

Inquiry held on 4 May 2011

Site visit made on 4 May 2011

**by Sara Morgan LLB (Hons) MA Solicitor**

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

**Decision date: 6 June 2011**

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**Appeal Ref: APP/R3325/X/10/2135822**

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

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against a refusal to grant a certificate of lawful use or development (LDC).
  - The appeal is made by Mr Keith Hayton against the decision of South Somerset District Council.
  - The application Ref 10/00820/COL, dated 15 February 2010, was refused by notice dated 17 May 2010.
  - The application was made under section 191(1)(a) of the Town and Country Planning Act 1990 as amended.
  - The use for which a certificate of lawful use or development is sought is storage of building materials and other items within subject building (Use Class B8).
- 

## Decision

1. I allow the appeal, and I attach to this decision a certificate of lawful use or development describing the existing use which I consider to be lawful.

## Preliminary

2. The appeal site is a small piece of land on the south side of the A272 road at Pibsbury, on which stands a building. The application for a LDC clearly refers to storage "within subject building" ie within the building on the land, and not to storage of items on the land outside the building. I shall deal with the appeal on that basis.
3. All oral evidence to the Inquiry was given on oath.

## Background

4. The building was originally erected pursuant to planning permission for the erection of a block of three stables<sup>1</sup>. That permission was granted subject to a condition (condition 3) restricting the use of the stables to "*the private and non-commercial use of the occupants of the approved dwellinghouse under application 940913 or the occupants of the adjacent bungalow known as Autumn Leaves*".
5. The evidence of Mr Clark, who owned Autumn Leaves and the appeal site jointly with his wife at this time<sup>2</sup>, and of Mr Perrin who built the appeal building, was that the building was completed by late 1999. Mr Clark says it

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<sup>1</sup> 952092 dated 30 October 1995. This was a variation of the original permission given for the stable block in May 1994 (ref 940912).

<sup>2</sup> The property was registered in Mrs Clark's sole name.

has never been used as stables. The Council wrote to Mr Clark in October 1999 telling him that the approved use of the site was for a stable block and paddock for equestrian purposes, and was not an extension of the residential curtilage of Autumn Leaves. In a further letter in December 1999 the Council advised him that garden furniture should not be stored in the stable block, and that the site should not be used for the storage of any materials other than those to be directly used in the construction of the stable block.

6. In 2000 Mr Clark sought a variation of condition 3 to allow part use of the stables for purposes ancillary to the occupation of Autumn Leaves. That application was refused and the refusal upheld on appeal in 2001<sup>3</sup>. The Inspector commented that there was no doubt that the planning permission, in relation to the building, meant a building to house horses and would not allow for other domestic activities or use ancillary to a residential occupancy.
7. At the time of my site visit, the building had a bare concrete floor and unrendered blockwork walls. It was divided into two areas (roughly one third and two thirds) by a blockwork wall which did not extend for the full height of the building, and over which it was possible to see into the other part of the building. Mr Clark said that when the building had first been built it had no internal partitions, and he had been told by the Council that partitions should be provided to divide the building into stables. He had therefore constructed two walls, one of which remains but the other of which he had demolished immediately after building.
8. When I carried out my site visit I saw a snooker table in the larger part of the building, with overhead lighting of the type typically used to illuminate snooker tables. The snooker table was covered with a large blue plastic sheet. Although there were numerous light switches and sockets around the building, together with trunking or electrical wiring, and a fuse box, none of the light switches appeared to be working. Mr Clark demonstrated on the site visit how the wiring would be connected up to a generator to provide power when he was in the building.
9. There were a few miscellaneous items on the floor around the snooker table, but otherwise the area was largely clear. In the smaller part of the building there were a number of items of builders' materials, as well as two children's mechanical rides and a very small number of what appeared to be domestic or household items. I was told there were personal items stored in the loft of the building, but I did not see these as access to the loft space was not possible.

### **Main Issue**

10. The main issue is whether the use of the building for the storage of building materials and other items began before 15 February 2000 ie ten years before the date of the appeal application and continued thereafter for ten years, so as to be immune from enforcement action.

### **Reasons**

#### *The evidence*

11. Mr Clark's evidence was that upon completion of the building he immediately began to use it for the storage of various personal and household items such as a snooker table (which is still there) and items of furniture and children's toys.

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<sup>3</sup> APP/R3325/A/00/1052422

He said he also stored bits of cars relating to car sales he was doing, while he was living in the house, as well as stuff from the house. The snooker table went into the building before 2000. He said that the snooker table had been used 2 or 3 times, and it was used on the night before the Millennium, but he was no good at snooker. In cross-examination he said that the snooker table was clear so you could play on it, but that it hadn't been played on for 10 years because he had taken all the cues with him when he had left Autumn Leaves at the end of 2001 when his marriage broke up.

12. Mr Clark allowed Mr Perrin to use the building to store building materials from the date the building was finished. Mr Perrin used the smaller part of the building. If Mr Perrin had bits over he would use the remainder of the building, but Mr Clark says he tried to keep that part clear as he was using it himself.
13. He agreed in cross-examination that the Council's letter of December 1999 had been prompted by the garage being put to domestic use, but that he had not stopped using it for that purpose. He also agreed that the application for permission for change of use to purposes ancillary to the occupation of Autumn Leaves in 2000 reflected what he was using the building for at that time, but that at the same time Mr Perrin was storing his building materials in the smaller part of the building.
14. Mr Perrin gave evidence that the building had been continuously used since its completion for storage purposes, mainly by himself. He said he started using the building for storage of his building materials from the date when the roof went on the building. Before then, he had not had any storage space for his business, but kept his materials in his garden and shed. When he started using the appeal building he had moved everything out of his shed and put it into the building. The items stored included building materials, in the smaller part of the building, and stacks of blocks outside.
15. When he first started using the building the snooker table was not there, and he had some stuff in the larger area. He only used the larger area for UPVC windows or anything that wouldn't make much mess. He had never played snooker on the table because he was rubbish at snooker, and it was too dark in the building to play. The building had no electricity supply.
16. Mr Perrin produced invoices relating to building materials which he said had been delivered to the stable building. He also produced letters from two building materials suppliers saying they had delivered products to the stables over the period since 1999, but no dates or details were provided.
17. Mr Hayton said he had gone into the building "at the time of the divorce" (ie Mr and Mrs Clark's divorce) when he says he saw building materials in the smaller part of the garage, and the snooker table together with household materials - overspill materials from the house - in the larger part.
18. Mr Richmond, who is retired and said he is active working around his property, lives opposite the site and also owns land adjoining the site on two sides. He said that he had lived at his property since 2002 and, up to the time Mrs Clark left Autumn Leaves [2004] he estimated he had seen inside the stable building between 6 and 12 times. These views were either from the doorway or from immediately outside. He said that the smaller section of the building was full of redundant domestic equipment until Mrs Clark left. On the occasions that he saw inside the building, Mrs Clark or her partner would chat with him and they would be putting things in or taking them out of the building.

19. He said that when Mrs Clark left, the building was cleared and Mr Perrin started putting his things in there. Once the domestic paraphernalia had been mainly cleared away, small quantities of bricks, wheelbarrows and other items came and went. Mr Richmond said he had never seen Mr Perrin at the appeal site until 2004 and the transition of ownership of Autumn Leaves between Ms Clark and Mrs Goodin. After that, he thought he had seen Mr Perrin at the site around once a month until recently. Since the appeal had been lodged, he had seen Mr Perrin at the site much more frequently. Mr Richmond said he had never seen any deliveries of building materials to the site.
20. Mrs Goodin has lived at Autumn Leaves since December 2004, when she bought the property from Mrs Clark. She said she is regularly outside, and had not noticed any regular activity of any sort at the appeal site. She had not seen any deliveries of building materials to the site. On one occasion, in 2006 or 2007, she saw one of the stable doors open and climbed over the gate to investigate. The door appeared to have been forced open, and she looked inside. She saw a snooker table to the right, with overhead lighting. She said the rest of the building appeared to be full of children's toys, bikes and household articles.
21. Mr Barton and Mr Dowdell gave evidence that they regularly pass the site and have never seen any activity or deliveries at the site.
22. Mrs Clark did not give evidence in person, but in a statutory declaration she states that throughout the period of her ownership and occupation the appeal building "was for all practical purposes used for general domestic storage, including that of a large snooker table, unused furniture, children's toys and white goods and continued to be so used on an intermittent basis for such purposes." She further stated that at no time did Mr Perrin have her authority to store items in the building, nor did he or anyone else do so. Mr Perrin said under cross-examination that this was not true, and that he had used the building since the roof had gone on it, when he was doing jobs round her house and afterwards.

### *Assessment*

23. The land on which the appeal building stands is a discrete and clearly defined area of land having the appearance of an overgrown field. It is some distance from Autumn Leaves, which is a residential house and garden on the other side of the A272 road but not directly opposite. In view of the clear physical separation between the two areas, I consider that the appeal site is not and has never been part of the same planning unit as Autumn Leaves, notwithstanding that the two areas were under common ownership until 2004, when Mr Clark, who had become the legal owner of the site as part of the divorce settlement, sold the appeal site to Mr Hayton.
24. The permitted use of the building was as stables for the keeping of horses. Consequently, the use of the appeal building for storage of personal, household and domestic items by Mr and Mrs Clark was a use which required planning permission because it was materially different from, and had no functional relationship with, the permitted use. That was the view taken by the Council when it sent letters to Mr Clark in 1999 about the use of the building, and it was the view of the 2001 Inspector. None of the evidence leads me to disagree with the views expressed then.

25. The Council has argued that the use of the building by Mr and Mrs Clark can be regarded as ancillary to the primary residential use at Autumn Leaves even if it does not form part of the same planning unit, relying on the High Court decision in *Swinbank v SOSE and Darlington BC*<sup>4</sup>. However, in my view it is not correct to regard activities carried on within one planning unit as ancillary to activities carried on outside that unit, and it is not, therefore, correct to regard the storage by Mr and Mrs Clark of personal and household items in the stable as a residential use ancillary to their residential occupation of Autumn Leaves. An ancillary use must be carried on in the same planning unit as the primary use<sup>5</sup>, and that is not what is happening here.
26. What is important here is the character of the use, not the purposes of the occupier. "Storage" carries with it the connotation of putting an item away for a period of time for future use, because it is not needed in the short term. Storage can take place without there being any commercial activity; there is no difference in character in planning terms between storage of items by a private individual and storage of items on commercial terms or by someone operating a business. Nor is there any difference between storage of domestic or household items and storage of building materials, or storage of any other objects.
27. Mrs Clark's description of her use of the building falls within the definition of storage, within Use Class B8, because it describes putting items away for a period of time which are not needed in the short term. It does not describe residential use. I attach less weight to her evidence than to that of the witnesses giving evidence on oath at the Inquiry, because it was not tested under cross-examination. Nonetheless, what she says about the use of the building for "general domestic storage" is consistent with the evidence of Mr Clark and Mr Perrin, and with that of Mr Richmond, who saw Mrs Clark and her partner putting things into the building or taking them out. It is also consistent with Mrs Goodin's observations of the inside of the building on the one occasion she saw inside it.
28. There is no evidence that the building was used as a games room. Mr Clark says he played snooker on the snooker table on a very small number of occasions, but this minimal use would not be sufficient to result in a change in the use of the building as a whole even if it had occurred after 15 February 2000, and there is no evidence of that.
29. As to the use of the building by Mr Perrin, I accept Mr Perrin's and Mr Clark's evidence that Mr Perrin's use of the building began in late 1999, because it is not contradicted by any other evidence. Indeed the Council's letter in December 1999 implies that some storage of building materials unconnected with the construction of the building was going on at that time, and so is consistent with their evidence. Mrs Clark says that neither Mr Perrin nor anyone else stored any items at the property between the date of her separation from Mr Clark and the date of transfer of the property under the divorce settlement. I assume this means "anyone else other than Mrs Clark", otherwise it would conflict with her earlier statement that the building was used at that time for general domestic storage. However, what Mrs Clark says on this point is contradicted by Mr Clark and by Mr Perrin himself, and I prefer their evidence on this point as it was tested under cross-examination.

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<sup>4</sup> [1987] JPL 781

<sup>5</sup> Encyclopaedia of Planning Law P55.43.

30. Mr Perrin's evidence indicates a falling-out between him and Mrs Clark at some stage before she left Autumn Leaves, and it is possible Mr Perrin did not visit the site as often after that or kept a low profile. But Mr Perrin was clear that he continued to use the building to store his building materials, and I accept his evidence on this point.
31. The local residents did not see any activity in relation to his use of the building until later, but that is not inconsistent with a low-key storage use of the type that appears to have been going on here. Even those local residents who were at home for much of the day would be unlikely to be watching the appeal site at all times of the day and night. The evidence also points to Mr Perrin using the building after the departure of Mrs Clark. Even if Mr Perrin had not been storing his building materials for a period before Mrs Clark left, it is clear from the evidence that at this time the building was being used to store a variety of personal, domestic and household items. It is also clear that these items continued to be stored in the building after her departure.
32. As to Mr Perrin's evidence about deliveries of stone and cement to the site, he said the materials delivered were all stored outside the building, so this evidence is not strictly relevant to the issue of the use of the building.
33. I conclude, therefore, having regard to all matters raised, that the use of the appeal building for the storage of various items including building materials, a snooker table, children's toys and other personal, domestic and household items, falling within Use Class B8, began before 15 February 2000 and continued for at least 10 years afterwards. The use is therefore immune from enforcement action, and consequently I am satisfied that the Council's refusal to issue a certificate was not well founded.
34. Consequently I shall allow the appeal and grant a certificate of lawfulness. In the certificate I shall identify the building and the items that have been stored in it, in the interests of precision and in accordance with the advice in Annex 8 of Circular 10/97 "*Enforcing Planning Control*". I shall not make specific reference to "car parts" in the certificate, because there is no evidence that such items were stored in the building throughout the 10 year period.

*Sara Morgan*

INSPECTOR



## APPEARANCES

### FOR THE APPELLANT:

Mrs Louise Humphreys	Solicitor, Peyto Law, instructed by Mr Peter Salmon, Town Planning and Development Consultant
She called	
Mr Colin Clark	Former owner of appeal site
Mr Tony Perrin	Occupier of appeal site and general builder
Mr Keith Hayton	Appellant

### FOR THE LOCAL PLANNING AUTHORITY:

Mrs Angela Watson	Solicitor and Legal Services Manager, South Somerset District Council
She called	
Mr Gary Richmond	Local resident
Mr Glenn Barton	Local resident
Mr Terence Dowdell	Local resident
Mrs Carole Ann Goodin	Local resident

### DOCUMENTS AND PHOTOGRAPHS HANDED IN AT INQUIRY

- 1 Council's letters of notification and list of persons notified
- 2 List of appearances for South Somerset DC
- 3 Land Registry official copy of register of title no. ST124363 handed in by the Council
- 4 Google maps Streetview photographs of appeal building handed in by the Council
- 5 2 A3 sheets of photographs of the appeal building handed in by the Council
- 6 Closing submissions of South Somerset District Council
- 7 *Thrasylvoulou v Secretary of State for the Environment and others* House of Lords 14.12.1989 handed in by the appellant

### DOCUMENTS SUBMITTED AFTER CLOSE OF THE INQUIRY

- 8 Letter and enclosures dated 5 May 2011 from Mrs Watson on behalf of the Council
- 9 Signed statement of common ground
- 10 Letter from Mrs Humphreys dated 9 May 2011



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# Lawful Development Certificate

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 191  
(as amended by Section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)  
ORDER 1995: ARTICLE 24

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**IT IS HEREBY CERTIFIED** that on 15 February 2010 the use described in the First Schedule hereto in respect of the building specified in the Second Schedule hereto and edged and cross hatched in black on the plan attached to this certificate, was lawful within the meaning of section 191(2) of the Town and Country Planning Act 1990 (as amended), for the following reason:

The use began before 15 February 2000 and has continued for at least 10 years thereafter. Consequently no enforcement action can be taken in respect of the use because the time for enforcement action has expired.

Signed

*Sara Morgan*

INSPECTOR

Date 06.06.2011

Reference: APP/R3325/X/10/2135822

## **First Schedule**

Storage of building materials, a snooker table, children's toys and other personal, domestic and household items, falling within Use Class B8.

