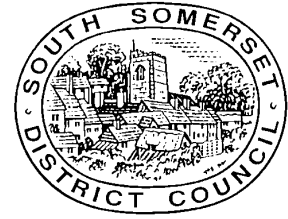


South Somerset District Council

Notice of Meeting



Area North Committee

Making a difference where it counts

Wednesday 14 December 2011

2.00pm

**The Village Hall
Long Sutton
TA10 9NT**

(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 4.00pm.

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

website: www.southsomerset.gov.uk/agendas

This Agenda was issued on Monday 5 December 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*

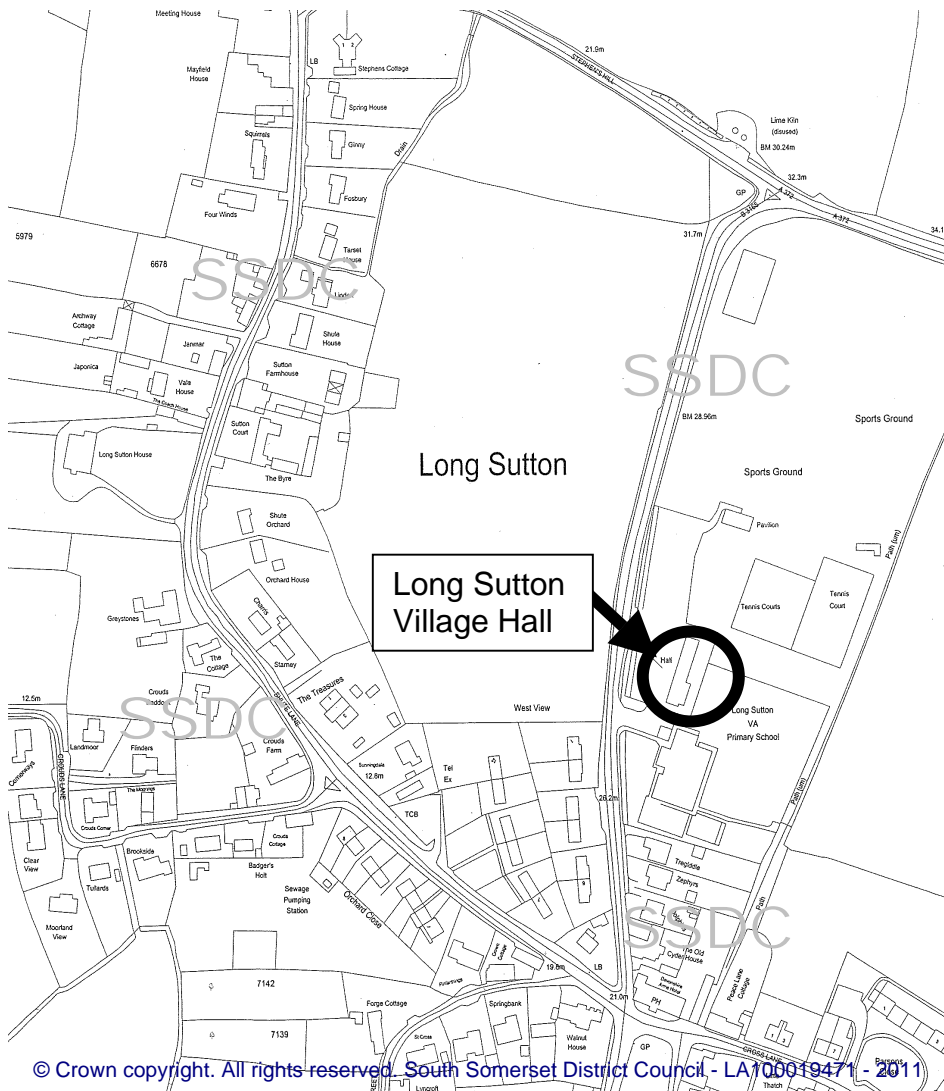
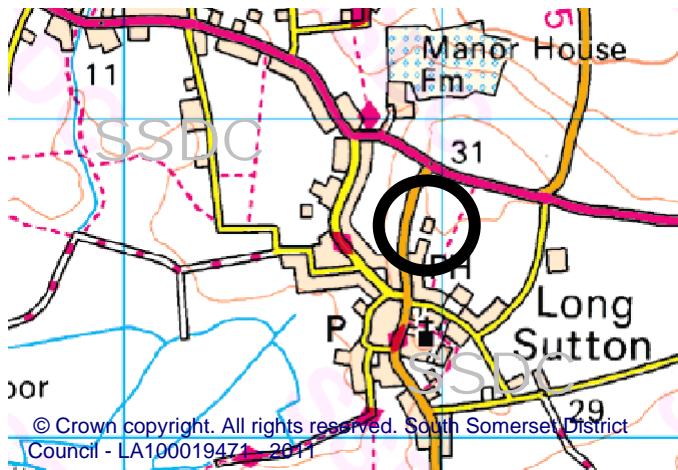
2005-2006
Getting Closer to Communities

**This information is also available on our website
www.southsomerset.gov.uk**



INVESTOR IN PEOPLE

Location of meeting venue



Ordnance Survey mapping/map data included within this publication is provided by South Somerset District Council under licence from the Ordnance Survey in order to fulfil its public function to undertake its statutory functions on behalf of the district. Persons viewing this mapping should contact Ordnance Survey copyright for advice where they wish to licence Ordnance Survey mapping/map data for their own use. South Somerset District Council - LA100019471 - 2011.

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 and Sam Crabb.

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 (unless specified otherwise), 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 is usually 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, usually at 2.00pm, 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 14 December 2011

Agenda

Preliminary Items

1. **To approve as a correct record the minutes of the meeting held on 23 November 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 25 January 2012 at the Village Hall, Chilthorne Domer.**

5. **Public question time**

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

Page Number

Items for Discussion

- 8. Presentation – Seavington Community Shop & Café..... 1
- 9. Highway Authority Report – Area North 2
- 10. Performance of the Streetscene Service 4
- 10A. Section 106 Obligations..... 8
- 11. Area North Committee – Forward Plan 18
- 12. Planning Appeals 20
- 13. Planning Applications..... 25

<p>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</p>
--

Area North Committee – 14 December 2011

8. Presentation – Seavington Community Shop & Café

A community representative of the Seavington Community Shop and Cafe will attend the Committee to make a brief presentation on this project, which received financial support from SSDC Area North and opened in 2010. The shop and cafe is owned and managed by volunteers and is situated by the village hall and playing field.

Area North Committee – 14 December 2011

9. 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

The Report is to inform members of the work carried out by the County Highway Authority so far this financial year, and the remaining proposed work programme for the year.