## **Second Schedule**

The building sited on land opposite Autumn Leaves, Pibsbury, Langport, Somerset TA10 9EJ

## NOTES

1. This certificate is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use /operations described in the First Schedule taking place on the land specified in the Second Schedule was /were lawful, on the certified date and, thus, was /were not liable to enforcement action, under section 172 of the 1990 Act, on that date.

3. This certificate applies only to the extent of the use /operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use /operation which is materially different from that described, or which relates to any other land, may result in a breach of planning control which is liable to enforcement action by the local planning authority.



# Plan

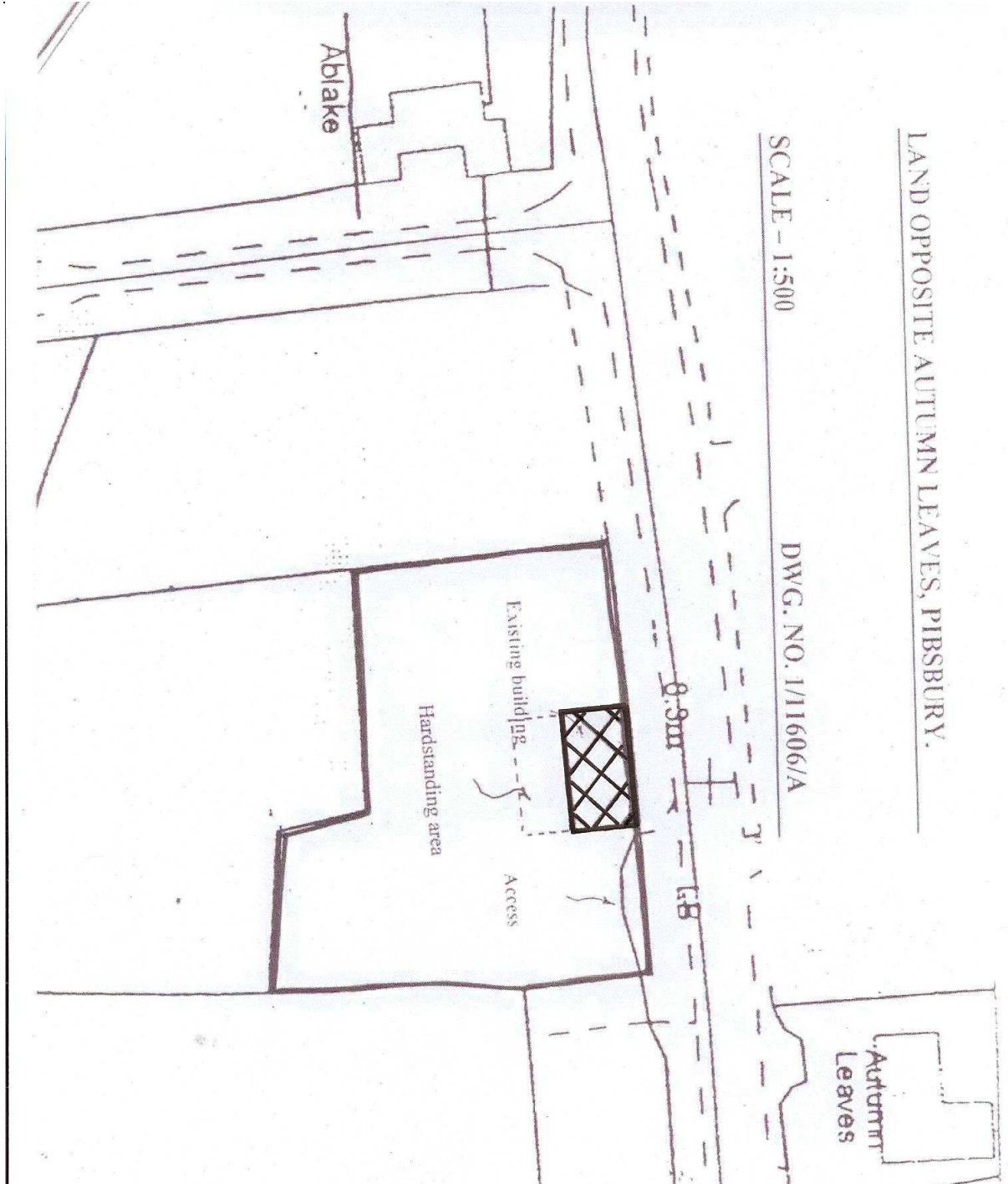
This is the plan referred to in the Lawful Development Certificate dated: 06.06.2011

by Sara Morgan LLB (Hons) MA Solicitor

Land opposite Autumn Leaves, Pibsbury, Langport, Somerset TA10 9EJ

Reference: APP/R3325/X/10/2135822

Scale: DO NOT SCALE



Area North Committee – 22 June 2011

## 16. Planning Applications

**The schedule of planning applications is attached.**

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 1998 Issues

The determination of the applications which are the subject of reports in this plans list are considered to involve the following human rights issues: -

1. Articles 8: Right to respect for private and family life.
  - i) Everyone has the right to respect for his/her private and family life, his/her home and his/her correspondence.
  - ii) There shall be no interference by a public authority with the exercise of this right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedom of others.
2. The First Protocol

*Every natural or legal person is entitled to the peaceful enjoyment of his/her possessions. No one shall be deprived of his possessions except in the public interests and subject to the conditions provided for by law and by the general principles of international law. The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.*

*Each report considers in detail the competing rights and interests involved in the application. Having had regard to those matters in the light of the convention rights referred to above, it is considered that the recommendation is in accordance with the law, proportionate and both necessary to protect the rights and freedoms of others and in the public interest.*

*David Norris, Development Manager*  
david.norris@southsomerset.gov.uk or (01935) 462382

**Background Papers:** *Individual planning application files referred to in this document are held in the Planning Department, Brympton Way, Yeovil, BA20 2HT*

## Planning Applications – June 2011

### Planning Applications will not be considered before 4.00 pm

Members of the public who wish to speak about a particular planning item are recommended to arrive at 3.45 p.m.

The inclusion of two stars (\*\*) as part of the Development Manager's recommendation indicates that the application will need to be referred to the 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 Regulation Committee even if it has not been two starred on the Agenda.***

Item	Page	Ward	Application	Proposal	Address	Applicant
1	48	SOMERTON	10/03704/ FUL	The erection of 133 dwellings and associated garages, highway works and landscaping.	Land At Northfield Farm, Northfield, Somerton	Bellway Homes
2	89	LONG SUTTON	11/00475/ FUL	Change of use of the Cider Barn to holiday let (Retrospective).	The Cider Barn, Little Upton Bridge, Long Sutton.	Mrs G Rickards
3	95	KINGSBURY EPISCOPI	11/00728/ FUL	Erection of a two storey extension with dormer windows front and rear.	Old Thatch, Burrow Way, Kingsbury Episcopi.	Mr P Knight
4	98	ST MICHAEL'S	11/01003/ LBC	Erection of porch to front elevation (GR: 349897/120034)	The Old Bakery, 26 Queen Street, Tintinhull.	Mr S Clark

Area North Committee – 22 June 2011

## Officer Report On Planning Application: 10/03704/FUL

<b>Proposal:</b>	The erection of 133 dwellings and associated garages, highway works and landscaping (GR: 348022/128828)
<b>Site Address:</b>	Land At Northfield Farm, Northfield
<b>Parish:</b>	Somerton
<b>WESSEX Ward (SSDC Member)</b>	Mrs Pauline Clarke (Cllr) Mr David Norris (Cllr)
<b>Recommending Case Officer:</b>	Claire Alers-Hankey Tel: 01935 462295 Email: claire.alers-hankey@southsomerset.gov.uk
<b>Target date:</b>	9 <sup>th</sup> February 2011
<b>Applicant:</b>	Bellway Homes
<b>Agent: (no agent if blank)</b>	APT Design Ltd (FAO: Mr Graham Chambers) Angel Crescent, Bridgwater TA6 3EW
<b>Application Type:</b>	Major Dwlgns 10 or more or site 0.5ha+

### REASON FOR REFERRAL TO COMMITTEE

This major application is referred to the committee in accordance with the scheme of delegation, with the agreement of the Chairman and Ward Members due to the level of interest it has generated and the importance for Somerton.

### BACKGROUND

At their meeting of 23<sup>rd</sup> March 2011 the Area North Committee raised a number of concerns about this application and resolved to defer this application to enable:

- Clarification of sewage and surface water drainage proposals with Wessex Water, the Environment Agency and the Area Engineer being reconsulted
- Exploration of highway alternatives, in particular the internal road layout with regard to the Bancombe Road 'bypass' and visibility provided at Hodges Barton
- Reconsideration of the three storey element
- Introduction of energy efficiency measures (solar panels etc)
- Review of garden size

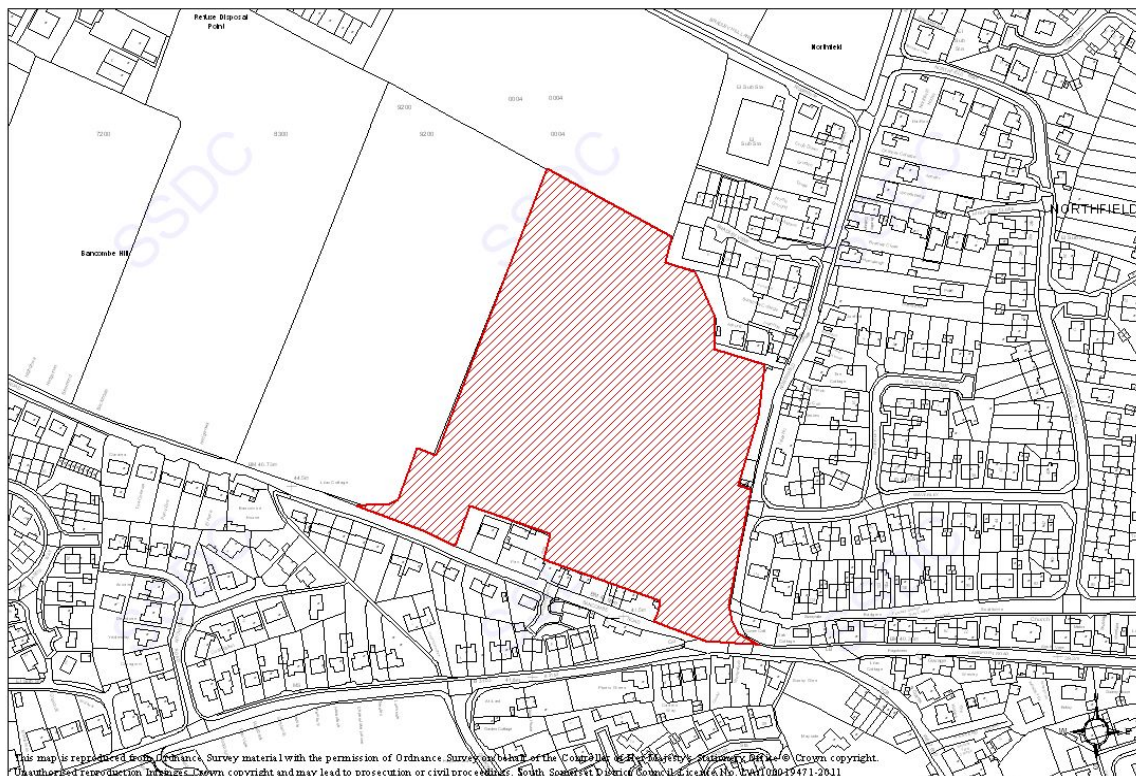
In response to this request the applicant has amended the proposed scheme by omitting all three storey houses, and replacing them with 2 ½ storey houses. Clarification on the proposed drainage systems has also been submitted. The highway layout, garden sizes and level of energy efficiency measures has remained the same, with the justification for this put forward by the applicant.

Full consultation on the additional information has been carried out with all of the relevant consultees and local residents.

The previous report, updated in light of the changes, additional information and further consultation is set out below.



## SITE DESCRIPTION AND PROPOSAL



This rectangular, 3.89 hectare site is located on the northwest outskirts of Somerton, between Bancombe Road and Northfield and is allocated in the Local Plan for residential development. It is largely level agricultural land with Northfield Farmhouse, a Grade II listed building, and various modern and traditional farm buildings in the southeast corner of the site.

This application, as amended, seeks planning permission for the erection of 133 dwellings at a density of 34/ha, with associated garages, highway works and landscaping comprising:-

- 6 one bedroom flats
- 12 two bedroom flats over garages (FOGs)
- 13 two bedroom houses
- 75 three bedroom houses
- 21 four bedroom houses
- 5 five bedroom houses
- 1 bungalow to meet a special local affordable need
- 267 parking spaces (2 spaces per unit)
- A LEAP and buffer zone (1,912m<sup>2</sup>)

46 'affordable' units (34.6%) would be provided, 31 for rent accommodation and 15 shared ownership. It would be provided in clusters throughout the site.

The amended proposal would be a mix of largely two-storey terraces and detached dwellings, and a proportion of single storey, 2½ storey, semi-detached, and FOG development. Most dwellings have garages. The materials are stated as being a mix of natural stone, reconstituted stone and smooth cast render with slate effect tiles and pantiles.



The main access route for the site would be via a new junction on Langport Road. This would require the stopping up of the current exits of Bancombe Road and Northfield onto Langport Road. A new route through the site would maintain a direct link to Bancombe Road to the west of the site and a further access would be created to Northfield directly opposite Waverley.

The application has been amended to provide a larger area of on-site open space, which has resulted in a reduction of the number of houses proposed from an original 138 to 133. The internal estate road layout has also been amended to reflect this change. The proposal is supported by a landscaping scheme, Geology Survey, Archaeological Assessment, Travel Plan, Design and Access Statement, Tree and Hedgerow Appraisal, Ecological Assessment, Statement of Significance, Housing Need Report, Statement of Community Involvement, Transport Assessment and Flood Risk Assessment.

In response to initial highways concerns a further highway assessment to supplement the initial Transport Assessment has been submitted. Some changes to details have been made in response to comments received from the Conservation Officer and the Landscape Architect and a further geophysical survey has been submitted to address initial comments made by the County Archaeologist. Additionally, further information on runoff calculations and discharge rates has been submitted in response to concerns raised by the Environment Agency and the Council's engineer.

## **HISTORY**

2006 - Local plan adopted allocating this site for residential development (policy Proposal HG/SOME/1)

Previous planning history relates to operational development at Northfield Farm.

## **POLICY**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

Saved policies of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011:

Policy STR1 - Sustainable Development

Policy STR2 - Towns

Policy STR4 - Sustainable Development in Towns

Policy STR7 - Implementation of the Strategy

Policy 5 - Landscape Character

Policy 9 - The Built Historic Environment

Policy 11 - Areas of High Archaeological Potential

Policy 33 - Provision of Housing

Policy 35 - Affordable Housing

Policy 37 - Facilities for Sport and Recreation Within Settlements

Policy 39 - Transport and Development

Policy 48 - Access and Parking

Policy 49 - Transport Requirements of New Development

Policy 50 - Traffic Management

Saved policies of the South Somerset Local Plan (Adopted April 2006):  
 Proposal HG/SOME/1 – allocates this site for residential development:-

*Land north of Bancombe Road, Somerton, amounting to approximately 4.1 hectares (10.1 acres) is allocated for residential development. The development will be subject to the following:*

- *Expected to accommodate about 140 dwellings of which 35% should be affordable after the provision of an extensive buffer zone between employment land and the proposed residential area, and the provision of open space and children's play area in accordance with policy CR2;*
- *Access from Northfield and Bancombe Road;*
- *Improvements to the substandard junction of Bancombe Road, Langport Road and Northfield;*
- *Retention of the listed farmhouse and other buildings and land as necessary to protect its setting;*
- *Provision of buffer zone to separate employment and residential uses;*
- *Provision of amenity open space and children's play area;*
- *Footpath links through site to avoid pedestrian use of Bancombe Road and to create links between the existing development and the proposed development;*
- *The allocation being phased for development after 2007.*

#### Other Policies

Policy ST5 - General Principles of Development

Policy ST6 - The Quality of Development

Policy ST7 - Public Space

Policy ST9 - Crime Prevention

Policy ST10 - Planning Obligations

Policy EC3 - Landscape Character

Policy EC8 - Protected Species

Policy EH5 - Development Proposals Affecting the Setting of Listed Buildings

Policy EH12 - Areas of Archaeological Potential

Policy EP5 - Contaminated Land

Policy EP6 - Demolition and Construction Sites

Policy EU4 - Water Services

Policy TP1 - New Development and Pedestrian Provision

Policy TP2 - Travel Plans

Policy TP3 - Cycle Parking

Policy TP4 - Safer Environments for New Developments and Existing Residential Areas

Policy TP7 - Residential Parking Provision

Policy HG1 & HG2 - Provision for New Housing Development

Policy HG4 - Housing Densities

Policy HG6 - Affordable Housing

Policy HG7 - Affordable Housing - Site Targets and Thresholds

Policy HG8 - Affordable Housing - Commutation of Requirement

Policy CR2 - Provision of Outdoor Playing Space and Amenity Space in New Development

Policy CR4 - Provision of Amenity Open Space

#### National Guidance

PPS1 - Sustainable Development

PPS3 - Housing

PPS5 - Planning for the Historic Environment

PPG13 - Transport  
 PPG17 - Planning for Open Space, Sport and Recreation  
 PPS25 - Flooding

South Somerset Sustainable Community Strategy

Goal 3 - Healthy Environments  
 Goal 4 - Quality Public Services  
 Goal 7 - Distinctiveness  
 Goal 8 - Quality Development  
 Goal 9 - Homes

Other Legislation

The Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations 2010')

The Wildlife and Countryside Act 1981 (as amended).

Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the 'Habitats Directive').

Other Policy Requirements

RRS10 - Whilst it is the government's intention to abolish Regional Spatial Strategies, recent high court decisions make it clear that adopted RSSs remain 'material' considerations. RSS10, although at a highly advanced state has not been adopted, diminishing its weight. Policy RE5 requires the incorporation of 10% renewable/low carbon energy generation within major developments.

## CONSULTATIONS

Three rounds of consultation have been carried out, firstly in relation to the proposal as submitted, secondly in relation to the amendment to the detail and the additional highways information, and finally in response to the additional information/clarification submitted following the deferral of the application by Members at the Area North meeting in March.

**Somerton Town Council** - Initially deferred comment to allow clarification of highway position. Subsequently raised objections to the proposal with regard to the proposed highway works with the closure of both Bancombe Road and Northfield and the retrograde impact on other sections of highway in the area, particularly Waverley, Highfield Way and Behind Berry. Would support the provision of a roundabout in this location. Concern also raised over drainage as already instances of flooding downstream of the site. Attenuation of the surface water flows arising from site need to take into account run-off from adjacent fields. Concern raised over local infant school and academy being at capacity. Requested that improvements to width of Bancombe Road are made, and that maximum funding from s106 agreement to be allocated to Somerton and not to wider District area.

**Somerton Town Council Further Response** - Awaited at time of writing, to be updated at committee

**County Highway Authority** - Initial response confirmed that the layout drawing is generally acceptable and could form the basis of a S.278 agreement requiring the estate road through the new estate linking Bancombe Road/Northfield and Langport Road to be completed and open to traffic before either Northfield or Bancombe Road would be closed off to vehicular traffic. Concern was raised over the lack of detailed data in the

Transport Assessment (TA) and it was requested that the applicant provide an addendum to the TA, which incorporates baseline data for existing flows of traffic from the surrounding highway network.

The initial comments in relation to the updated information confirm that the Highways Authority agrees with the conclusion insofar as the traffic impact would be acceptable and that there is no technical justification for any additional offsite works in this case. Recommended conditions to address Construction Management Plan, parking areas to be kept clear, construction of estate road network, phasing, discharge of surface water, details of surfaces and design of street furniture, surfacing of roads, footpaths and turning spaces, temporary pedestrian and cycle links, visibility splays and informative regarding legal agreement.

**County Highway Authority Further Response** - A mini roundabout is considered by the Highway Authority to be wholly inappropriate in this particular location for a number of technical reasons. Full details are contained within an email dated 21<sup>st</sup> March 2011. Correspondence with the Highway Authority also confirms the proposed road layout has gone through a full stage 1 Safety and Technical audit, the Highway Authority fully accept the findings of the Transport Assessment submitted as part of the application, and the Highway Authority does not raise any objection to the proposal as submitted. A copy of their email is appended to this report.

**Area Engineer** - considers that the general principles and proposed arrangements for dealing with surface water as set out in FRA are sound. No objection subject to safeguarding condition relating to drainage layout and carious control features.

**Area Engineer Latest Consultation** - Remains satisfied that the proposed drainage arrangements are acceptable. Notes that the detailed FRA submitted with the application sets out how the existing drainage arrangement works so that a design that controls surface water drainage can be developed using various sustainable drainage techniques such as underground tanks, permeable paving, etc.

It is confirmed that the existing arrangement discharges a significant amount of surface water from the farm buildings/yard area at Northfield Farm into the foul sewer. The proposed development would eliminate this connection and consequently there would be a reduction in flow to the existing foul sewer that not even the foul flows created by the residential development would outweigh. Consequently the proposed development would cause a net reduction in discharge into the existing foul sewerage system, which has been known to suffer from surcharge problems further downstream.

It is concluded that development proposals are normally required to ensure that the drainage situation is not made worse by the development, and in this case the FRA demonstrates it is possible, due to the disconnection of surface water from the foul system, there would be an improvement in the existing situation. A copy of the Engineer's comments is attached to this report.

**County Education Officer** - Notes that infant school places are nearly at capacity, so that the school would have insufficient places to accommodate additional children living in the proposed dwellings. There is currently surplus capacity at the local junior school, which is likely to remain the case for the foreseeable future, so additional accommodation for this tier is not required at the present time. Requests that a contribution of £147, 084 be sought to address the need for 12 infant school places.

Initially it was advised that Huish Academy, being a non-local authority school, should be consulted with regard to secondary school places. However emerging government

advice is that local education authorities (LEA) should remain responsible for strategic education provision, including seeking planning obligations. The education officer has therefore been reconsulted and his observations will be reported to committee.

**Housing Officer** - Accepts the provision of 34.6% affordable homes (46 units) to be provided on the site on the basis of:-

- 6 x 1 bed units
- 16 x 2 bed units
- 21 x 3 bed units
- 2 x 4 bed units
- 1 x bespoke bungalow for a disabled occupier.

**Planning Policy** - Are satisfied that the proposal is broadly compliant with the saved proposal HG/SOME/1, and therefore has raise no objections

**Conservation Manager** - Confirmed layout is satisfactory. Initial comments raised a number of comments relating to specific detail, and following the receipt of amended plans the Conservation Officer confirmed no objection.

**Environmental Protection Officer** - No observations

**Contaminated Land Officer** - Notes that the site contains two small areas of infilled land. Recommends safeguarding conditions to ensure any potential contaminated land is investigated and appropriate mitigation carried out.

**Ecologist** - Accepts that survey work undertaken, which identifies a low level presence of badgers, bats and slow-worms, is appropriate and does not dispute the findings. Considers that any issues are "*of low conservation significance and not of sufficient importance to warrant further Local Planning Authority control*". A condition to ensure compliance with the recommendations of the submitted report is recommended.

**Landscape Architect** - No landscape issues subject to safeguarding condition to agree landscaping.

**Environment Agency** - Accepts findings and recommendations of submitted FRA as supplemented. No objection subject to safeguarding conditions and informatives.

**Environment Agency Latest Consultation** - Notes that the proposed development will have separate sewers for surface and foul water drainage, both of which will be offered for adoption to Wessex Water. The proposed surface water sewer will connect to the existing culverted watercourse drainage system Langport Road, and will be restricted to pre-development rates to ensure there are no increases in run off and therefore no reduction of capacity in the receiving system. This will be achieved through the use of on-site attenuation and infiltration. No objection raised subject to safeguarding conditions. A copy of the comments is appended to this report.

**County Archaeologist** - No objection subject to recommended condition to secure programme of archaeological work.

**Leisure Policy Co-ordinator** - Recommends a contribution of £5,814.97 per dwelling (£773,391.30) be sought towards the provision of equipped play spaces, youth facilities, playing pitches, changing room provision and strategic community facilities to meet the demands arising from the occupiers of the new dwellings.

**Open Spaces Officer** - No objection on the basis that adequate onsite provision for Public Open Space has been made.

**Senior Play and Youth Facilities Officer** - Notes the revised plan has adequate buffer zones between the play area and dwellings, the location and orientation of the LEAP is good and the size is acceptable.

**Climate Change Officer** - Objects to the proposal on the basis that there is no mention of renewable energy within any of the documents supporting the application. Furthermore some of the roofs are not solar orientated.

**Climate Change Officer Latest Consultation** - Comments that the applicant has the opportunity to install photovoltaics to the roof areas that face south. Considers that every large development that is constructed without renewable electricity generation condemns future residents to high energy bills. As applicant has not expressed an intention to address the previous objection, the previous objection therefore still stands. A copy of the latest comment is appended to this report.

**Wessex Water Latest Consultation** - Notes the information submitted in relation to surface water disposal and revised calculations for the greenfield run off rates have been accepted by the Environment Agency and will form the basis for design into a surface water system to comply with the requirements of PPS25 and 'Sewers for Adoption' standards. Notes the separate systems of drainage for foul and surface water to be provided and that design drawings will be forwarded to Wessex Water for technical approval under adoption procedures. A copy of these comments is appended to this report.

## REPRESENTATIONS

4 additional letters of representation have been received since the last Area North committee meeting. Three of these letters do not raise any new issues, however the other objects to the idea of a roundabout at the junction of Bancombe Road and Langport Road on the following grounds:

- Noise and pollution from vehicles braking to negotiate roundabout
- Destruction of visual amenities caused by installation of roundabout
- Adverse visual impact on the western approach into Somerton
- Adverse effect on current smooth traffic flow
- Cost of roundabout including legal and compensation payments
- Costs for Valuation Tribunal
- Contrary to European Directive on Human Rights
- Such urban planning schemes have no place in a conservation area such as Somerton
- The Town Council do not want such a scheme
- The last roundabout built at Huish Episcopi is not fit for purpose, was a waste of tax payers money, is over engineered and cluttered.

Previously 67 letters of objection were received. The issues raised can broadly be grouped as:-

- Design and Detail
- Density, Layout and Landscaping
- Access and Parking
- Impact on Amenity



- Pressure on existing facilities and services
- Drainage and flooding

### **Design and Detail**

- Cheap building materials will be used
- Use of render is not appropriate
- The design is bland
- Vehicle openings in the buildings should have a flat arch typical of the area
- Proposed development is not in keeping with the architectural design of local houses

### **Density, Layout and Landscaping**

- Density of housing proposed is too high
- Hedge boundary adjacent to Northfield should be maintained
- Wild Cheery tree on site must be preserved
- There is no proper planting on the site boundaries proposed
- The site should have more green spaces and allotments
- Gardens should be larger
- Mixed social housing and private housing should not be mixed together due to difficulty of people trying to sell private housing
- Proposal fails to take account of the historic settlement
- Why is the affordable housing centred on Bancombe Road?
- Removing old wall in front of listed farmhouse would detract from rural feel of area
- Damage to the environment

### **Access and Parking**

- Increase in traffic flow through surrounding residential area, which is single laned in places, is unacceptable and is dangerous to pedestrians and inconvenient for road users
- Poor road layout
- Blocking off bottom end of Northfield will force all traffic through the new estate
- Traffic will use Waverley and Behind Berry as a means of access to the town centre and the east side of the town, but this route was not designed for such an amount of through traffic the proposal would generate
- Bottleneck in Northfield has no pavement and is dangerous, and should not be subjected to an increase in traffic. There are existing parking problems along this stretch
- Northfield should be widened and off street parking and a pavement provided
- Increased traffic around roads of local infant school and fire station
- The junction of Bancombe Road, Langport Road, Northfield and the new development should be a roundabout - this design was proposed when the site was allocated
- Infrastructure should be in place prior to occupation of dwellings
- There is no provision of a zebra crossing anywhere
- Two car parking spaces per dwelling is not enough
- Cycling opportunities are not improved
- Northfield and Bancombe Road should not be shut off and a campaign to seek losses to local residents will be made against the planning authority
- Possibility that the Traffic Assessment is wrong should be considered now. What come back is there when the TA is proved as inaccurate?
- Railway station should be reopened and current bus service is insufficient for new population
- Improvements should be made for increased use of pedestrian route to sports/recreation ground

- The submitted Traffic Assessment makes a number of inaccurate observations, which are misleading - the surrounding roads are narrow and do not always have a footpath
- Traffic data submitted with application refers only to traffic generated by development, not exiting traffic as well
- A Road Closure Impact Study should be carried out to fully assess the proposals on the surrounding highway network
- Existing residents are inconvenienced by greater travel
- Traffic island proposed on the south side of Bancombe Road will restrict access to adjacent property
- The new estate should be completely serviced by its own adequate roads
- On street parking is a huge problem in surrounding area
- The new estate road through the site should run parallel to Bancombe Road
- Drop off areas should be established for parents to drop children off at school
- Speeds bumps should be put on roads near school
- There should be a footpath from Bancombe Road up to the Trading Estate
- Development would have negative impact on town centre parking
- Interpretation of HG/SOME/1 has been taken too literally by the developer
- Amended plans make minimal alteration despite strong local opposition to original plans

#### **Impact on Amenity**

- It is not clear how surrounding properties will be protected during construction and how construction traffic will access the site, or how asbestos will be disposed of
- It is not clear how privacy of residential properties adjacent to the site will be protected
- Youths may convene at dead end of Bancombe Road, and Bancombe Road should not be accessible to pedestrians from the new development
- Overlooking of C type houses over strip of land on Northfield, which may prevent future development of this strip
- Proposal will cause noise, air and light pollution

#### **Pressure on existing facilities and services**

- Facilities and services in Somerton are not adequate to accommodate additional people development would create
- Existing doctor surgery is oversubscribed and cannot cope with additional patients
- There are no jobs in Somerton for residents of the proposal and therefore people will commute to Yeovil
- Proposal offers little in way of affordable housing
- The proposal does not add any form of commercial development
- Site should accommodate a community hall type facility

#### **Other Comments**

- The new homes will not be for local people
- Adverse effect on value of nearby properties
- No proper public consultation has taken place
- Is the site to be phased?
- The houses would be better off spread around the town
- Applicant should be required to enter into planning obligations
- The application is of no benefit to local residents, only benefit is too applicant
- The SSDC website is constantly out of action, meaning trips to the local planning office have to be made to view plans



Additionally the minutes of a public meeting have been provided which raise the following summarised concerns:

- Proposed road layout, increase in traffic and impact on surrounding highway network and local residents
- Increased pressure on local infant school
- Road layout would encourage trade drivers to go to Langport and be put off driving to Somerton
- Listed farmhouse was in the way of a diverted Bancombe Road route
- Support voiced for roundabout proposal
- Development too dense
- Already speeding in several surrounding roads close to the close
- Increased demand on doctor and schools
- Disposal of asbestos on existing barns to be demolished
- Whether sewage treatment and surface water disposal adequate
- Maximum number of houses should be 116
- Lack of open space and trees
- Too many roads within site
- Sequence of building operations important
- No zebra crossing
- Traffic report only focuses on peak times
- Cycle path provision
- Inadequate parking
- Traffic surveys submitted so far inadequate

1 LETTER OF SUPPORT - Has been received, commenting that the closure of the Bancombe Road/Langport Road junction will encourage trading estate traffic to use Cartway Lane.

## **APPLICANT'S CASE IN RESPONSE TO THE COMMITTEE'S CONCERNS**

### **Highways**

Local Plan Policy HG/SOME/1 requires that the proposed development at Northfield Farm should take access from Northfield and Bancombe Road, and provide for improvements to the sub-standard junction of Bancombe Road and Northfield with Langport Road. The Local Plan Inquiry highway evidence included drawings illustrating two options that would address the identified problems and provide for the new development. Both options relied upon the closure of Bancombe Road and the provision of an alternative route through the development. Bancombe Road is an adopted public highway, and its replacement route must have the same status. The Langport Road junction improvements and the highway links to Bancombe Road and Northfield will therefore be secured through a s106 agreement. The design of the junction improvements and the new link roads has been undertaken in accordance with the following national and local design standards and guidance:-

- The Highways Agency's Design Manual for Roads and Bridges: Volume 6 Section 2 Part 6 TD42/95 - Geometric Design of Major/Minor Priority Junctions;
- Somerset County Council's design guide 'Estate Roads in Somerset';
- Manual for Streets

The route between Bancombe Road and Langport Road is laid out as a Type 4 (i) Access Road with a carriageway width of 5.0m throughout. The design speed for this category of road is 20mph or less. Vehicle speeds are moderated to the design speed by the introduction of priority junctions and bends. For a Type 4 (i) Access Road, the

maximum effective straight length of road between such features in 60m. In addition to the bends associated with the junctions at either end, the link between Bancombe Road and Langport Road incorporates three further bends designed to moderate vehicle speeds to a maximum of 20mph.