Public Interest

The report is to inform members of the work carried out by the County Highway Authority during the first half of this financial year and the proposed work programmed for the remainder of the year.

Recommendation

That members note and comment on the report.

Report

The two major routine seasonal functions carried out to date are surface dressing and grass cutting. Surface dressing is the practice of applying a bitumen tack coat to the existing road surface and rolling in stone chippings. Generally this highway treatment is not well received by the public, however, when carried out correctly it is highly effective and can bring significant improvements to the highway infrastructure.

Grass cutting as ever is a difficult task to carry out to the satisfaction of all. As can be appreciated, our works are largely governed by resource. With a highway network exceeding 3500km in length, the size of the task is significant. The County Council therefore has a policy, and procedures are in place to ensure the work is carried out in the most safe, effective and economic way. In a world of ever increasing risk assessment and claim/liability scenarios, the policy must take into account the range of road classifications across the network and prioritises them accordingly.

The programme commenced on 16th May with A and B roads being cut within four weeks. C and D roads were attended to for seven weeks. Finally the second cut on the A and B network was undertaken. The programme was largely completed by September.

Many of the structural maintenance schemes for this year have been completed and are listed on the following page:

Structural Schemes Completed 2011/12

Somerton	Behind Berry	C/way Resurfacing
Martock	Stoke Road	C/way Resurfacing
Curry Rivel	School Street	C/way Resurfacing
Huish Episcopi	Portland Road	Footway
Stoke Sub Hamdon	Hamdon Close	Footway
Martock	Long Load Road	Footway
Martock	Ashfield Park	Footway
Ilton	Penny's Meade/Kings Lear	Footway
Seavington St Michael	Barrington Main	Drainage
Chilthorne Domer	Vagg Hollow	Drainage
Curry Rivel	Red Hill (Badgers)	Earthworks

As it currently stands, the schemes still to be carried out are listed below:

Outstanding Structural Schemes 2011/12

Huish Episcopi	A372 Langport Road	C/way Resurfacing
Tintinhull	Head Street	C/way Resurfacing
Martock	Ashfield Park	C/way Micro
Somerton	West Street	C/way Resurfacing
Chilthorne Domer	Vagg Hollow	Drainage
Tintinhull	Queen Street	Drainage
Stoke Sub Hamdon	High Street (retaining wall)	Earthworks

Department for Transport Winter Damage Funding 2011/2012

Somerset County Council was successful in its bid to the Department for Transport for additional funds to undertake extensive carriageway resurfacing works. Funds have been provided to target areas of the highway network that have deteriorated as a result of the harsh winter. Completed schemes include:

Fivehead	Smiths Lane	C/way Resurfacing
Curry Mallet	Harris Lane	C/way Resurfacing
Somerton	B3165 South Hill	C/way Resurfacing
Isle Abbotts	Higher Woodlands	C/way Resurfacing

Winter maintenance

The preparation for this years winter maintenance programme has now started. Our salt supply for the upcoming season has been delivered to the depot. Ploughing routes have been revisited following the challenges of last year.

Local parishes have been invited to collect their allocation of grit bags. Whilst many have taken up this offer, several parishes have chosen not to.

If grit bins are being considered at new locations, members and/or parishes are requested to please confirm these positions as soon as possible as the filling of bins has now commenced. It may also be beneficial to confirm previous locations to ensure that these areas are not missed.

For further information about winter maintenance: www.somerset.gov.uk/winterservice

Area North Committee – 14 December 2011

10. 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: As above
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 May – November 2011.

Public Interest

The report is to inform interested parties what the Streetscene team has been doing in Area North since May this year, 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 activities and achievements of the services so far for this period, that affect Area North are listed below.

Service Restructure

As a result of the 4% savings that services had to make this year, the Streetscene Team had to lose a Co-ordinator post and in order to effectively manage the service; a restructure has been carried out.

The result of this restructure is the 'splitting' of the joint supervision of horticulture and street cleaning. Instead, Environmental Enforcement and Street Cleansing are being led by Phil Jones and Mike Gottlieb, with Chris Holley taking over the running of the Cartgate Picnic site. In addition to this, Chris and Mike's roles have changed so they are also part operational rather than simply managerial.

On the horticultural side, Rich Davy continues to lead on the 'contract' side of our service and oversee the grassland maintenance in Area South, with Jon Brown taking the lead role in the management and maintenance of the services tree stock, flood alleviation work and grassland maintenance in areas North, East and West. Ian Lock leads our landscape Yeovil in Bloom teams which have been merged, while also managing the shrub bed / hedge cutting teams across the district.

Both Jon & Ian share their time between traditional supervisory roles and operational roles with their respective teams. Initial indications are that this restructure is proving to be successful, although at times it is also quite challenging for those involved to effectively balance their time.

As a result of these changes, the service has unfortunately had to stop carrying out the NI195 inspections (National Indicator), Local Area Quality inspections and Customer Satisfaction Surveys that have previously been carried out and reported on. We will however, continue to inspect standards of service for management purposes; while meetings with the supervisory team can still be arranged directly, should you wish to discuss or inspect matters in your towns or parishes.

Lean Review

Following the recent changes to the service detailed above, the enforcement and cleansing parts of Streetscene have recently started a 'Lean Review' which will form the focus for the team over the coming few months, and an update of the process and its findings will be reported to the committee in due course.

Operational Works

Horticultural

We have as usual, focussed on summer maintenance since May, with grass cutting and vegetation control forming the main focus for the teams. Having restructured the mowing to account for the reduction in funding for the maintenance of highway verges we have been pleased to have kept the Area looking acceptable despite this reduction in service.

The service has recently taken delivery of five replacement mowers, which form the front line of our mowing operation. We have acquired a mixture of mower types this time and have a mixture of both rotary and cylinder type mowers chosen to provide the best possible outcome for the service in terms of cost and quality of cut.

We have started the winter maintenance program on both SSDC controlled and Environment Agency watercourses and continued with the fortnightly inspections of the trash screens in the Area.

In addition to the routine works listed above, the service is currently working with parish and town councils to carry out spring bulb planting across the district. In Area North the parishes of Compton Dundon, Montacute, Stoke sub Hamdon, Martock, Ilton, South Petherton, Seavingtons, Drayton, Huish Episcopi, Langport, Somerton, Curry Rivel, Curry Mallet & Fivehead have received bulbs which will enhance the area over the coming years. Ash and Long Load received bulbs that they have planted themselves.