Concern has been raised that the alignment of the link between Bancombe Road and Langport Road could give rise to delays for through traffic compared with the existing arrangement. Straightening this road to provide a more direct route that would run closer to the strip of land between the development site and the rear gardens of the existing properties fronting onto Bancombe Road has been investigated by the developer. Whilst Bancombe Road is a residential road subject to a speed limit of 30mph, it has a straight alignment with no speed moderating features, and vehicles regularly exceed the speed limit. It is inevitable that replacing the existing road with a slightly longer route that would need to be negotiated at lower speeds will give rise to some delay compared with the existing situation. Any alternative route would need to incorporate an appropriate number of speed moderating features. Whilst the bends that are presently proposed could be replaced with priority junctions, chicanes, or road narrowings, calming would be achieved by forcing traffic to give way which would introduce significant additional delays. The present highway layout is designed so that the through-route is legible to drivers, avoiding additional vehicle movement towards Northfield. Furthermore moving the road closer to the site boundary and limiting development to one side only would be inconsistent with Manual for Streets guidance.

The alignment of the through-route has been the subject of discussions with SCC throughout the design process, and the current proposals address the Council's requirements not only in terms of geometric criteria such as carriageway width and visibility etc, but also in terms of legibility and convenience. It would not be possible to design an alternative arrangement that would not delay drivers who presently use a shorter route which can be negotiated at speeds above the legal limit, although the new Langport road junction should be significantly more efficient and safe, particularly at peak times.

Information has also been submitted to demonstrate the unfeasibility of a right-turn lane/ghost-island junction being provided at the new junction off Langport Road. Evidence submitted shows that a ghost-island junction could not be laid out in accordance with the appropriate design standard without encroaching into third party land.

### **Drainage and Flood Risk**

The existing drainage arrangements on the site together with conditions in the surrounding foul and surface water drainage networks were the subject of a thorough investigation, and the drainage strategy was developed in consultation with SSDC, the Environment Agency, SSC Highways, and Wessex Water. The proposed surface water attenuation and control measures would ensure that the development would not worsen conditions downstream of the site. The proposed development would improve the foul water flows by redirecting surface runoff from the site, which is presently connected to the foul system, into the development surface water sewer network.

### **Renewable Energy Measures**

It is noted that the Council does not have an adopted policy in its Local Plan requiring the provision of 10% renewable energy as part of new residential development. While there is a relevant policy in the emerging Core Strategy, this is yet to be tested at Inquiry. The requirements for Code for Sustainable Homes are being introduced via Building

Regulations and this development would have to meet the necessary Building Regulations application at the time. Also the affordable housing units which equate to 35% of the units on site are likely to be required to achieve level 3 of the Code for Sustainable Homes.

### **Three Storey Element**

It is agreed that the 5 number 3-storey dwellings could be reduced to 2.5 storeys in height. This would omit the concern of the impact on full 3-storey buildings whilst still retaining the character and visual interest in the street scene.

### **Garden Size**

The proposed development layout provides a variety of density areas. Larger detached dwellings with larger gardens are generally situated to the development edge, with the smaller dwellings with a more urban form situated along the key routes to provide the continuous built form all reflecting the street character of Somerton.

The application site is allocated in the Local Plan, with the potential number of dwellings set at 140, equating to a density of 36 dwellings per hectare. The current application proposed 133 dwellings, which represents a reduction to 34 dwellings per hectare. With the numbers and density being lower than anticipated and taking account of the large area of public open space provided, the gardens sizes proposed would be acceptable.

(Summarised from briefing notes received 16/05/11 and email dated 01/06/11.)

## **CONSIDERATIONS**

The site has been allocated for residential development by saved policy HG/SOME/1 of the South Somerset Local Plan, therefore the principle of residential development on this site is deemed as acceptable, and would deliver housing in accordance with Policies HG1, HG2 and HG6 of the Local Plan.

No objections have been raised to any impact on archaeological and contamination issues or regarding the setting of the listed building. With regard to ecology, no significant issues have been identified by the submitted report, the findings of which are supported by the Council's ecologist who confirms that, subject to an appropriate safeguarding condition, the favourable conservation status of protected species would be maintained in accordance the relevant safeguarding legislation referred to above.

Accordingly, subject to safeguarding conditions these aspects of the application are considered acceptable with no conflict to Policies EC8, EH5, EH12 and EP5 of the Local Plan.

The relevant issues to be considered are:

- Design and Detail
- Layout and Landscaping
- Access and Parking
- Impact on Amenity
- Developer Obligations
- Drainage

## Design and Detail

The proposal incorporates a variation of different house types, with the majority being two-storey, with some single storey and 2½ storey development, a bungalow and garaging. A range of house types are also proposed, with terracing, semi detached and detached all featuring within the proposal. It is considered the houses are all of a design and proportion that is appropriate to the locality and the variation of house types will offer visual interest to the site yet maintain a level of uniformity and cohesion. The five 3-storey houses proposed are set within the site and do not form part of the external street scenes. Situated at the centre of the site and overlooking the public open space, it is not considered they would be incongruous in their setting and would provide focal points within the development.

Initial comments made by the Conservation Officer relating to specific details have been incorporated into the amended plans. As such the design and detailing of the proposed buildings is considered acceptable, and subject to conditions to require samples and agreement of materials and detailing, the impact on the character and appearance of the locality and the listed Northfield Farmhouse would be acceptable and in this respect the proposal complies with policies ST5 and ST6.

Objection has been raised by a local resident to the use of render. However, only ten houses are proposed to be render, and it is considered its use will break up the development and add visual interest.

Following the deferral of the application at the last Area North committee meeting in March, the agent has amended the application to omit all three storey units from the proposal. These units have been replaced by 2.5 storey units. This replacement is considered to be acceptable.

## Layout and Landscaping

A number of objections have been received stating the density of the proposal is too high. The density of the housing is approximately 34 houses per hectare, which is in line with the policy requirement of HG4 of 30 houses per hectare. While the recent amendments to PPS3 took away a minimum density requirement, the thrust of PPS3 with regard to the efficient use of land has not been materially changed. This remains local plan policy as stated by Policies HG4 and ST5. Furthermore, policy HG/SOME/1 allocates the site for 140 dwellings so the Inspector was clearly satisfied that the site could accommodate a higher number of dwellings.

The proposal makes provision for on site Public Open Space and a Local Equipped Area for Play (LEAP). The size and layout of the on site open space and play area meet the requirements of Policy CR2. As the policy requirement is met, no off site provision is sought.

All of the houses have private gardens (with the exception of the FOGs, of which only a few have gardens) that are considered of an adequate size for future occupiers. In addition to private gardens, there are a number of small green spaces and planted areas scattered across the site that will also contribute to the landscaping of the site. On a precautionary basis and to safeguard open space within the development a condition is recommended to withdraw permitted development rights with respect to extensions and outbuildings.

The layout is characterised by houses facing the street frontage with gardens and parking to the rear, with is characteristic of the locality.

In response to Member's concerns the applicant has confirmed there are a number of different garden sizes accommodated within the development, with larger gardens serving larger houses which are closer to the development edge. All properties proposed have a private garden, with the exception of some FOGs. In addition to this there are a number of green spaces and planted areas as well as a large area of public open space, that contribute towards landscaping and useable amenity spaces for future occupiers.

In terms density (approximately 34 houses per hectare), the proposal is considered to make good use of land, whilst meeting the requirements of national and local planning policy. It is not considered excessive or out of character with the locality. Furthermore the Local Plan allocation within policy HG/SOME/1 makes provision on the site for 140 dwellings so the Inspector was clearly satisfied that the site could accommodate more dwellings than now proposed without undue harm.

Notwithstanding the applicant's refusal to reconsider the garden sizes, it is considered that the layout and landscaping comply with policies ST5, ST6, ST7, ST9, EC3, CR2, CR4 and HG4.

### **Access and Parking**

The Traffic Assessment (TA) as supplemented, contains traffic modelling of the existing Langport Road/ Northfield/Bancombe Road junction and the Northfield junctions with Behind Berry and Waverley, and concludes that the proposed new junction has the capacity to accommodate traffic generated as a result of the development, as well as all existing traffic. It is also stated that the preferred route for traffic from the development, Bancombe Road and Northfield to the town centre and eastern side of the town would be via the improved Langport Road junction. Furthermore it is concluded that Waverley and Behind Berry would not be used as a rat run, due to the more efficient working of the proposed Langport Road junction.

Whilst there is considerable local objection to the proposed revisions and the potential knock-on effects, the Highway Authority accepts the findings and conclusions of the TA and raises no objection to the access and junction arrangements. It is not considered that there is any evidence to justify over-riding this advice, nor would it be justified to insist that the developer redesign the access arrangements based on a suggestion by a third party.

Two car parking spaces are provided for each house and one car parking space is provided for the one-bedroom flats. This level of parking is acceptable and meets the requirements of TP7. In addition to the car parking provision, cycle storage provision is made for each property and 18 motorcycle parking spaces are provided.

A number of detailed points regarding the estate road were raised in the initial consultation response from the Highway Authority, and these have been addressed in the amended layout plan received. The road through the site has been designed to discourage through traffic and to limit speed. It is not considered that any benefit would be achieved by encouraging through traffic or higher vehicle speeds.

A number of local residents and the Parish Council have suggested that a roundabout should be used at the Langport Road junction and the committee have asked that the access arrangement be reviewed. The applicants do not consider this to be viable or reasonable as there is insufficient area in this location to accommodate a roundabout. Local residents have also suggested that a strip of land on the west side of Northfield should be used as a pavement, however this land is not owned by the Highway Authority or the applicant and is therefore out of the control of this application.



Concern has also been raised that the addendum to the Traffic Assessment may be wrong. The Highway Authority and Local Planning Authority requested additional information that was duly submitted, and has been thoroughly assessed in relation to this application. One local resident is concerned the traffic island proposed at the Langport Road junction will restrict access into their property on the other side of the road. The road at this point is of adequate width and it is considered this concern is unfounded.

Another concern raised by a local resident is that the road infrastructure should be provided before the houses are occupied. It is acknowledged that is reasonable point and can be secured by condition and the section 106, to be provided at the appropriate stage of the development.

Following the previous committee resolution County Highway Authority has reiterated their support for the proposal, and has provided comprehensive reasoning on why a roundabout layout at the Langport Road junction is unviable. Specifically the conclusions of an assessment of the suggested roundabout are cited. This concludes that there are serious deficiencies that would cause it to fail any subsequent safety/technical audit

With regard to the routing of the replacement Bancombe Road link, the highways officer has confirmed that the proposed route meets the requirements of Manual for Streets, Estate Roads in Somerset (SCC) and Design Manual for Roads and Bridges (Highways Agency). Furthermore the proposed scheme has been through the audit process and approved by the Highway Authority, and the proposal as a whole meets the requirements of HG/SOME/1 as well as Policies 39, 48, 49 & 50 of the Somerset and Exmoor National Park Joint Structure Plan Review.

On this basis, it is considered the access and parking as proposed complies with policies ST5, TP1, TP2, TP3, TP4, TP7 of the Local Plan and policies 39, 28, 49 and 50 of the Structure Plan.

### **Impact on Amenity**

Concerns have been made with regard to the impact of construction works. While construction by its very nature is disruptive, it cannot be used to justify withholding planning permission. In this circumstance it is considered appropriate to impose a condition requiring agreement of a Construction Management Plan, so that the Local Planning Authority can exert a degree of control over the building phase. Concern has also been raised over the disposal of asbestos from the demolition of agricultural buildings. This is controlled by separate regulations.

It is not considered the proposal would have any adverse impact on the amenities of existing residents adjacent to the site, as there is adequate distance of a minimum of 20m between proposed and existing dwellings, which is generally accepted as adequate distance between residential properties. Concern has been raised about overlooking of proposed houses onto a strip of land on the eastern boundary of the site. This land is currently being used as what appears to be an allotment with no occupied buildings on site. It is considered the application needs to be assessed on its current status, and as such the proposal will not have a detrimental impact on the amenity of this piece of land.

With regard to amenity of future occupiers, the relationships between all of the proposed houses are considered to be acceptable with no overlooking, no infringement on privacy, no overbearing, and adequate light reaching each property. Furthermore, appropriate boundary treatment is incorporated into the scheme to maintain residential amenity. Whilst Members concerns about garden size are noted, it is considered that the proposal does provide sufficient private amenity space.

On this basis it is considered that satisfactory levels of amenity will be maintained for existing residents and provided for future occupiers, as required by policies ST5, ST6 and EP6 of the Local Plan.

### **Developer Obligations**

Affordable Housing - The applicant is willing to enter into a section 106 agreement to deliver 46 affordable houses, a percentage of 34.6%. Whilst this is lower than the 35% demanded by policy HG7, the provision also includes a bespoke disabled bungalow which takes up a larger plot than the average affordable housing unit, and consequently the Housing Officer has confirmed that this is a fair trade. Accordingly this part of the application would comply with Policies ST10, HG6, HG7 and HG8.

Conflicting views have been received from local residents with regard to the distribution and provision. One objection is that affordable housing should be kept separate from open market housing, and another objection is that the affordable housing is all focused on Bancombe Road. The affordable housing is distributed across the site in clusters, to the satisfaction of the housing manager and it is accepted that it would meet an identified need.

Sports, Arts and Leisure - Officers have requested contributions towards offsite provision to address the increased demand that would stem from this development. Policy CR2 sets out the basis for sports and play provision and CR3 provides for offsite provision. The applicant has accepted the need for these obligations.

Open Space - Onsite POS has been accommodated within the layout, and meets the requirements of Policies CR2 and CR4.

Education - The applicant has accepted the need for contributions towards primary level education. Any response to the education officer's revised observations will be reported to committee.

Local residents have raised concern that existing services will not be able to cope with the additional population brought about by the development. At the time the site was allocated, the Local Plan Inspector considered the adequacy of the infrastructure to accommodate the growth generated by residential development at this scale. Therefore it is not considered appropriate to respond to this argument. A section 106 agreement can secure the planning obligations as detailed above.

### **Drainage**

The Parish Council, local residents and the committee have raised concern over the capability of existing surface water and foul water drainage to accommodate the development. The Environment Agency and the Area Engineer have both originally raised no objection to the proposal, on the basis that additional drainage data submitted showed that the proposed drainage systems could accommodate the additional population. Appropriate conditions have been recommended by the Environment Agency, and it is considered reasonable to use them.

Having carried out additional consultations with SSDC's Area Engineer, the Environment Agency and Wessex Water, the updated responses have all confirmed no objection to the proposal on the basis that the surface and foul water drainage proposals are of suitable design and capacity. The Council's Area Engineer has commented that the proposal may represent a reduction in the volume of flows to the foul water sewer, due to the redirection of surface water flows from the farmyard that currently flow into the foul

sewer. On this basis it is considered there are no reasonable drainage grounds of objection to the proposal.

### **Other Issues**

Although the Climate Change Officer has maintained an objection to the proposal there is no saved policy of the local plan that requires new development to incorporate renewable energy generation. Previous the District Council's resolution to seek renewable energy generation in new developments was based on policy RE5 of the emerging Regional Spatial strategy. However given the government's clear intention to abolish Regional Spatial Strategies it is not considered that policy RE5 is sufficiently robust to justify an objection to the proposal on the basis, of a failure to incorporate renewable power generation.

Residents have also raised objection that no public consultation has taken place. This view is contrary to the material contained with the statement of community involvement, which gives detail of two public consultation meetings that took place prior to the submission of the planning application (several other letters from residents refer to these meetings). Local residents have also been consulted extensively during the lifetime of this current planning application.

One local resident has put forward the view that youths will commune at the dead end of Bancombe Road. While this route will be closed to traffic, it would still be open to pedestrians and is immediately adjacent to the Langport Road junction, and therefore would be highly visible and open to natural surveillance.

One suggestion put forward by a resident is that a footpath should be provided from Bancombe Road to Bancombe Trading Estate. It is considered that as this provision would not be directly related to the development, it would be unreasonable to request this.

Concern has been raised over the impact of the development on the value of nearby properties. This is not a planning consideration as all other aspects are considered acceptable.

### **Conclusion**

It is accepted that following the Area North committee's previous consideration of this application the only change has been the omission of the three storey element. Nevertheless the Highway Authority, Wessex Water, the Environment Agency and the Area Engineer has all confirmed that they support the application. Accordingly the proposed development accords with site allocation HG/SOME/1, is of appropriate form, density, design and layout that would not have a detrimental impact on visual or residential amenity or the setting of the listed building amenity. The access and parking provision are considered to be acceptable, and adequate provision of drainage facilities has been made. As such the proposal complies with Policies ST5, ST6, ST7, ST9, ST10, EC3, EC8, EH5, EH12, EP5, EP6, EU4, TP1, TP2, TP3, TP4, TP7, HG1, HG2, HG4, HG6, HG7, HG8, CR2, and CR4 of the South Somerset Local Plan, and Policies STR1, STR2, STR4, STR7, 5, 89, 11, 33, 35, 37, 39, 48, 49, and 50 of the Somerset and Exmoor National Park Joint Structure Plan Review.

### **Section 106 Planning Obligations**

A section 106 agreement would be necessary to ensure that 46 of the houses are affordable and that contributions towards education and sports, arts and leisure, are



made at the appropriate rate, and to secure implementation of the Travel Plan and future management of the on site open space.

## RECOMMENDATION

Permission be granted subject to the following:-

- a) The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to:
- Ensure the delivery of the development with 46 affordable homes, as specified on the approved plans, with 31 for rent accommodation and 15 shared ownership to the satisfaction of the Strategic Housing Manager
  - Provide for the appropriate education contributions, as requested by the County Education Authority to the satisfaction of the development manager in consultation with the Chair and Vice Chair, prior to the occupation of the 50<sup>th</sup> dwelling
  - Provide for a contribution of £773,391.30 towards sports, arts and leisure contributions, as set out by the Leisure Policy Coordinator, prior to the occupation of the 50<sup>th</sup> dwelling
  - Secure the provision, and appropriate future management of, the on site open space either by adoption (with an appropriate commuted sum as defined by the Open Spaces Officer) or by a Management Company
  - Ensure appropriate Travel Planning measures as agreed by the Development Manager in conjunction with the County Travel Plan Coordinator
  - Provide for the agreement of the phasing of development including the delivery of improvements to the Langport Road junction as identified on the approved plans and as requested by the Highway Authority prior to the commencement of development
  - Ensure that the financial obligations are index linked at the appropriate rate
  - A monitoring fee based on 20% of the application fee, payable upon commencement of development
- b) The imposition of the planning conditions set out below on the grant of planning permission.

## Justification

The proposed development accords with site allocation HG/SOME/1 and would deliver housing towards the needs identified by policies HG1 and HG2 of the South Somerset Local Plan. It is of appropriate form, density, design and layout that would not have a detrimental impact on amenity. The access and parking provision are considered to be acceptable, and adequate provision of drainage facilities has been made and appropriate planning obligations with regard to affordable housing, education and sports, arts and leisure facilities have been agreed. As such the proposal complies with Policies ST5, ST6, ST7, ST9, ST10, EC3, EC8, EH5, EH12, EP5, EP6, EU4, TP1, TP2, TP3, TP4, TP7, HG4, HG6, HG7, HG8, CR2, and CR4 of the South Somerset Local Plan, and Policies STR1, STR2, STR4, STR7, 5, 89, 11, 33, 35, 37, 39, 48, 49, and 50 of the Somerset and Exmoor National Park Joint Structure Plan Review.

## Conditions

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

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

02. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works including sustainable drainage principles has been submitted to, and approved in writing by the Local Planning Authority. The submitted details shall include measures to prevent the discharge of surface water from individual plots onto the highways and shall clarify the intended future ownership and maintenance provision for all drainage works serving the site. The approved drainage works shall be completed in accordance with the details and timetable agreed.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal, in accordance with PPS25.

03. No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

Reason: In the interests of sustainable development and prudent use of natural materials, in accordance with PPS1.

04. The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Somerset County Council). The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors (including details of surfacing and drainage of the parking area), specific anti-pollution measures to be adopted to mitigate construction impacts, details of wheel washing facilities for all lorries leaving the site, and a scheme to encourage the use of public transport amongst contractors. The development shall be carried out strictly in accordance with the approved Construction Management Plan.

Reason: In the interests of highways safety and to safeguard the amenities of the locality in accordance with policies EP6, ST5 and ST6 of the South Somerset Local Plan.

05. Prior to the commencement of development the developer of the site shall investigate the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses. The developer shall:-

- (a) Provide a written report to the Local Planning Authority which shall include details of the previous uses of the site and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

- (b) If the report indicates that contamination may be present on or under the site, of if evidence of contamination is found, a more detailed site investigation and risk assessment shall be carried out in line with current guidance. This should determine whether any contamination could pose a risk to future users of the site or the environment.
- (c) If remedial works are required, details shall be submitted to the Local Planning Authority, and these shall be accepted in writing and thereafter implemented. On completion of any required remedial works the applicant shall provide written confirmation that the works have been completed in accordance with the agreed remediation strategy.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, in accordance with policy EP5 of the South Somerset Local Plan..

- 06. No development hereby approved shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Reason: In the interests of the archaeological potential of the site, in accordance with Policy EH12 of the South Somerset Local Plan.

- 07. No works shall be carried out unless particulars of the materials (including the provision of samples where appropriate) to be used for external walls and roofs have been submitted to and approved in writing by the local planning authority. Once approved such details shall be fully implemented unless agreed otherwise in writing by the local planning authority.

Reason: In the interests of visual amenity in accordance with policies ST5 and ST6 of the South Somerset Local Plan

- 08. Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority. For a period of five years after the completion of the landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs of similar size and species, or the appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with South Somerset Local Plan Policy ST6.

- 09. The boundary treatments shown on the approved plans shall be completed before the part of the development to which it relates is occupied and thereafter maintained as such, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the local character and distinctiveness of the area and in the interests of the amenities of the neighbouring residents in accordance with South Somerset Local Plan Policy ST6.

10. Notwithstanding the approved plan no works shall be carried out unless details of all existing levels and proposed finished ground and floor levels have been submitted to and approved by the local planning authority. The scheme shall be completed in accordance with the approved details.

Reason: In the interests of residential amenity to accord with policies ST5 and ST6 of the South Somerset Local Plan

11. Before the dwellings hereby permitted are commenced details of the design, recessing, material and external finish to be used for all windows and doors, including cill and lintel details where appropriate, shall be approved in writing by the local planning authority. Once approved such details shall be fully implemented unless agreed otherwise in writing by the local planning authority.

Reason: In the interests of visual amenity in accordance with policies ST5 and ST6 of the South Somerset Local Plan

12. Before the dwellings hereby permitted are commenced details of all eaves/fascia board detailing, guttering, downpipes and other rainwater goods shall be submitted to and approved in writing by the local planning authority. Once approved such details shall be fully implemented unless agreed otherwise in writing by the local planning authority.

Reason: In the interests of visual amenity in accordance with policies ST5 and ST6 of the South Somerset Local Plan

13. Notwithstanding the approved plan the dwellings hereby permitted shall not be commenced until particulars of all hard surfacing materials have been submitted to and approved in writing by the local planning authority. Such details shall include the use of porous materials to the parking and turning areas where appropriate. Once approved such details shall be fully implemented and maintained at all times thereafter unless agreed otherwise in writing by the local planning authority.

Reason: In the interests of visual amenity and to mitigate any flood risk in accordance with policies ST5, ST6 and EU4 of the South Somerset Local Plan.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions (including dormer windows) or outbuildings shall be added without the prior express grant of planning permission.

Reason: In the interests of visual amenity and to safeguard residential amenity in accordance with policies ST5 and ST6 of the South Somerset Local Plan

15. The areas allocated for parking, including garages and car ports, shall be kept clear of obstruction and shall not be converted or used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: To ensure that adequate parking is provided and maintained to meet the needs of the development in accordance with policy TP7 of the South Somerset Local Plan

16. All electrical and telephone services to the development shall be run underground. All service intakes to the dwellings shall be run internally and not visible on the exterior. All meter cupboards and gas boxes shall be positioned on the dwellings in accordance with details, which shall have been previously submitted to and approved in writing by the Local Planning Authority and thereafter retained in such form.

Reason: In the interests of visual amenity in accordance with policies ST5 and ST6 of the South Somerset Local Plan.

17. Before the dwellings hereby permitted are commenced, details of lighting in off-street areas shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To minimise light pollution in accordance with policy EP9 of the South Somerset Local Plan

18. No part of the development shall be occupied unless that part of the estate road network that provides access to it has been constructed in accordance with the approved plans.

Reason: To ensure that adequate access arrangements exist for each building prior to occupation, in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

19. The protection of wildlife identified in the ecological report shall be carried out in accordance with the recommendations of the report by Ecology Solutions Ltd, dated May 2010. In the event that it is not possible to adhere the these recommendations all development shall cease and not recommence until such time as an alternative an alternative strategy has been submitted to and approved in writing by the local planning authority.

Reason: To safeguard the ecologic interests the site in accordance with policy EC8 of the South Somerset Local Plan.

20. The development hereby permitted shall not be commenced until a programme showing the phasing of the development has been submitted to and approved by the Local Planning Authority. Such details shall include the timing for the formation of the new access arrangements, the delivery of the new estate roads and ancillary works, including road closures, stopping up and appropriate traffic regulation orders. Following such approval and commencement of the development hereby permitted the works comprised in the development shall not be carried out otherwise than in complete accordance with such approved programme or such other phasing programme as the Local Planning Authority may in writing subsequently approve.

Reason: In the interest of highway safety and to ensure the comprehensive development of the site in line with the planning obligations that has been agreed in accordance with policies HG/SOME/1, ST5, ST6, ST10 and TP4 of the South Somerset Local Plan.

21. Prior to the commencement of development details of the surfacing of the roads, footways, footpaths and cycleways and the design of any bus stops, street lighting and street furniture shall be submitted to and approved in writing by the Local Planning Authority. Once approved such details shall be fully completed in accordance with the agreed phasing.

Reason: In the interest of highway safety, in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

22. The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

Reason: In the interest of highway safety, in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

23. Before any building or engineering works are carried out on the site, temporary pedestrian and cycle links shall be provided in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be maintained during the entire construction phase.

Reason: In the interest of highway safety, in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

24. At the proposed access onto Langport Road there shall be no obstruction to visibility greater than 300millimetres above adjoining road level within the visibility splays shown on the submitted plan (no 1049/01P). Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interest of highway safety, in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

25. The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Issue Register Sheets 1-B, 2-A, 3-A, 4-A, 5-A, 6-A, with the exception of drawings 33/10A, 33/11A, 33/03A and 37/01A to be replaced by 33/10B, 33/11B, 33/03B and 37/01 respectively, Parking Schedule Rev C, Geophysical Survey dated February 2011, additional information relating to run-off data submitted on 2<sup>nd</sup> November 2010, Supplement to Transport Assessment issued 8<sup>th</sup> December 2010, Travel Plan issued 22<sup>nd</sup> July 2010, further briefing notes received 16<sup>th</sup> May 2011.

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

#### **Informatives:**

1. You are reminded of the contents of the Environment Agency's letter of 16<sup>th</sup> November 2010, a copy of which is available on the District Council web site.
2. With regard to condition 02 the details to be submitted should demonstrate that there must be no interruption to the surface water and/or land drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively.



3. With regard to condition 03 the details to be submitted should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Grey-water recycling and rainwater harvesting should be considered.
4. The applicant will be required to enter into suitable legal agreements to enable the necessary works and to secure the construction of the highway works necessary as part of this development. You are reminded that the details agreed under these arrangements should not depart from the details approved by this decision letter. Any changes should be discussed with the Local Planning Authority prior to agreement with the Highway Authority as they may trigger the need for the further grant of planning permission.

**The 'appended' documents referred to in the report are shown on the following 16 pages.**

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**Claire Alers-Hankey**

**From:** Carl Brinkman [CRBrinkman@somerset.gov.uk]  
**Sent:** 21 March 2011 14:32  
**To:** Claire Alers-Hankey  
**Cc:** Adrian Noon; David Norris; Neil Pincombe; Jimmy Zouche  
**Subject:** RE: Northfield Farm Development

Hi Claire – with reference to your email dated 10<sup>th</sup> March (see below) I have now received a report back from the audit team in response to the roundabout proposal suggested by the local people as an alternative to the priority junction currently being proposed.

To summarise the situation, their comments highlight a number of serious deficiencies that would cause the alternative access proposal to ultimately fail any subsequent safety / technical audit and consequently the Highway Authority could not in this case support such an amendment to the application.

That said, I have for completeness included below the detailed report in blue so that everyone is aware of the situation prior to Wednesdays planning committee.

**Proposed Development at Northfield Farm Somerton****Preface**

The proposals are for a residential development served by a potential (access) junction off Longport Road. Commentary within this audit has been raised in relation to the following drawings.

**Drawings**

- Bellway Proposal – Simple priority junction
- Roundabout Solution

**1.1 Horizontal Alignment**

- 1.1.1 The proposed access road (Northfield) is currently shown more akin to a priority junction. The alignment of all approaches must be in accordance with advice given in TD16/07 DMRB.
- 1.1.2 Confirmation is required as to whether the proposals are for a mini roundabout or a normal roundabout. The target diameter of normal roundabout shall be a minimum 28m ICD.
- 1.1.3 The Design of the roundabout does not accord with TD16/07 DMRB. Any proposed roundabout scheme shall in all respects conform to the advice laid down in TD16/07 DMRB.
- 1.1.4 All radii and dimensions must be clearly shown on drawings in order to assess for compliance with national design standards. No scale is shown on the drawings; the drawings must be shown at an appropriate scale. No north point on drawings.
- 1.1.5 Further to 1.1.2 the proposed entry and exit radii have not provided. However, the proposed entry and exit radii between Langport Road and Bancombe Road are considered Departures from Standards and will result in manoeuvring difficulties. It is expected that vehicles may prefer to travel the entire circulatory to overcome this issue. The proximity and alignment of Langport Road and Bancombe Road make it extremely difficult to provide a safe approach for Bancombe Road.
- 1.1.6 Entry angle is too sharp for Langport Road approach; this will align vehicles incorrectly and cause safety issues.
- 1.1.7 The overall Inscribed Circle Diameter has not been provided; therefore it is difficult to see whether a 'normal' type roundabout could be accommodated within the available land.
- 1.1.8 Swept path analysis shall be provided to consider appropriateness of design in respect of all vehicle turning manoeuvres.
- 1.1.9 The circulatory appears to be reduced in diameter in two places. This may cause issues for vehicle movements if there are multiple lane entries. Third party land may be an issue.
- 1.1.10 Entry path curvature or Deflection is the most important design consideration as it dictates the speed at which vehicle will enter. This is of particular concern for what appears to be the Westbound through manoeuvre on Langport Road.  
Please be aware that the design falls outside of other design criteria which have not been mentioned within this response.

**Additional info required in order to fully assess:**

- Land plan showing highway land, developer land, and any third party land affected by the proposals
- Existing site survey (topographical preferred)



- Existing speed limits; including 85% ile speed measurements

## 2.1 Vertical Alignment

Not assessed at this stage

2.1.1 Roundabouts shall be flat across the disc (I.e. 2% or 1:50 across the inscribed circle diameter).

### 3.1 Summary

Providing a roundabout in this location that will maintain all movements will be extremely difficult. Further detail as mentioned above will need to be provided. However, a suitable alignment for Bancombe Road is unlikely to be achieved unless this road can be re-aligned on an alternative approach.

## Carl Brinkman I.ENG FIHE

Area South – Team leader

Highways Development Control

Tel 01823 356866

Email : crbrinkman@somerset.gov.uk

**From:** Claire Alers-Hankey [mailto:Claire.Alers-Hankey@SouthSomerset.Gov.Uk]

**Sent:** 10 March 2011 12:56

**To:** Carl Brinkman

**Subject:** FW: Northfield Farm Development

Hi Carl

Somerton Town Council have forwarded the attached to me. Can you have a look at it - specifically slide 5 that shows a proposal for a roundabout. The Town Council and local residents are expecting a response on the roundabout at the committee meeting on the 23rd, so let me know your thoughts.

Thanks

Claire

**From:** pat bennett [mailto:pat.bennett@yahoo.com]

**Sent:** 10 March 2011 08:00

**To:** Claire Alers-Hankey

**Cc:** Michael Fraser-Hopewell; postmaster@barrieda.plus.com

**Subject:** Northfield Farm Development

Dear Claire,

You may by now have had from the clerk the unanimous view from Somerton Town Council with regard to the Northfield Farm application.