Other works that will be carried out this winter includes:

- Tree planting and the installation of an improved pathway at St Marys Close in Huish Episcopi. This will enable easier access for all to the area.
- Installing new fencing at Barrymore Close in Huish Episcopi to replace the existing old fencing and thus improve the health and safety of the site.

Street cleaning

As usual, the main thrust of the cleansing service has been the routine litter picking, bin emptying and road sweeping across the Area, with the removal of fly tips keeping our responsive team gainfully occupied. A change to the service this year has been the reduction in highway weed control with only one full application of herbicide treatment being carried out, rather than the previous program of two treatments. We have noted that unfortunately this has resulted in a rise in highway weeds, which do detract from the look of the street scene. However at this time we do not have resources to redress this matter.

In the previous report it was brought to members' attention that our street cleaners are now working in pairs and I am pleased to report that this change has largely proven to be a success in many ways and will be continued in the foreseeable future.

The recent months once again saw a traveller incursion at the Cartgate picnic area. This site is controlled by Balfour Beatty who dealt with the 'accommodation' and subsequent removal of the travellers from the site, while our teams worked to keep the site operational and the toilets open for visitors during this time. The contract to maintain the site is due for renewal in June 2012, and we will be reapplying for the maintenance contract once again. Later this year, Steve Antell, one of our team based at the Cartgate picnic area, retires after a long service, and we are currently going through the process of recruiting to this post.

Break Down of Service Requests

The chart below is a break down of the nature of requests received by the service between March and September 2011. During this period you will note that we have a fairly even mix of both routine and responsive type of requests. This is both typical in its nature for the season covered by these figures and reflects the external pressures that the service has faced during this time.

Once again I am pleased to report the relatively low number of complaints received by the service during this period – please note that the figures show the level of complaints district wide, not simply in Area North.

Area North Requests April – September 2011

Job / Month	Apr 11	May 11	Jun 11	Jul 11	Aug 11	Sept 11
Trees (H)	0	0	1	1	3	3
Grass (H)	2	4	5	4	1	1
Hedges (H)	0	3	3	2	2	0
Other (H)	0	1	2	1	0	1
Flytips (SC)	23	29	16	14	18	27
Litter/glass (SC)	3	1	3	3	3	2
Litter Bins (SC)	3	3	5	6	1	0
Household Rubbish (SC)	1	0	3	1	10	0
Needles (SC)	0	0	0	0	0	0
Sandbags (SC)	0	0	0	0	1	0
Dead Animals (SC)	7	6	5	6	4	9
Graffiti (SC)	0	1	1	1	1	0
Sweeping (SC)	0	0	0	0	0	0
Dog Fouling (SC)	0	0	2	0	1	0
Strays (E)	1	9	3	5	5	0

Job / Month	Apr 11	May 11	Jun 11	Jul 11	Aug 11	Sept 11
Vehicles (E)	2	1	2	3	1	1
Other (E)	2	1	2	4	2	2
Flyposting (E)	0	1	0	0	0	0
Dog Fouling (E)	5	0	2	2	3	2
TOTAL						321

(H) Horticulture Requests = 40

(SC) Street Cleaning Requests = 220

(E) Enforcement Requests = 61

Service Complaints Statistics

Service / Month	Apr 11	May 11	Jun 11	Jul 11	Aug 11	Sept 11
Street Cleaning	0	0	2	3	0	0
Horticulture	3	3	1	3	2	0
Enforcement	0	0	0	0	0	0
TOTAL						17

(Unfortunately these complaints cannot be broken down into Area)

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 fly-posting
- 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)

To be added

Equality and Diversity Implications

To be added

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

Area North Committee – 14 December 2011

10A. Section 106 Obligations

Strategic Director: Rina Singh (Place & Performance)
Assistant Director: Martin Woods (Economy)
Service Manager: David Norris (Development Manager)
Lead Officer: Neil Waddleton
Contact Details: Neil.Waddleton@southsomerset.gov.uk or (01935) 462603

Purpose of the Report

It was agreed at the regular meeting of the Area Chairs that it was necessary for the Section 106 Officer to attend the Area Committees on a regular basis and provide information in relation to Section 106 agreements for that area. As requested, agreements containing financial contributions will be presented within the monitoring reports, however if any further detail was required on any other agreement it was agreed that this would be undertaken directly with the officer. This was endorsed by the District Executive Committee in April 2011, as was the desired format of the monitoring report.

Public Interest

Section 106 Obligations are a key aspect of most major planning development approvals granted by the Authority however they are also necessary to provide additional control in relation to smaller schemes. The items captured within Section 106 Obligations usually deal with the additional infrastructure costs that will be incurred within the area of the Authority arising from the completion of a development. Depending on the scale of the proposed development the sums of money associated with a Section 106 Obligations can be considerable.

This may take the form of changes to highways, contributions toward increased schools provision, creation/maintenance of open spaces, recreational areas and so on. The costs arising from these are often significant and require negotiation and settlement between officer and the developer, through the use of nationally agreed formulae.

There are a variety of ways in which these requirements can be delivered. Normally the developer makes a payment to allow the relevant authority to provide the requirement e.g. Schools or Play areas. Alternatively, the developer may be charged with completing the work directly for example a new highway junction.

By their very nature Section 106 Obligations require specified actions/payments to take place within a pre-defined timescale or event (known as 'triggers') and it is essential that the Section 106 officer has a system and processes in place that ensures the agreements are effectively managed.

Members will appreciate that the level of contribution that was secured from each development was dependent upon several factors, particularly the 'formula' that was being used for calculating the Sports, Arts and Leisure contribution at the time of each application. It is also important to emphasise that it is very difficult to make meaningful comparisons between obligations that were sought on different developments, as each scheme has to be considered on its own merits.

Recommendation

That members note the report and endorse the actions taken in respect of the monitoring of Section 106 Planning Obligations.

Background

A Section 106 Officer was appointed on 1 April 2010. This post sits within the planning team with the specific responsibility for ensuring that all requirements of S106 obligations, including the collection and spending of financial contributions are monitored. The S106 Officer has already undertaken the following:

Data Management

Formally data relating to S106 agreements has been held within a number of different Services across the Council. Work has been carried out to cross-reference these with the data held in the main legal database. We are now in a position where we have captured in one-list, details of agreements to be entered into one system and it is anticipated that the inputting will be completed by April 2012.

Monitoring System

A monitoring system has been developed with the required functionality to enable the S106 Officer to effectively manage the legal agreements and the obligations within them. Management and monitoring reports have been designed and extrapolated from the system. The population of the database is well under way.