I attach the proposal from Councillor Barrie Davies which offers a way forward, given the considerable concerns of local people regarding stopping up Northfield Road and Bancombe Road, creating a new road through the housing estate and opening up a route through to Waverly.

These concerns have been widely and strongly expressed by the residents of Somerton from the time of the Bellways consultation when they first put forward this proposal.

I understand that the responsibility for the roads lies with County Council and that they act as a consultee to you on this matter, however, I'm unclear about when and how in the process they have sight of the objections raised from local people.

I would be grateful if you could please explain the process that you adopt to deal with the highways issues that have been highlighted through the letters of objection registered against this application. I am asking this question as it's another part of the planning

process that I'm unclear about and understanding it better would help to clarify whether we need to take any further action on behalf of the people of Somerton.

kind regards  
Pat

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**Claire Alers-Hankey**

**From:** Carl Brinkman [CRBrinkman@somerset.gov.uk]  
**Sent:** 28 March 2011 12:06  
**To:** Jimmy Zouche; Barrie Davies  
**Cc:** Michael Fraser-Hopewell; pat bennett; Margaret Chambers; Nigel Cooper; Adrian Noon; Claire Alers-Hankey  
**Subject:** RE: Northfield Farm development.  
**Importance:** High

Dear Cllr Zouche – ref our earlier conversation today regarding the Northfield Farm site in Somerton, I thought it might be useful to forward to you an extract from an email I received from the developers highway consultants (see below in red) regarding the issues associated with trying to introduce a 'mini' roundabout on the Langport Road to replace the current junction arrangement being . The reason why specific mention wasn't made to this email either in any formal response or verbally at the planning committee was that a mini roundabout was considered by the Highway Authority to be wholly inappropriate in this particular location for a number of sound technical reasons, as outlined below in red:-

*"The highway improvements that were presented at the public meeting held in September 2009 provided for improvements to the existing junction between Northfield and Langport Road. The overwhelming majority of the adverse comments made by local residents concerned perceived congestion and safety issues associated with the narrow section of Northfield adjacent to Laburnum Cottage. The residents considered that congestion in this area would cause development traffic to divert through Waverley and Behind Berry, resulting in further congestion at the sub-standard junction adjacent to the fire station. Our current proposal for a new junction onto Langport Road in conjunction with the closure of Northfield and Bancombe was devised to address the residents' concerns. The arrangement proposed by STC would allow development traffic to travel to and from Langport Road via Northfield. The Roundabout Solution proposed by STC therefore appears to be entirely inconsistent with the residents' expressed concerns regarding the increased usage of Northfield and Waverley.*

*The STC proposal includes the closure Behind Berry at its junction with Northfield. This would create a cul-de-sac that would be more inconvenient for residents of the closed-off section than the current proposals, and would give rise to increased traffic on Waverley and Northfield, and at the fire station junction. A turning head would be required at the end of the cul-de-sac of sufficient size to accommodate a large refuse vehicle and a fire appliance, which could not be accommodated within the STC layout.*

*As presently drawn, the kerbline on the exit to Northfield cuts through land within the curtilage of Laburnum Cottage which not within Bellway Homes' control. In practice, the kerbline would need to be offset from the Laburnum Cottage boundary by a sufficient distance to provide a footpath/margin and an appropriate forward visibility envelope.*

*Our original highway proposal which provided for improvements to the Northfield/Langport Road junction attracted objections from the owner of Corner Cottage on the basis that there would be an increase in traffic passing close to his property. The STC Roundabout Solution would result not only result in an increase in vehicle movements close to Corner Cottage due to development traffic using Northfield, but would also move all eastbound traffic from Langport Road and Bancombe Road closer to the property.*

*The Highways and Transportation-related evidence adduced at the South Somerset Local Plan Inquiry in 2002 included drawings illustrating two options that would address the identified highway safety and operational issues with the Northfield/Bancombe Road/Langport Road junction. Both options provided for the closure of Bancombe Road. The closure of Bancombe Road was welcomed by the majority of local residents who attended both public meetings.*

*The drawing prepared by STC is intended to show the principles of the alternative Roundabout Solution and does not purport to be a fully engineered proposal. It would therefore be inappropriate to make detailed comments on design issues such as kerb radii and lane widths etc. There are however a number of fundamental operational and safety problems that would be difficult to overcome.*

Design standards and advice for the geometric design of roundabouts is provided in the Highways Agency's Design Manual for Roads and Bridges Volume 6, Section 2, Part 3 TD 16/07 – Geometric Design of Roundabouts. Design standards and advice for the design of mini-roundabouts is set out in DMRB Volume 6, Section 2, Part 2 TD 54/07 – Design of Mini-Roundabouts. The Roundabout Solution proposed by STC has an Inscribed Circle Diameter (ICD) of approximately 23m. Having regard to Paragraph 7.5 of TD 16/07, the minimum value of the ICD for a Normal or Compact Roundabout is 28m. The appropriate design standard for the STC roundabout is therefore TD 54/07. Paragraph 2.15 of TD 54/07 advises that 4-arm mini-roundabouts introduce additional conflicts and can create difficulty for driver's perception of the layout and turning flows.

Road users approaching the give way line on any approach to a mini-roundabout need to be sure that it is safe to enter the circulatory area. TD 54/07 Paragraph 6.17 which is Mandatory defines the minimum sightline distances required by a road user approaching the roundabout. For the STC proposal, these distances could not be achieved on the Bancombe Road and Northfield approaches.

Paragraph 7.1 of TD 54/07 advises that it is important that a mini-roundabout is conspicuous to approaching drivers at all times. Paragraph 7.2 states that

*"Designers should consider the driver's view of the junction at its approaches, including the combined effect of signs, road markings, road surfacing, islands, horizontal alignment, crossfalls, and road lighting, and permanent or temporary obstructions. These features must combine effectively to make the mini-roundabout to stand out clearly to all road users, for all driving conditions, during the day and at night".*

Paragraph 6.9 which is Mandatory states that TSRGD Regulation 16(1) requires that a vehicle proceeding through the junction must keep to the left of the white circle, unless the size of the vehicle or the layout of the junction makes it impracticable to do so. Therefore, the white circle must be sized and located so that drives of light vehicles are not encouraged to drive on it or pass on the wrong side of it when negotiating the junction. The STC Roundabout Solution would not be conspicuous to eastbound Langport Road traffic, indeed the drivers' view of the centre would be obscured by the wall along the north side of the road until a short distance from the Give Way line. Paragraph 6.25 which is Mandatory states that a kerbed splitter island must be provided where, without it, vehicles would encounter an easier path if they were to pass on the wrong side of the white circle. This would clearly be the case for eastbound Langport Road traffic, however there is insufficient space to install a splitter island without encroaching onto third-party land.

Chapter 6 of TD 54/07 advises that both the speed and path of a vehicle through a mini-roundabout are important factors in accident causation. The layout should be designed so that approaching drivers are aware of the circulatory nature of the junction ahead. Drivers need to be able to stop if necessary on the approach, so it is essential for entry (and circulatory) speeds to be managed by careful design. A design that encourages drivers to follow a suitable path at an appropriate speed is critical to safety. Full deflection as required for standard roundabouts need not be provided at mini-roundabouts however, some deflection on entry will help to induce gyratory movement and increase efficiency. In addition to the centre island being invisible to eastbound Langport Road traffic until the immediate approach to the junction, the path of westbound traffic would not be suitably deflected.

It is normal for entry and exit lane widths to be increased in the vicinity of the Give Way line to provide space for large vehicle to manoeuvre. The STC Roundabout Solution provides no such widening on the eastbound Langport Road approach, and a preliminary swept path analysis shows that the design articulated vehicle would need to use the whole width of Langport Road to manoeuvre around the north side of the central marking, and could not remain in its own lane even by crossing the central area.

Paragraph 4.7 of TD 54/07 advises that cyclists and motorcyclists are vulnerable at mini-roundabouts. It is relevant that Bancombe Road is part of the National Cycle Network, and that SCC has required dedicated facilities for pedestrians and cyclists in conjunction with the present and original improvement proposals.

*In my view, it is unlikely that the STC Roundabout Solution could be amended to address all of the identified operational and safety issues. Having regard to the principle constraints of land ownership and the geometry of the approach roads, it is difficult to envisage a solution that would meet the relevant design criteria and secure the Technical Approval of the Highway Authority pursuant to a highway Agreement following a detailed Technical and Road Safety Audit."*

For completeness, I have copied this email to Mr Cooper, who I believe was seeking clarification on this issue too.

Regards

**Carl Brinkman I.ENG FIHE**  
 Area South – Team leader  
 Highways Development Control  
 Tel 01823 356866  
 Email : crbrinkman@somerset.gov.uk

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**From:** Jimmy Zouche  
**Sent:** 28 March 2011 10:27  
**To:** 'Barrie Davies'; 'Michael Fraser-Hopewell'; 'pat bennett'; 'Margaret Chambers'  
**Cc:** Carl Brinkman  
**Subject:** RE: Northfield Farm development.

Dear Barrie,  
 I have spoken With Highways regarding your desire to resurrect the principle of the roundabout. Bancombe Road was only one of the problems that was highlighted by the internal audit report . In simple terms if you are able to satisfy all the points that were highlighted in the audit report County would then be in a position to reassess the roundabout proposal.  
 Kind Regards

Jimmy

**From:** Barrie Davies [mailto:postmaster@barrieda.plus.com]  
**Sent:** 25 March 2011 12:17  
**To:** Jimmy Zouche  
**Cc:** Margaret Chambers; Pat Bennett; Michael Fraser-Hopewell  
**Subject:** Re: Northfield Farm development.

Jimmy,  
 I hope you are recovered and all is well.  
 You no doubt know that the application was deferred at Area North for further information on sewerage and access etc. I am not sure how long this deferral will be but I would like to resurrect the principle of a roundabout. The information from highways is useful and if we agree to the closure of Bancombe Road, which in the initial scheme caused the problem, there is scope for a workable roundabout. Have you any advice how we should proceed?  
 Regards  
 Barrie

----- Original Message -----

**From:** Jimmy Zouche  
**To:** Michael Fraser-Hopewell ; Barrie Davies ; Margaret Chambers  
**Sent:** Monday, March 21, 2011 6:04 PM  
**Subject:** Northfield Farm development.

Dear All.....**FYO**

I enclose a summary of the report that Carl Brinkman received from the audit Department at County. To summarise the situation, their comments highlight a number of serious deficiencies that would cause the alternative access proposal to ultimately fail any subsequent safety / technical audit and consequently the Highway Authority could not support such an amendment to the application.

That said, I have for completeness included below the detailed report in blue so that everyone is aware of the situation prior to Wednesdays planning committee.

#### Proposed Development at Northfield Farm Somerton

The proposals are for a residential development served by a potential (access) junction off Longport Road. Commentary within this audit has been raised in relation to the following drawings.

#### Drawings

Bellway Proposal – Simple priority junction

#### Roundabout Solution

#### 1.1 Horizontal Alignment

- 1.1.1 The proposed access road (Northfield) is currently shown more akin to a priority junction. The alignment of all approaches must be in accordance with advice given in TD16/07 DMRB.
- 1.1.2 Confirmation is required as to whether the proposals are for a mini roundabout or a normal roundabout. The target diameter of normal roundabout shall be a minimum 28m ICD.
- 1.1.3 The Design of the roundabout does not accord with TD16/07 DMRB. Any proposed roundabout scheme shall in all respects conform to the advice laid down in TD16/07 DMRB.
- 1.1.4 All radii and dimensions must be clearly shown on drawings in order to assess for compliance with national design standards. No scale is shown on the drawings; the drawings must be shown at an appropriate scale. No north point on drawings.
- 1.1.5 Further to 1.1.2 the proposed entry and exit radii have not provided. However, the proposed entry and exit radii between Langport Road and Bancombe Road are considered Departures from Standards and will result in manoeuvring difficulties. It is expected that vehicles may prefer to travel the entire circulatory to overcome this issue. The proximity and alignment of Langport Road and Bancombe Road make it extremely difficult to provide a safe approach for Bancombe Road.
- 1.1.6 Entry angle is too sharp for Langport Road approach; this will align vehicles incorrectly and cause safety issues.
- 1.1.7 The overall Inscribed Circle Diameter has not been provided; therefore it is difficult to see whether a 'normal' type roundabout could be accommodated within the available land.
- 1.1.8 Swept path analysis shall be provided to consider appropriateness of design in respect of all vehicle turning manoeuvres.
- 1.1.9 The circulatory appears to be reduced in diameter in two places. This may cause issues for vehicle movements if there are multiple lane entries. Third party land may be an issue.
- 1.1.10 Entry path curvature or Deflection is the most important design consideration as it dictates the speed at which vehicle will enter. This is of particular concern for what appears to be the Westbound through manoeuvre on Langport Road.

Please be aware that the design falls outside of other design criteria which have not been mentioned within this response.

Additional info required in order to fully assess:

Land plan showing highway land, developer land, and any third party land affected by the proposals

Existing site survey (topographical preferred)

Existing speed limits; including 85% ile speed measurements

#### 2.1 Vertical Alignment

Not assessed at this stage

- 2.1.1 Roundabouts shall be flat across the disc (i.e. 2% or 1:50 across the inscribed circle

diameter).

### 3.1 Summary

Providing a roundabout in this location that will maintain all movements will be extremely difficult. Further detail as mentioned above will need to be provided. However, a suitable alignment for Bancombe Road is unlikely to be achieved unless this road can be re-aligned on an alternative approach.

If I can be of any further help give me a bell  
Kind Regards

Jimmy

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**Claire Alers-Hankey**

---

**From:** Roger Meecham  
**Sent:** 02 June 2011 09:43  
**To:** Claire Alers-Hankey  
**Subject:** 10/03704/FUL - Erection of 133 dwellings, etc at Northfield Farm, Somerton  
**Attachments:** 10/03704/FUL - Proposed Development at Northfield Farm, Somerton

Claire

With regard to your notification that amended details have been submitted in respect of the above I would advise that, having looked at the 'Drainage and Flood Risk' issues raised in the Briefing Notes from a meeting held on 6th April, I remain satisfied that the proposed drainage arrangements are acceptable.

I would also refer you to me email of 31st March (attached) in which I attempted to clarify the proposals.

Roger



**Claire Alers-Hankey**

---

**From:** Roger Meecham  
**Sent:** 31 March 2011 13:25  
**To:** Claire Alers-Hankey  
**Subject:** 10/03704/FUL - Proposed Development at Northfield Farm, Somerton  
**Attachments:** Nothfield Somerton - FRA Conclusions.pdf

Claire

I note that Area North Committee have requested further clarification on the suitability of the proposals in terms of storm water capacity and foul water capacity and use of a shared sewer.

As required by PPS25, the applicant submitted a very detailed Flood Risk Assessment which sets out, in some detail, the existing drainage arrangements and uses this information to develop a design that controls surface water drainage on site using various sustainable drainage techniques (underground tanks, permeable paving, etc.) to ensure that the situation post-development is no worse, in terms of impact downstream, than the existing situation.

Members may wish to peruse the submitted FRA but the conclusions are attached.

This FRA has been considered in some detail by myself and by the Environment Agency and is considered to be basically sound.

The proposals in respect of foul drainage are also considered in the FRA and have apparently been discussed with Wessex Water. I understand that they are satisfied with the proposals but perhaps they could be asked to confirm this.

One particular aspect of the development proposals that may be of particular interest to members, as far as the foul sewerage network is concerned, is identified in the FRA. I think there may be some confusion here as far as Members are concerned. The investigations into existing drainage arrangements showed that a significant amount of surface water from the farm buildings/yard area at Northfield Farm is currently connected to the foul sewer - mainly because of the pollution content. This connection will be eliminated as part of the development proposals. The consequent reduction in flow will more than exceed the contribution in foul sewage that will be generated by the residential development so there should be a net reduction in discharge to the existing foul sewerage system which has been known to suffer from surcharge problems further downstream.

It should be noted that, in drainage terms, development proposals are normally required to ensure that the situation off site is not made worse by the development and the FRA demonstrates that this should be the case. It is possible that, because of the disconnection of surface water from the foul system, there may actually be an improvement in the existing situation.

I hope this clarifies the situation

Regards  
Roger Meecham

5. CONCLUSIONS

- 5.1. This Flood Risk Assessment has been prepared by PFA Consulting on behalf of Bellway Wales and West in connection with a planning application for a residential development at Northfield Farm in Somerton.
- 5.2. The development proposals comprise 136 residential dwellings together with associated roads, driveways, parking areas, and public open space. The site falls within Flood Zone 1 which is defined by PPS25 as a "Low Probability" zone assessed as having an annual probability of less than 1 in 1000 (0.1%) of river flooding. PPS25 advises that all uses of land are appropriate in this zone.
- 5.3. A sustainable drainage strategy, involving the implementation of Sustainable Drainage Systems, is proposed for managing the disposal of surface water runoff from the proposed development on the site.
- 5.4. The development proposals include a range of infiltration devices together with a network of tank sewers, cellular storage and hydraulic controls designed to limit post-development flows to existing runoff rates. The proposals would also result in the removal of surface water flows from the public foul sewer system.
- 5.5. This Flood Risk Assessment demonstrates that the proposed flood risk management measures would ensure that the rate of surface water runoff following development of the site would not exceed the existing rate of runoff for the same event up to 1 in 100 year event including an allowance of 30% for climate change.
- 5.6. The proposed development is compatible with the policies contained in South Somerset District Council's Development Plan Documents. The proposed Flood Risk management measures have been discussed and agreed in principle with the Highway Authority, the Land Drainage Authority, and the Sewerage Undertaker.
- 5.7. The overall conclusions drawn from this Flood Risk Assessment are that future users of the development would remain safe throughout its lifetime, the development would not increase flood risk elsewhere, and would reduce flood risk overall.

## WESSEX WATER

**Claire Alers-Hankey**

---

**From:** Dave Ogborne [Dave.Ogborne@wessexwater.co.uk]  
**Sent:** 12 April 2011 17:25  
**To:** Claire Alers-Hankey  
**Cc:** Peter George; Gillian Sanders  
**Subject:** RE: 10/03704/FUL - Land at Northfield Farm, Somerton

Claire

I note that the attached information relates to surface water disposal and revised calculations for the greenfield run off rates.

These appear to have been accepted by the Environment Agency and will form the basis for design development into a surface water system that will comply with the requirements of PPS 25 and "Sewers for Adoption" standards.

I understand that separate systems of drainage for foul and surface water will be provided and that design drawings will be forwarded to Wessex Water by the developer for technical approval under adoption procedures.

If you require any further information please call me to discuss.

regards

**Dave Ogborne**  
**Planning Liaison Manager**  
Direct Dial 01225 526169

-----Original Message-----

**From:** Claire Alers-Hankey [mailto:Claire.Alers-Hankey@SouthSomerset.Gov.Uk]  
**Sent:** 12 April 2011 12:56  
**To:** Dave Ogborne  
**Subject:** RE: 10/03704/FUL - Land at Northfield Farm, Somerton

Dave

Further to our telephone conversation please find attached additional information received in relation to the above planning application.

Regards  
Claire

---

**From:** Dave Ogborne [mailto:Dave.Ogborne@wessexwater.co.uk]  
**Sent:** 11 April 2011 21:32  
**To:** Claire Alers-Hankey  
**Cc:** Gillian Sanders  
**Subject:** 10/03704/FUL - Land at Northfield Farm, Somerton

Claire

Please accept my apologies for this late reply.

It appears that the drainage proposals allow for separate systems of drainage on this site and I am unclear what the Area Committee require in terms of clarification on a shared sewer arrangement.

I have spoken with our local Development Engineer on this matter and it appears that we have had no

recent contact with the developer. I am unclear at this stage what has been submitted to the local Planning Authority for consideration of the drainage as I am unable to locate any relevant plans from the website.

I will contact you tomorrow (Tuesday) to discuss in greater detail and provide more detailed comment where possible.

regards

**David Ogborne**  
**Planning Liaison Manager**  
Wessex Water  
Claverton Down Road  
Claverton Down  
Bath BA2 7WW  
Direct Dial 01225 526169

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# ENVIRONMENT AGENCY

Ms C Alers-Hankey  
South Somerset District Council  
Customer Services (Planning) North  
The Council Offices  
Brympton Way  
Yeovil  
Somerset  
BA20 2HT

**Our ref:** WX/2010/116621/04-L01  
**Your ref:** 10/03704  
**Date:** 19 April 2011

Dear Ms Alers-Hankey

## **ERECTION OF 138 DWELLINGS AND ASSOCIATED GARAGES, HIGHWAY WORKS AND LANDSCAPING AT NORTHFIELD FARM, NORTHFIELD, SOMERTON**

Many thanks for your letter enquiring about the surface and foul water discharges from the proposed development, received 30 March 2011.

The Environment Agency is not aware that the developer proposes a shared sewer for both surface and foul water. The approved Flood Risk Assessment (FRA) by PFA Consulting states that the proposed development will have separate sewers for these discharges, both of which will be offered for adoption to Wessex Water.

The proposed surface water sewer will connect to the existing culverted watercourse/highway drainage system in Langport Road. This will be restricted to pre-development rates to ensure there are no increase in run off and therefore no reduction of capacity in the receiving system. This will be achieved through the use of on-site attenuation and infiltration. We have requested to your Council that a surface water drainage condition is placed on any decision notice for this site to secure these details. As in normal circumstances, additional details and calculations will be required from the applicant at a later date for us to recommend discharge of this condition.

We do not typically comment on the foul drainage element of planning applications, instead the design and approval of appropriate discharge rates is assessed by the relevant water authority. I refer you to Wessex Water for further information on the suitability of the foul drainage proposals. The details within the FRA suggest that the proposed development will be connected to an existing foul sewer in Bancombe Road.

Environment Agency  
Rivers House, East Quay, Bridgwater, Somerset, TA6 4YS.  
Customer services line: 08708 506 506  
Email: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)  
[www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)  
Cont/d..

# ENVIRONMENT AGENCY

I hope these comments help clarify our role and position with respect to this planning application.

Please quote the Agency's reference on any future correspondence regarding this matter

Yours sincerely

**RICHARD BULL**  
**Planning Liaison Officer**

Direct dial 01278 484625

Direct fax 01278 452985

Direct e-mail [richard.bull@environment-agency.gov.uk](mailto:richard.bull@environment-agency.gov.uk)

## Consultation Response Climate Change Mitigation

To Claire Alers-Hankney

From Keith Wheaton-Green  
Climate Change Officer

Date 02/06/2011

Application 10/03704/FUL  
Subject: Erection of 138 dwellings  
Location: Northfield Farm, Somerton

I objected to this application based on the information that was originally provided stating;

*"As this is classified as a large development, it is subject to this council's renewable energy requirement (endorsed by our District Executive 6<sup>th</sup> march 2008 and restated within our draft Core Strategy.) However, there is no mention of renewable energy within any of the documents supporting this planning application and the proforma that we expect applicants to use as evidence of the renewable energy generation equipment is missing.*

*I also note that some dwellings have roofs that are not solar orientated. This effectively sterilises those buildings from future deployment of photovoltaic and solar thermal equipment.*

*For this reason, I wish to raise an objection to this application, which will remain until such time as the necessary documentation is supplied. This can be supplied using the council's Renewable Energy Requirement proforma."*

The applicant has the opportunity to install photovoltaics to the roof areas that face south. Every large development such as this that is constructed without renewable electricity generation, condemns future residents to high energy bills.

As the applicant has not expressed an intention to address my objection, I am not able to remove it

Keith Wheaton-Green  
Keith.wheaton-green@southsomerset.gov.uk  
Tel 01935 462651



Area North Committee – 22 June 2011

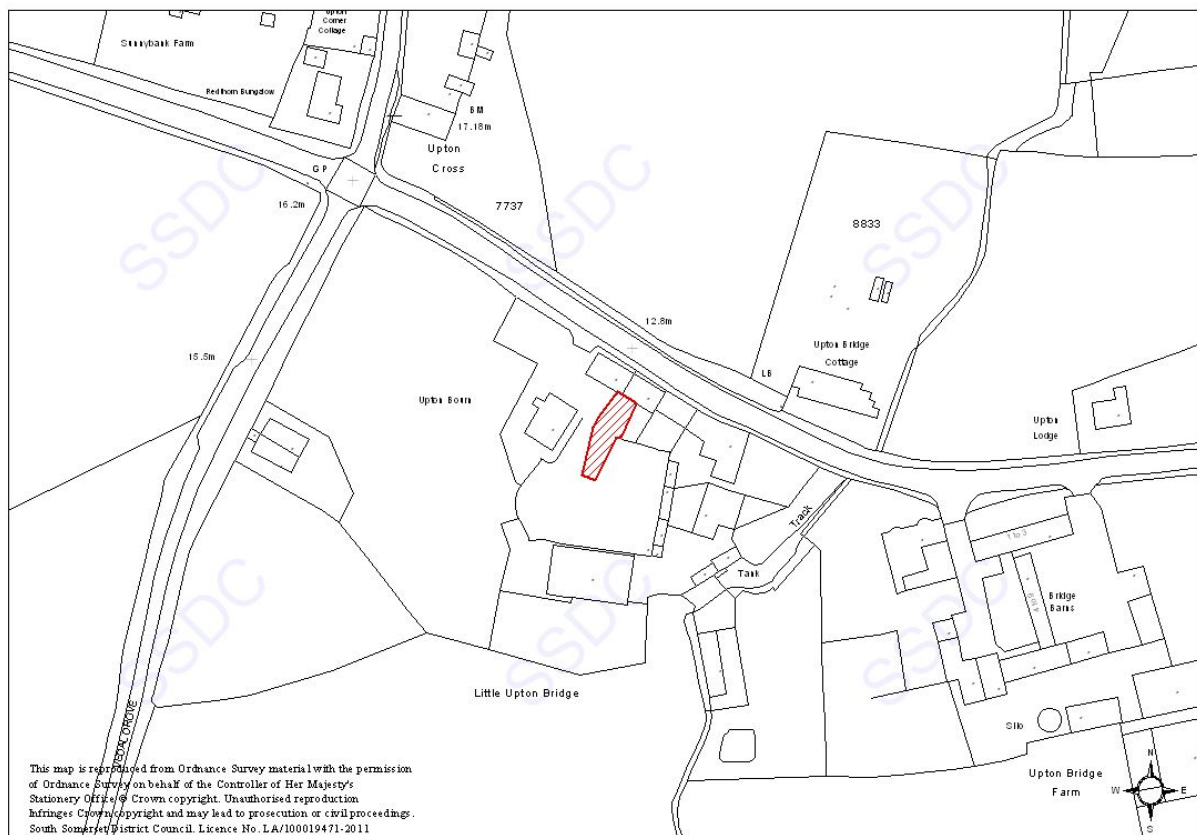
### Officer Report On Planning Application: 11/00475/FUL

<b>Proposal:</b>	Change of use of the Cider Barn to holiday let (Retrospective) ( Gr 345808/126292)
<b>Site Address:</b>	The Cider Barn, Little Upton Bridge, Hermitage Road
<b>Parish:</b>	Long Sutton
<b>TURN HILL Ward (SSDC Member)</b>	Mr S Pledger (Cllr)
<b>Recommending Case Officer:</b>	Lee Walton Tel: (01935) 462324 Email: lee.walton@southsomerset.gov.uk
<b>Target date:</b>	27th April 2011
<b>Applicant:</b>	Mrs G Rickards
<b>Agent: (no agent if blank)</b>	
<b>Application Type:</b>	Minor Dwellings 1-9 site less than 1ha

### REASON FOR REFERRAL TO AREA NORTH COMMITTEE

At the request of the Ward Member, supported by the Parish Council, and with the agreement of the Area Chair, the officer recommendation to approve is brought to committee for further consideration by Members that a legal obligation is sought from the applicants that ties the holiday let to one of the dwellings.

### SITE DESCRIPTION AND PROPOSAL



The application site is located in the countryside on the south side of the main Langport Road a little to the west of the village of Long Sutton. The wider site is owned by the

current applicants and includes three dwellings and a holiday let with an agricultural barn at the rear of the property.

The wider property is a non-working farm with a range of stone outbuildings. The structure that is the subject of this application is situated east of the dwelling known as Upton Bourne and benefits from an existing access that serves two dwellings with the proposed holiday let facing onto the shared parking area. The submission includes evidence that a holiday let has been operated from the site since the middle of 2008. Alterations were undertaken to the building that have brought the structure into use as a holiday let and a small garden area is provided to the rear of the barn

## PLANNING HISTORY

10/05156/FUL	Removal of existing conservatory and front entrance porch and construction of single storey extensions one with dormer window and first floor accommodation. Approved.
10/00938/FUL	The conversion of 2 no. barns into 1 no. dwelling and 1 no. holiday let together with associated access, parking and turning. Approved.
09/01896/FUL	Formation of a vehicular access with turning and parking area. Approved. (This approval also served the above ref: 10/00938/FUL)
882456	Reserved Matter (872219) for the erection of a bungalow. Approved. (A legal obligation limited its separate use only while the wider site remained in industrial use). This application relates to the above ref: 10/05156/FUL.

## POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

The relevant development plan comprises the saved policies of the Somerset and Exmoor National Park Joint Structure Plan Review, and the saved policies of the South Somerset Local Plan.

The policies of most relevance to the proposal are:

Saved policies of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011:

Policy STR1 - Sustainable Development

Policy STR 6 - Development Outside

Policy 49 - Transport

Saved policies of the South Somerset Local Plan:

ST3 Development Area

EH7 - Conversions

Policy ST5 - General Principles of Development

Policy ST6 - The Quality of Development

ME10 Tourism

National Guidance

PPS1 - Sustainable Development

PPS7 - Rural

South Somerset Sustainable Community Strategy

Other Relevant Documents:  
Long Sutton Village Design Statement

## CONSULTATIONS

**Parish / Town Council** - The Parish Council do not object to this application but we would like to see a robust condition added that would tie the Cider barn to the main house and stop it being sold off as a separate unit. (Officer note: A condition cannot control ownership although a holiday let condition is proposed that would help control the structure's continued use for purposes as a holiday let.)

**County Highway Authority** - No objection subject to no obstruction condition.

**Area Engineer** - No comment

## REPRESENTATIONS

2 Neighbour notification letters were issued. There have been two responses that raise objections:

The address is wrong.

A retrospective application. The actual conversion appears to have been done without planning or building regulations/control permission. Contrary to the application, the Cider Barn does NOT have direct access to the neighbouring Drovers. It only has access direct onto the A372, or possibly across the applicant's field/gateway to Vedal Drove (150m or so).

A previous Highway Authority letter did point out that the Upton Bourne entrance is not wide enough for 2 vehicles to pass and that a telegraph pole would be in the way were it to be widened. The Upton Bourne entrance is now proposed to serve two holiday properties generating traffic. Hence the Upton Bourne entrance is now being considered for comparable traffic levels to that of the earlier application when a wider entrance was thought relevant. Why do the HA now seem more content about the Upton Bourne entrance than they were before when it was considered for approximately the same level of traffic (2 lets and a large house)? The hazard of insufficient entrance width/impaired visibility remains, with exit onto a fast section of road where speeds are routinely above the 30 MPH limit and this will need to be given proper consideration.

I hope that the planning approval process used here will give due consideration to the points made about the complex nature and sequence of recent planning applications made. It is not satisfactory to consider only small sections of the site one at a time.

## CONSIDERATIONS

The main considerations relate to the principle of development, to character and appearance and highway safety.

### **Principle of Development:**

Policy ST3 (Development Areas) restricts development in the countryside but must be read in conjunction with other Local Plan policies. Policy EH6 considers the conversion of buildings in the countryside for the purpose of holiday let accommodation. Likewise policy ME10 considers tourism and the proposed conversion provides holiday let accommodation

The building's conversion took place about the middle of 2008. Local plan policy requires that the structural condition of the building is such that it is capable of conversion without any significant reconstruction and enlargement. For all practical purpose the alterations have already been undertaken on site and can now be fully appreciated. According to

neighbour responses there have been additional openings inserted into the structure. What is seen on site is considered acceptable to the structure's character and it is considered the building would have been capable of re-use at the time of its conversion. Holiday let accommodation is considered an economic benefit and the evidence submitted with the application appears to show successively let holiday accommodation.

The structure is considered to be of limited scale and there has been no enlargement of the building which is considered appropriate. Seen in context the holiday let shares access and parking arrangements with the other dwelling(s) on site and forms part of a coherent built form within a defined area of the site alongside the roadside.