Agreement Pro-forma

In conjunction with the Principal Solicitor and Assistant Director (Legal and Corporate Services) a pro-forma has been produced for all Planning Officers to complete detailing requirements to be covered when drawing up the legal agreements. This allows consistency in capturing details and assists in the more efficient production of agreements.

Additional Information

In addition to the above the 106 Officer works closely with officers from other services, investigating agreements where triggers have been reached and actively sought and distributed contributions where appropriate.

Members have requested training workshops to gain a greater understanding of the way in which leisure and recreation contributions are sought through the planning process. The Assistant Director, Health and Well-Being has recently held the workshop for Area North.

Successes

The 'profile' of Section 106 agreements has been raised significantly by the appointment of the Section 106 officer and an increased awareness has resulted in significant demands upon on his time. This is considered to be a positive outcome as it is important for members and the wider community to have a greater understanding of planning obligations and access to what is now a transparent process.

Progress of monitoring historical agreements is ongoing and an important element of this is the enforcement of planning obligations that have reached their relevant trigger points. This has resulted in the receipt of approximately £1.8 million since April 2010.

Since being in post the Section 106 Monitoring Officer has fostered good working relationships with internal officers, services and elected members with the mutual interest of monitoring and managing S106 agreements.

An Audit review of the 106 processes was carried out in early 2011 and the report was issued in May. The outcome of this review was very positive and it recognised the very significant improvements that had taken place over the last 12 months.

The Future

The Community Infrastructure Levy is a new Levy that is intended local authorities will charge on new developments in their area. The system will replace the existing Section 106 mechanisms, and the money raised can be used to support the funding of necessary infrastructure, some of which will be identified within the IDP. The CIL Regulations came into force on the 6th April 2011. From April 2014, the authority will only be able to secure contributions towards strategic leisure provisions if it has implemented a CIL charging scheme, according to the regulations.

This system has the advantages in that the authority can apply a charging structure to almost all types of development, and it provides greater flexibility and freedom to prioritise what the money should be spent on. Monies raised are not directly linked to specific projects or locations, a specific downside to the current system, and it is for members to decide which projects should be given priority across the district as well as a percentage (not clarified as yet) to be spent locally.

Financial Implications

No direct financial implications from this report however members will be aware that ineffective management of planning obligations does have the potential to require the district council to refund contributions to developers.

Corporate Priority Implications

The effective management of planning obligations will be beneficial in achieving all of the Councils Corporate Priorities

Carbon Emissions & Adapting to Climate Change Implications (NI188)

Section 106 Planning Obligations have a key role in delivering sustainable communities thereby contributing to a reduction in carbon emissions and helping to adapt to climate change.

Equality and Diversity Implications

Section 106 Planning Obligations have a key role in delivering sustainable communities thereby ensuring access to facilities, homes and services for all members of our community.

Background Papers: None

SECTION 106 MONITORING REPORT – AREA NORTH – DECEMBER 2011

AN

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: CURRY RIVEL</p> <p>09/00023/FUL Parish Curry Rivell Developer: Yarlington Housing Group</p> <p>Land Rear Of Westfield House Westfield Road Curry Rivell Langport Somerset TA10 0HX</p> <p>The demolition of 9 dwellings and the replacement with 20 dwellings with associated access, parking and landscaping. (GR 338356/124790)</p> <p>Agreement Date: 09/11/2009</p>	<p>Sports and Leisure: Equipped Play Contribution: £21,715 comprised of £10,321.38 for the acquisition and installation of play equipment and £5,866.63 for long term maintenance on the Recreation Ground, Westfield, Curry Rivell. £4,053.95 for Youth Facilities in Curry Rivell with a further £1,473.04 commuted sum for the long term maintenance.</p> <p>Open Space Contribution: £13,452 towards costs of improvement/enhancement of any recreational area or open space in Curry Rivell.</p> <p>Sports & Leisure Contribution: £30,071 towards costs of improvements/enhancements of any sporting leisure or cultural facilities within or serving District of South Somerset.</p> <p>Affordable Housing: Units Agreed: 20</p>		<p>Sports and Leisure: £35,167.00</p>	<p>Sports and Leisure: £30,071.00</p>	<p>Status: Development Completed</p>	<p>Local contributions received. DPO Application expected for Strategic Element.</p>
Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: HAMDON</p> <p>99/01391/FUL Parish Stoke Sub Hamdon</p> <p>Brocks Mount North Street Stoke Sub Hamdon Somerset TA14 6QR</p> <p>Construction of estate road and erection of twenty dwellings (GR 472/174)</p> <p>Agreement Date: 06/11/2002</p>	<p>Highways: Traffic calming measures on North Street. Bonded at £25,000</p> <p>Miscellaneous Gains Lanscaping Scheme and maintenace for 15 years.</p> <p>Tree Management Scheme</p>				<p>Status: Development Completed</p>	