**Character and Appearance:**

The adaptation of the former outhouse to form a holiday let is complete and we have to consider how the structure currently looks. Building Control have been notified of the proposal and whether it is appropriate for them to seek an application for building regulations. The internal alterations are not a matter for planning.

There is a private area of garden to the rear of the holiday let with access from the building considered to have been inserted as part of the previous remodelling.

**Visual Amenity:**

The holiday let overlooks the gravelled courtyard area shared by the other two dwellings both currently part of the wider site owned by the applicants. It is considered that there is no harm that arises for any future occupants of the adjacent dwellings.

**Highway Safety:**

The Highways Officer has no objection to the proposed use and increased use of the access. Further enquiry was made following receipt of a neighbour letter concerned with the difference between the current Highway response and earlier letters. The Highways Officer stands by their formal consultation response. The current standard of the access is not such that it warrants an objection that could be sustained at appeal. The increase in traffic generation associated with a holiday let is quite small and the trips generated do not coincide with the peak movements on the highway network. The previous concerns expressed by the Highway Authority were just that, concerns, as well as relating to an additional self contained dwelling. The approach is considered to have been consistent with their previous responses, given that the current proposal is for a holiday let.

**Neighbour Responses:**

All the comments that have been received are noted. The actual address is identified by the grid reference that is given as part of the validation process. Although a retrospective application, the actual alterations and current appearance are readily appreciated and access is shared with the other existing dwellings on site. The Highways Officer has given further comment on their reasons to support the current application without the need for alteration to the existing access.

The current application is the fourth made by the current applicants. At the time of the second application received the whole site was reviewed in the company of Parish Council representatives. It was at this time that the holiday let came to the Council's notice. The third application sought a household type extension of an existing dwelling. The first application sought a new access and closure of a substandard and far more dangerous access immediately to the west of Little Upton Bridge.

In considering the different applications made there is a need to consider the individual merits of each application received. Nevertheless there has from the second application made onwards been an awareness of whether there should not be an overall approach

to the site. To permit the holiday let in association with the other permissions result in the addition of one dwelling and two holiday lets that is considered acceptable in this location. There remain an assortment of outbuildings most, if not all, of which are appropriate as outbuildings associated with the residential dwellings on site.

The completion of the access and boundary walls permitted under reference 10/00938/FUL is a separate matter, one for enforcement that must be pursued separately and does not influence the outcome of the current application. At the time of drafting this report the applicant advises that in the coming weeks with the return of their stone mason they do anticipate completion of the access and boundary arrangements.

**Legal Agreement:**

The recommendation seeks to impose a planning condition that the holiday let is maintained as such into the future. The condition controls the use of the site and unlawful use would need to be ongoing for more than 10 years during which time it is expected that any breach would be reported or come to the attention of the Local Planning Authority capable of enforcing matters. Whether a legal agreement or a condition the Planning Inspectorate favour the use of conditions rather than the use of legal obligations that are considered to fulfil the same objectives although more heavy handed.

**RECOMMENDATION**

APPROVE

01. The proposal, by reason of its substantial construction without the need for extensions and alterations, represents a building suitable for conversion in accordance with the aims and objectives of policies ST4 and EH6/7 of the South Somerset Local Plan.

**SUBJECT TO THE FOLLOWING:**

01. Notwithstanding the time limits given to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission (being granted under section 73A of the Act in respect of development already carried out) shall have effect from the 2 March 2011.

Reason: To comply with Section 73A of the Act.

02. The area allocated for parking and turning on the submitted plan shall be kept clear of obstruction at all times and shall not be used other than for the parking and turning of vehicles in connection with the development hereby permitted.

Reason: In the interests of highway safety further to policy 49 of the Somerset and Exmoor National Park Joint Structure Plan

03. The development hereby permitted shall be carried out in accordance with the following approved plans: 01 date stamped 2 March 2011 and floorplans date stamped 3 February 2011.

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

04. The occupation of the holiday accommodation hereby permitted shall be restricted to bona fide holidaymakers for individual periods not exceeding 4 weeks in total in any period of twelve weeks. A register of holidaymakers shall be kept and made

available for inspection by an authorised officer of the Local Planning Authority at all reasonable times.

Reason: The accommodation provided is unsuitable for use as a permanent dwelling because of its limited size and inadequate facilities on site and the Local Planning Authority wish to ensure the accommodation is available for tourism.

05. 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 extension of the holiday let building without the prior express grant of planning permission.

Reason: The proposal was considered under the barn conversion policy and further enlargement should be controlled further to policies EH6/7, and ST6 of the South Somerset Local Plan

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Area North Committee – 22 June 2011

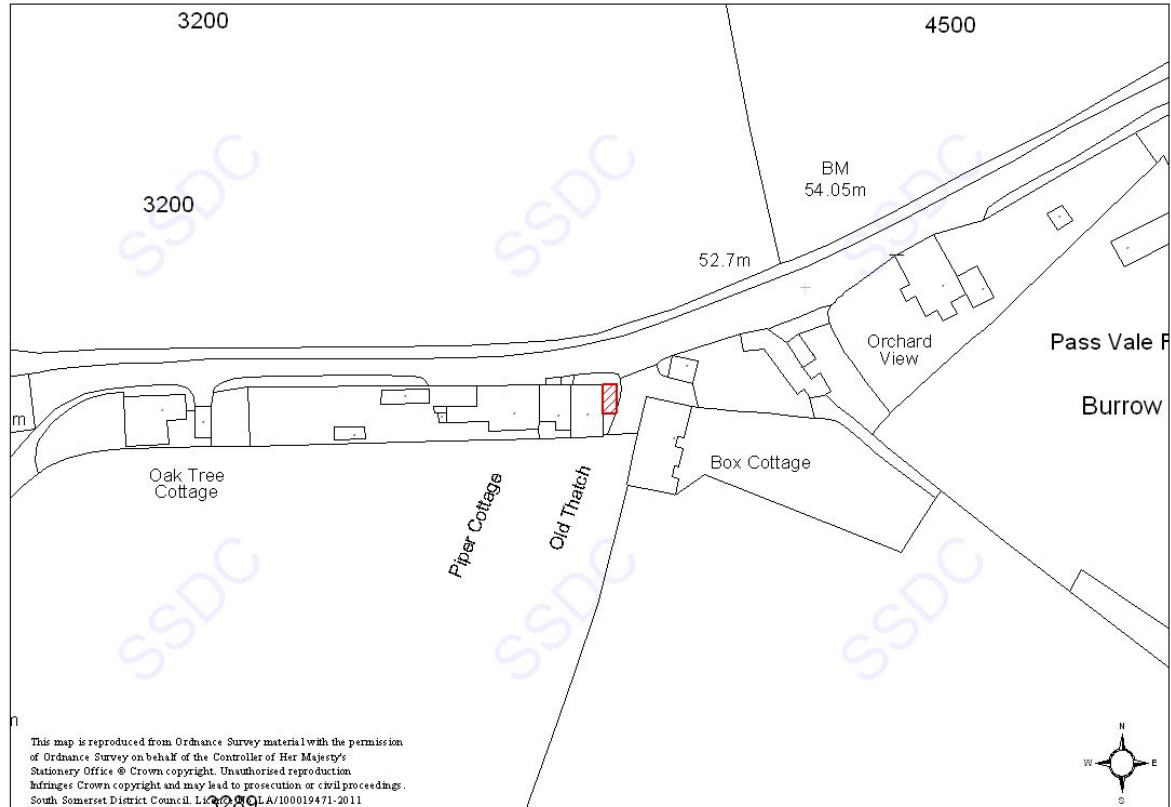
### Officer Report On Planning Application: 11/00728/FUL

<b>Proposal:</b>	Erection of a two storey extension with dormer windows front and rear. ( GR 341390/119952 )
<b>Site Address:</b>	Old Thatch Burrow Way Kingsbury Episcopi
<b>Parish:</b>	Kingsbury Episcopi
<b>BURROW HILL Ward (SSDC Member)</b>	Mr Derek Yeomans (Cllr)
<b>Recommending Case Officer:</b>	Claire Alers-Hankey Tel: 01935 462295 Email: <a href="mailto:claire.alers-hankey@southsomerset.gov.uk">claire.alers-hankey@southsomerset.gov.uk</a>
<b>Target date:</b>	6th May 2011
<b>Applicant:</b>	Mr P Knight
<b>Agent: (no agent if blank)</b>	
<b>Application Type:</b>	Other Householder - not a Change of Use

### REASON FOR REFERRAL TO COMMITTEE

This application is referred to the Area North with the agreement of the Chairman and at the request of the Ward Member so that the subjective nature of the overbearing relationship can be discussed further by the Committee.

### SITE DESCRIPTION AND PROPOSAL



The site is located on Burrow Way to the west of Stembridge and outside of any defined development area. The property is a semi-detached, two-storey dwelling constructed of rendered walls and a thatch roof.

This application seeks permission for the erection of a two storey extension to the side of the property with dormer windows to the front and rear. The proposed materials are rendered walls and reclaimed double Roman roof tiles.

The adjacent property is a two storey dwelling and has a ground floor living room window and first floor bedroom window facing the development.

An amended plan has been received showing a further area of land that is owned by the applicant adjacent to the site. This was submitted in response to an initial objection raised by the case officer in relation to the proposed extension using all of the available amenity/garden space.

## **HISTORY**

15014/A - Erection of a garage and alterations. Granted conditional approval on 27/04/1973.

## **POLICY**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise.

Saved policies of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011:

Policy STR1 - Sustainable Development

Saved policies of the South Somerset Local Plan (Adopted April 2006):

Policy ST5 - General Principles of Development

Policy ST6 - The Quality of Development

National Guidance

PPS1 - Sustainable Development

PPS3 - Housing

South Somerset Sustainable Community Strategy

Goal 3 - Healthy Environments

Goal 4 - Services and Facilities

Goal 8 - High Quality Homes

Goal 9 - A Balanced housing Market

## **CONSULTATIONS**

**Parish Council** - No objection, but notes the development is close to Box Cottage and as such would affect the amount of natural light to that property.

**County Highway Authority** - No observations

**Area Engineer** - No comment



## REPRESENTATIONS

TWO LETTERS OF OBJECTION - Have been received, raising concerns over the following issues:

1. Devaluing of adjacent properties
2. Loss of light to adjacent property's habitable rooms
3. Loss of privacy
4. Overbearing adjacent property as extension will be 3.35m away from neighbour

## CONSIDERATIONS

The key issues to consider are the impact on residential amenity and visual amenity of the area.

### Visual Amenity

The design of the proposed two storey extension is considered to be in keeping with the existing property and the fenestration proposed is appropriate, therefore it is considered the visual amenity would not be harmed by the development.

### Residential Amenity

Whilst the applicant has demonstrated that an additional garden area is available, so that the proposal does not use up all of the available amenity space, and the fenestration in the extension will not overlook the adjacent property, it is considered the proposed extension would have a close and overbearing relationship upon 1 Box Cottage which is 3 metres to the east, causing an unacceptable loss of outlook and residential amenity on the inhabitants of the neighbouring property.

### Other Issues

An objection has been made over the devaluation of the adjacent property, however this is not a planning consideration. An objection has also been raised over loss of light to the neighbouring property, but having measured the distances between the extension and the windows affected, it is not considered that the extension would cause material harm through a loss of light to the neighbouring inhabitants.

On this basis of the above, it is considered the proposal fails to meet the requirements of ST5 and ST6 of the South Somerset Local Plan, due to the close and overbearing relationship between the proposed extension and the neighbouring property.

## RECOMMENDATION

Permission be refused

## SUBJECT TO THE FOLLOWING:

01. The proposed extension, which would be very close to the boundary with the adjoining property, represents an un-neighbourly form of development that would be overbearing on the adjacent property and would cause a loss of outlook and hence a loss of residential amenity to the neighbouring property, contrary to Policy ST6 of the South Somerset Local Plan.
-

Area North Committee – 22 June 2011

### Officer Report On Planning Application: 11/01003/LBC

<b>Proposal:</b>	Erection of porch to front elevation (GR: 349897/120034)
<b>Site Address:</b>	The Old Bakery, 26 Queen Street, Tintinhull
<b>Parish:</b>	Tintinhull
<b>ST MICHAELS Ward (SSDC Member):</b>	Mrs Jo Roundell Greene (Cllr)
<b>Recommending Case Officer:</b>	Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk
<b>Target date:</b>	13th May 2011
<b>Applicant:</b>	Mr Simon Clark
<b>Agent: (no agent if blank)</b>	
<b>Type:</b>	Other LBC Alteration

### REASON FOR REFERRAL TO COMMITTEE

The application is before the committee at the request of the Ward Member and with the agreement of the Area Chairman. The application was referred to the Ward Member due to the opinion of the parish council being contrary to the recommendation of the case officer.

### SITE DESCRIPTION AND PROPOSAL



The proposal seeks consent for the erection of a metal porch to the front elevation of the dwellinghouse. The property is a two storey detached house constructed from brick, with

painted timber window frames and a clay and stone tiled roof. The house is located close to various residential properties. The house is located within a development area and a conservation area as defined by the local plan. The house is a Grade II listed building and located close to a number of listed buildings.

## HISTORY

04/02303/FUL - Extension to existing garage, reform garage roof - Application permitted with conditions 24/09/2004

04/02304/LBC - Extension to existing garage, reform garage roof - Application permitted with conditions 24/09/2004

## 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'

PPS 5: Planning and the Historic Environment is applicable. Applicants for listed building consent must be able to justify their proposals. They will need to show why works, which would affect the character of a listed building, are desirable or necessary. They should provide the local planning authority with full information, to enable them to assess the likely impact of their proposals on the special architectural or historic interest of the building and on its setting.

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, as these policies are in accordance with PPS 5:

Relevant Development Plan Documents

Regional Spatial Strategy:

VIS1 - Expressing the Vision

VIS2 - Principles for Future Development

EN3 - The Historic Environment

Somerset and Exmoor National Park Joint Structure Plan

STR1 - Sustainable Development

South Somerset Local Plan (Adopted April 2006)

EH1 - Conservation Areas

EH3 - Alterations to Listed Buildings

EH5 - Setting of Listed Buildings

## CONSULTATIONS

**Parish Council** - Support

**Area Engineer** - No comment

**SSDC Conservation Officer** - *"This house is unusual within the listed stock within South Somerset in that it is a brick house. It is a fine house, with an imposing and high quality front. The brickwork is good quality with high quality fine-gauged brickwork in two courses forming the lintels to the windows and door. This house was designed to*

*impress, and was not designed with a porch as part of the concept. The flat front is part of the design.*

*The proposed porch would obscure the fine brickwork and work against the composition of the front of the building.*

*I did look for evidence of a previous canopy, and whilst I thought I could detect a line in part to the left of the door, I could find no corresponding line to the right, and could find no evidence of fixings to the building or ground."*

## **REPRESENTATIONS**

None received.

## **CONSIDERATIONS**

The Conservation Officer was consulted in regards to the impact of the proposed porch on the character and setting of this listed building. He noted the quality of the house, with its imposing high quality frontage. He also noted the high quality fine-gauged brickwork in two courses forming the lintels to the windows and door. He felt that the flat front of the building was part of the overall design concept of the building. He considered that the proposed porch would detract from the design concept of the building and would obscure the fine brickwork lintels.

The applicants have provided a statement in support of the application. As justification for the proposal they draw attention to the weathering to the existing front door due to its exposure to the prevailing wind and the summer sun, the fact that the porch may be replacing a pre-existing similar structure, and that the porch is of authentic design and materials. Whilst these points are noted they are not considered to outweigh the adverse impact on the character of the listed building described by the conservation officer. It is also noted that the conservation officer could not find convincing evidence of a pre-existing porch when visiting the site.

As the opinion of the conservation officer is considered to hold considerable weight in applications of this nature the proposed porch is considered to fail to make a positive contribution to the character and local distinctiveness of the historic environment, contrary to the provisions of PPS 5 and policies EH3 and ST4 of the South Somerset Local Plan (adopted April 2006).

As such the application should be recommended for refusal.

## **RECOMMENDATION**

Refuse for the following reason:

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

01. The proposed porch, by reason of its projection forward of the deliberately flat design of the front elevation and its obscuring of the fine lintel detailing, is detrimental to this listed building and would fail to make a positive contribution to the character and local distinctiveness of the historic environment, contrary to the provisions of PPS 5 and policies EH3 and ST4 of the South Somerset Local Plan (adopted April 2006).