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: ISLEMOOR</p> <p>08/05090/FUL Parish Ilton Developer: Yarlington Housing Group</p> <p>Land And Garages At Copse Lane Ilton Ilminster Somerset</p> <p>Demolition of existing buildings and the construction of 40 dwellings (GR335071/117656)</p> <p>Agreement Date: 09/11/2009</p>	<p>Sports and Leisure: Off-Site Recreation Contribution: £30,900 for improvement/refurbishment of the neighbouring Ilton Recreation Ground.</p> <p>Strategic Community Facilities Contribution: £69,781 to be used toward one or both of the following: a) the development of a new sports field to serve the community of Ilton. b) the development of sports, leisure and recreation facilities including provision of synthetic pitches in Langport or Yeovil.</p> <p>Play Equipment Contribution: £32,359 comprised of £22,251 for the acquisitions and installation of play equipment along with £8,065 commuted sum for the long term maintenance of the equipment for the Ilton Recreation Ground. £7,411 for Youth Facilities and £2,697 for long term maintenance in Ilton.</p> <p>Affordable Housing: Units Agreed: 40</p>		<p>Sports and Leisure: £63,259.00</p>	<p>Sports and Leisure: £69,781.00</p>	Status: Underway	<p>Local contributions received. Negotiations on going relating to Strategic element.</p>
Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: LANGPORT AND HUISH</p> <p>00/02976/OUT Parish Langport</p> <p>Former Silkolene Site Bow Street Langport Somerset</p> <p>Erection of up to 12 dwellings with associated car parking and landscaping (GR 415/266)</p> <p>Agreement Date: 08/07/2003</p>	<p>Highways: Highways contribution towards traffic calming in locality.</p> <p>Other highway works to include: Access alterations Zebra crossing on Bow Street to east of access to site,</p> <p>Miscellaneous Gains Developer to pay sum of £120,000 directly to separate account with Escrow Agent for works and repairs to listed building.</p> <p>Works to relocate Badgers.</p>			<p>Highways: £12,500</p> <p>Misc Gains £120,000.00</p>	Status: Underway	<p>Check with highways that works & contribution secured as per table of works within agreement.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: LANGPORT AND HUISH 09/02237/FUL Parish Langport Developer: Yarlington Housing Group</p> <p>Land At Eastover Langport Somerset</p> <p>Demolition of 8 PRC dwellings and the erection of 17 dwellings with 32 car parking spaces and associated highway works (GR: 342490/127040)</p> <p>Agreement Date: 22/12/2009</p>	<p>Sports and Leisure: Off-Site Recreation Contribution: £20,044 allocated as follows, £5,206.85 for enhancement/improvements at the Langport Cricket Club. £2,648.63 as a commuted sum payment for the long term maintenance. £12,188.52 for costs and expenses incurred towards the improvements to the Langport & Huish Memorial Recreation Ground.</p> <p>Strategic Community Facilities Contribution: £11,265 towards one or more of following a) Sports Halls & Swimming Pools within the District b) Octagon Theatre, Yeovil c) Sports pitches within the Langport area.</p> <p>Equipped Play Contribution: £11,843 comprised of £7,550 for the acquisition and installation of equipment and £4,293 for the long term maintenance at the Langport & Huish Memorial Recreation Ground.</p> <p>Youth Facilities Contribution: £4,379 comprised of £3,210 for Youth facilities in Langport and £1,169 to provide long term maintenance of those facilities.</p> <p>Affordable Housing: Units Agreed: 17</p>		<p>Sports and Leisure: £36,266.00</p>	<p>Sports and Leisure: £11,265.00</p>	<p>Status: Development Completed</p>	<p>Local contributions received. DPO Application expected for Strategic Element.</p>
Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: SOUTH PETHERTON 09/00937/FUL Parish South Petherton Developer: Somerset Primary Care Trust</p> <p>South Petherton Hospital Hospital Lane South Petherton Somerset</p> <p>Demolition of existing hospital buildings and erection of a new stroke/rehabilitation/community hospital and ancillary accommodation with car parking, service yard, access drive and improvements and associated works. (GR 343974/117374)</p> <p>Agreement Date: 02/10/2009</p>	<p>Public Rights of Way Contribution: £75,000</p>				<p>Status: Underway</p>	<p>Public Rights of Way Contribution: £75,000</p> <p>Schedule of Highway works as detailed within Agreement.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: SOUTH PETHERTON</p> <p>07/03984/FUL Parish South Petherton Developer: Persimmon Homes</p> <p>Land Adjoining St Michaels Gardens Lightgate Lane South Petherton Somerset</p> <p>The erection of 55 dwellings and associated works (GR 343777/117157)</p> <p>Agreement Date: 14/03/2008</p>	<p>Sports and Leisure: Strategic Community Facilities Contribution: £39,484 towards swimming pool and sports hall provision with South Somerset.</p> <p>Open Space Contribution: £6,669 for the future maintenance of the public open space.</p> <p>Play and Youth Contribution: £107,217 for the provision of Play and Youth facilities within South Somerset.</p> <p>Highways: Bus Pass Contribution: On first occupation of each of the residential units to provide voucher which may be used to claim a Bus Pass from the County Council within 12 months of the first occupation of the residential unit. The sum of £400 to be paid on request to the County Council for each bus pass issued.</p> <p>Education: Education Contribution: £124,248 for the enhancement of capacity at Stanchester School, Stoke-sub-Hamdon.</p> <p>Affordable Housing: Units Agreed: 19</p>	<p>Upon transfer of the Public Open Space to the Council the commuted sum for maintenance will be paid.</p>	<p>Sports and Leisure: £160,667.44</p>	<p>Sports and Leisure: £6,679.00</p> <p>Education: £124,248.00</p>	<p>Status: Underway</p>	<p>Check with D Mosely regarding transfer of POS and collection of commuted sum & County Council re Education payment & Highways update.</p> <p>Still no approved Landscaping Scheme in place (Nov 11) R Archer chasing Developer.</p>
Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: SOUTH PETHERTON</p> <p>07/01252/FUL Parish South Petherton Developer: Yarlington Housing Group</p> <p>Land At West End Close West End View South Petherton Somerset</p> <p>Demolition of Nos. 2-16 (even only) West End Close and garage blocks in West End View and the erection of 19 dwellings and associated additional car parking (GR 342775/116846)</p> <p>Agreement Date: 11/08/2009</p>	<p>Sports and Leisure: Equipped Play Contribution: £13,643 comprises of £7,504.49 on the acquisition and installation of play equipment on the exiting play area at West End View, South Petherton and £6,138.51 for the long term maintenance of the equipment.</p> <p>Strategic Facilities Contribution: £8,020 to be used towards facilities within the Yeovil area.</p> <p>Youth Facilities Contribution: £1,800 for renovation/improvement of any building/facility for young people in South Petherton</p> <p>Units Agreed: 12 Miscellaneous Gains</p>		<p>Sports and Leisure: £15,443.00</p>	<p>Sports and Leisure: £8,020.00</p>	<p>Status: Underway</p>	<p>Local contributions received. DPO Application expected for Strategic Element.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: SOUTH PETHERTON 08/03775/FUL Parish South Petherton</p> <p>Flamberts Prigg Lane South Petherton Somerset TA13 5BX Demolition of existing dwelling and garage and the erection of 6 No. dwellings and the conversion of an existing barn into 3 No. dwellings all with associated garages/carports (GR 343348/116953)</p> <p>Agreement Date: 02/12/2009</p>	<p>Sports and Leisure: Open Space & Recreational Contribution: £29,115.89</p> <p>Play Space & Youth Facilities Contribution: £15, 078.83</p>		<p>Sports and Leisure: £44,914.72</p>	<p>Payment Secured.</p>	<p>Status: Underway</p>	<p>Payment Secured.</p>
Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: TURN HILL 07/03534/FUL Parish Huish Episcopi Developer: C G Fry & Sons LTD</p> <p>Land At Old Kelways Somerton Road Langport Somerset TA10 9HB</p> <p>Erection of 52 no. dwellings, B1 employment floorspace and extension to hotel (GR 342728 / 127727)</p> <p>Agreement Date: 16/09/2008</p>	<p>Sports and Leisure: Off-Site Contribution: £149,253.33 comprised of the following: a) Muga Contribution: £8,151.68 towards provision of a floodlit multiuse games area in Langport. b) Playing Pitch Contribution: £104,037.30 towards the provision of playing pitches in Langport. c) Sports Hall Contribution: £24,288.36 towards the provision of additional badminton courts in Langport. d) Swimming Pool Contribution: £12,776.09 towards the provision of additional swimming lanes or pools in Langport.</p> <p>Open Space Contribution: £44,000 commuted sum payment for the maintenance of the childrens play area, open space and landscaped area.</p> <p>Highways: Highways Contribution: £55,000 comprised of: a) Safe Routes to School Contribution: £25,000 b) The A372/B3175 Junction and/or Zebra Crossing Contribution: £30,000</p> <p>Travel Plan: Package of measures to be adopted by owner and/or developers in the management of the site with a view to reducing trips in the motor vehicle to and from the site and promoting use of environmentally friendly transport.</p> <p>Affordable Housing: Units Agreed: 18</p>		<p>Sports and Leisure: £149,253.33</p>	<p>Sports and Leisure: £44,000.00</p> <p>Highways: £55,000.00</p>	<p>Status: Underway</p>	<p>Check with D Mosely regarding transfer of POS and collection of commuted sum & County Council re Highways update.</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: TURN HILL</p> <p>00/01382/FUL Parish High Ham</p> <p>Land At Hamdown House Picts Hill Langport Somerset</p> <p>The conversion of existing building into 4 no. dwellings, construction of 33 no. new dwellings with road access and amended connection to Union Drive and provision of gardens to 3 no. existing dwellings (GR 433/273)</p> <p>Agreement Date: 17/09/2002</p>	<p>Highways: Light controlled pelican crossing on B3153 and £10,000 commuted sum for future maintenance.</p> <p>Alterations to B3153 at Picts Hill Extension of street lighting</p> <p>other highways works as specified with legal agreement.</p> <p>Affordable Housing: Units Agreed: 6</p> <p>Miscellaneous Gains Provision for protection of bats.</p>			<p>Highways: £10,000.00</p>	<p>Status: Underway</p>	<p>Check with Debbie Mosley re Childrens Play Area</p> <p>Check with Highways necessary works complete.</p>
Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: WESSEX</p> <p>02/01667/FUL Parish Somerton Developer:</p> <p>The Red Lion Hotel Broad Street Somerton Somerset TA11 7ND</p> <p>Conversion of Red Lion Hotel to 8 No. town houses and retention of 11 remaining dwellings approved under application No.9901464/FUL (GR 491/285)</p> <p>Agreement Date: 13/11/2002</p>	<p>Miscellaneous Gains £200,000 Bond in place to complete required additional works to listed building.</p>				<p>Status: Development Completed</p>	<p>Scheme & Works complete</p>

Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: WESSEX</p> <p>03/00169/FUL Parish Somerton</p> <p>Former Mill Factory And Mill House Site Sutton Road Somerton Somerset</p> <p>Erection of 44 dwellings and conversion of existing house into two dwellings (GR 486/284)</p> <p>Agreement Date: 17/09/2003</p>	<p>Sports and Leisure: POS to be transferred to Council once Plan & Landscaping Plan approved. £30,000 commuted sum for future maintenance of play area to be paid to Town Council.</p> <p>Highways: County to secure £150,000 as a bond to carry out table of works as shown in schedule of agreement.</p>				<p>Status: Development Completed</p>	<p>Check with Debbie Mosely position regarding POS & Commuted Sum payment.</p> <p>Check with County Council the status highway works.</p>
Application Details Location and Description	Planning Obligations Secured	Trigger Point	Monies Received Or Infrastructure in place	Outstanding Obligations	Status & Projects Funded/ Lead Officer	Comments/ End Date
<p>Ward: WESSEX</p> <p>10/03245/OUT Parish Somerton</p> <p>Town Farm Sutton Road Somerton Somerset TA11 6QL Demolition of agricultural buildings, formation of new access and erection of 14 dwellings with garage/parking (GR: 348503/128396)</p> <p>Agreement Date: 10/08/2011</p>	<p>Sports and Leisure: Equipped Play Contribution: £19,192 comprised of £12,236 for improvements of the Etsome Terrace play area, in particular for toddler play equipment. £6,956 commuted sum for long term maintenance.</p> <p>Changing Room Contribution: £24,907 comprised of £22,235 improvements to changing rooms at Gasson's Lane Recreation Ground, Somerton. £2,572 commuted sum payment for long term maintenance.</p> <p>Strategic Community Contribution: £22,491 towards one or more of the following projects:</p> <ol style="list-style-type: none"> 1) Development of a new indoor swimming pool in the Langport Area. 2) Development of a centrally based 8 court District wide competition sports hall in Yeovil. 3) Enhancement or expansion of the Octagon Theatre, Yeovil. 4) Development of a new STP in Langport area or sand based Stp in Yeovil. 5) Provision of a new indoor tennis centre in Yeovil, likely to be located within Yeovil Sports Zone. <p>Youth Facilities Contribution: £6,554, comprised of £4,805 towards provision of a youth shelter and floodlighting the existing skate park at Gassons Lane, Somerton. £1749 commuted sum for long term maintenance.</p>	<p>Contributions payable to the Council index linked on or before the date of first occupation.</p>		<p>Sports and Leisure: £73,144.00</p>	<p>Status: Not Commenced</p>	

Area North Committee – 14 December 2011

11. Area North Committee – Forward Plan

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 or (01935) 462596

Purpose of the Report

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

Public Interest

The forward plan sets out items and issues to be discussed over the coming few months. It is reviewed and updated each month, and included within the Area North Committee agenda, where members of the committee may endorse or request amendments.

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

Meeting Date	Agenda Item	Background / Purpose	Lead Officer(s) SSDC unless stated otherwise
25 Jan 12	Countryside	To provide a report on the work of the SSDC Countryside Service over the past 12 months.	Katy Munday, Countryside Manager
25 Jan '12	<i>Welfare Benefits Take-up Service</i>	<i>Annual update on the work of the Welfare Benefits team.</i>	<i>Fiona Johnson, Welfare Officer</i>
22 Feb '12	<i>South Somerset Core Strategy and Infrastructure Delivery Plan (IDP)</i>	<i>To provide an opportunity for the Area Committee to consider the draft Core Strategy, with specific implications for Area North, prior to decisions for its adoption by District Executive and Full Council.</i>	<i>Andy Foyne, Spatial Planning Manager</i>
22 Feb '12	<i>Community Safety</i>	<i>To provide an opportunity for discussion of issues affecting community safety in Area North. A representative of the Avon and Somerset Constabulary will also attend.</i>	<i>Steve Brewer, Community Safety Officer and Les Collett, Community Development Officer</i>
22 Feb '12	Area North Priorities	An update on current programmes of work supported by the Area Committee.	Charlotte Jones, Area Development Manager (North)
22 Feb '12	Area North Quarterly Budget Monitoring and Update to Capital Programme	To provide a financial statement for the budgets under the control of the Area Committee.	Nazir Mehrali, Management Accountant
28 Mar '12	<i>Economic Development Service</i>	<i>Annual update on the work of the Economic Development, Tourism and Heritage service.</i>	<i>David Julian, Economic Development Manager</i>
TBC	<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>

Area North Committee – 14 December 2011

12. Planning Appeals

Strategic Director: Rina Singh, Place & Performance
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

None

Appeals Dismissed

10/05030/FUL – Land adjoining Park Lane, Hollow Lane, Montacute TA15 6XN.
Change of use of part of field (Zone 2) to equestrian and erection of a barn for storage of hay.

Appeals Allowed

None

The Inspector's decision letter is shown on the following pages.



Appeal Decision

Site visit made on 24 October 2011

by Jacqueline Wilkinson Reg. Architect IHBC

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

Decision date: 22 November 2011

Appeal Ref: APP/R3325/A/11/2157954

Field, Park Lane, near Hollow Lane, Ham Hill, Montacute TA15 6XN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Caroline Julia and Peter Stephen McKendrick against the decision of South Somerset District Council.
 - The application Ref 10/05030/FUL, dated 3 December 2010, was refused by notice dated 22 February 2011.
 - The development proposed is change of use of field for equestrian use, erection of hay storage barn.
-

Procedural matter

1. The appellants requested in the covering letter with the application that they wish to obtain permission for four horse shelters. However, the shelters were not in the description of the development and I have no further details, so I have not included them in this appeal.

Decision

2. The appeal is dismissed.

Main Issue

3. The main issue is the effect of the proposed change of use on the character and appearance of the area.

Reasons

Policy framework

4. Policies CR6, CR7, ST3, EC3 and ST5 of the South Somerset Local Plan 2006 have all been referred to the parties. These policies were saved by a Direction from the Secretary of State on 22 April 2009, so are the relevant Local Plan policies.
5. Policy CR7 was raised by the appellants, but this refers to the keeping of horses for commercial purposes, so would not be relevant to this appeal.
6. Policy CR6 of the Local Plan requires that proposals for stables for horses kept for private recreational use are closely related to existing settlements or groups of buildings. In strict terms the application was not for a stable, but the proposed barn would be similar in visual terms to a stable, so I have assessed this appeal against policy CR6.

7. The draft Core Strategy has been raised, but the Council states that this is at an early stage and its policies will therefore have little weight.
8. Paragraph 32 of Planning Policy Statement 7: *Sustainable development in rural areas* (PPS7) was referred to by the Council. However, this paragraph has been cancelled by Planning Policy Statement 4: *Planning for sustainable economic growth* (PPS4).
9. Policy EC6.2 (g.) of PPS4 is the relevant statement of Government policy. It states that where appropriate, Local Planning Authorities should support equine enterprises, providing for a range of suitably located recreational and leisure facilities and the needs of training and breeding businesses that maintain environmental quality and countryside character.

Equestrian use

10. The appeal field is approximately 2.5 hectares (6 acres) and was once part of a larger agricultural field that has been divided into three fields and the access is from Hollow Lane. At the time of my visit it was in use for the grazing of horses. It is on the Ham Hill Plateau on a rolling hillside and there are extensive views to the north and west from the higher part of the field. St Michaels Tower in the parkland setting of Montacute House can be seen. The field drops steeply at its northern end, where it abuts an area of detached parkland on a north facing slope which is a mixed ornamental plantation with a path, Ladies Walk, through it. This parkland, called Park Covert, is included on the National Register of Historic Parks and Gardens, at Grade I and is the southern part of the wider parkland landscape setting to Montacute House.
11. The area is characterised by narrow, deep lanes edged by woodland, copses and dense natural hedges, some dry stone walls and pasture land. In this locality there are horses and sheep grazing, with the occasional stable or shelter sheds and there is an historic farmstead nearby which now appears to be converted to residential use. This area has distinctly open rural landscape setting and a countryside character.
12. I saw those horse related sites drawn to my attention by the appellants, but they are widely scattered along Hollow Lane. The appellants consider that the area has been recognised as an area involving horses. The road safety signs for riders and horses indicate that riders regularly use the lane, but this does not give the area any special equestrian qualities and I consider that it still retains its a distinctively rural character.
13. The appellants have described the equipment they need to provide essential welfare for the horses and to manage the land, such as shelter sheds, internal stock fencing, water butts, wheel barrows, buckets and wooden poles and jumps, which are needed for strengthening exercises. Hay, hard feed and water are brought in on a daily basis. The appellants say that the policy interpretations are outdated and conflict with RSPCA requirements, but I have no evidence that horses grazing in this field could not be well looked after.
14. The equestrian use of the field would introduce an intensification of horse related activities, which would include on site riding and jumping. The Council would be likely to be under pressure for further structures such as stables, storage and tack rooms and lighting. The appellants say that they should not be penalised for what may happen in the future, but the permission would run with the land.

15. I have given consideration as to whether permission could be granted with conditions. However, the intensification of activities and the spread of unfixed structures and equipment associated with an equestrian use would be not be possible to control by condition. Landscape screening would reduce the visual impact of the use, but this would not be sufficiently effective in the wider setting of this elevated position, especially in relation to the historic park and woodlands adjacent to the site.
16. I therefore conclude that the equestrian use of the field, in comparison to the agricultural use for grazing of horses, would bring an intensification of activities and equipment which would harm the character and appearance of the area. The proposal would therefore be contrary to Policies EC3, ST3 and ST5 of the Local Plan, all of which broadly require development to be strictly controlled in the countryside and to respect or enhance the characteristic pattern and features of the surrounding landscape.
17. The appellants rehabilitate and re-home former race horses. This would not fall into the definition of an equine enterprise, nor would this essentially personal pursuit provide recreational or leisure facilities to the wider public. The economic benefits to the area would be limited and would not outweigh the harm I have identified to the open landscape character of this rural area. The proposal would therefore fail to comply with the requirements of policy EC6.2 (g.) of PPS4.

Proposed hay barn

18. The proposed hay barn would be located to the western end of the field, at a point where there is a considerable drop to the lane below, with a dense mature natural hedge. It would be 8m by 4m with a 2.7m lean to on the north side and would be clad in timber, with an asphalt roof.
19. Planning permission has been granted for two animal shelters in the adjacent field and the proposed hay barn would be similar to these. Although it would be located in the corner of the appeal field nearest to these shelters, it would still be at some distance from them at a higher level and it would not be seen as part of a group with these buildings.
20. On the other hand it would be seen in close conjunction with four field shelters. These structures are spaced across the site and significantly increase the visual effect of built form on the site. This would give the site an unattractive proliferation of structures. Storage sheds for farm animals and other equipment are found in the countryside, but this field is below 5 hectares and the permitted development rights for structures associated with an agricultural use on this small site would be restricted.
21. I accept that the hay barn would not be seen from the lane below, but this does not overcome the impact on the overall open character of the area, especially as there are public footpaths through the surrounding land.
22. The appellants say it is impossible to carry the amount of hay required for the horses in a car, but this is a matter which could be resolved in other ways. I note that equipment would be stored under the lean to, but this does not overcome the harmful impact of the building.
23. I therefore conclude that the proposed hay barn would be harmful to the character of the area and would therefore fail the tests of policies CR6, ST3,

EC3 and ST5 of the Local Plan, which all broadly require that development does not harm the character of the area.

24. For the reasons given above I conclude that the appeal should be dismissed.

Jacqueline Wilkinson

INSPECTOR

Area North Committee – 14 December 2011

13. 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 – 14 December 2011

Planning Applications will be considered no earlier than 4.00pm

Members of the public who wish to speak about a particular planning item are recommended to arrive for 3.45 pm.

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	27	LANGPORT & HUISH	11/03879/ FUL	Alteration of portion of wall to form access for maintenance to walled garden.	The Gateway, The Hill, Langport	Mr C Chapman
2	32	LANGPORT & HUISH	11/03983/ LBC	Alteration of portion of wall to form access for maintenance to walled garden.	The Gateway, The Hill, Langport	Mr C Chapman
3	36	TURN HILL	11/03942/ FUL	Erection of an open fronted general purpose agricultural building.	Land at Bridgehorn, Henley, Langport	Mr S Cowling

Area North Committee – 14 December 2011

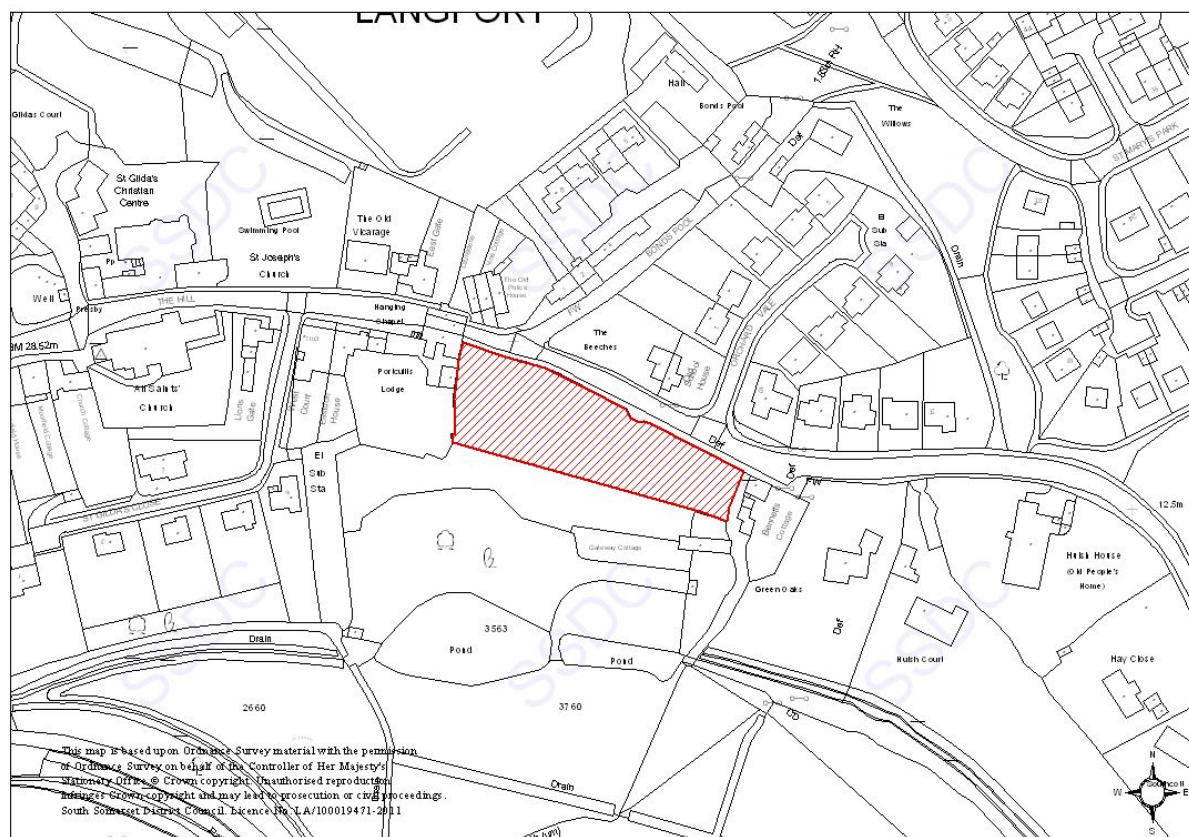
Officer Report On Planning Application: 11/03879/FUL

Proposal:	Alteration of portion of wall to form access for maintenance to walled garden (GR 342347/126718)
Site Address:	The Gateway, The Hill, Langport
Parish:	Langport
LANGPORT AND HUISH Ward (SSDC Member)	Mr Roy Mills (Cllr)
Recommending Case Officer:	Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk
Target date:	25th November 2011
Applicant:	Mr Christopher Chapman
Agent: (no agent if blank)	Mr James Paul, db + Paul 27 & 29 St Cuthbert Street, Wells, Somerset BA5 2AW
Application Type:	Other Householder - not a Change of Use

REASON FOR REFERRAL TO COMMITTEE

The application is referred directly to the committee, as the officer recommendation is contrary to an objection by the County Highway Authority on highway safety grounds. The town council have also raised an objection.

SITE DESCRIPTION AND PROPOSAL



The proposal seeks permission for the alteration of a portion of a boundary wall to form a maintenance access to a walled garden. The property is a two-storey detached house with a natural stone walled garden in the grounds. The house is a Grade II listed building and is located close to a variety of residential buildings including other listed buildings. The new access will be 1.5 metres wide, with timber gates and a timber lintel. The property is within a development area and a conservation area as defined by the local plan.

RELEVANT HISTORY

11/03983/LBC - Alteration of wall to form access for maintenance to walled garden - Pending consideration

11/02910/FUL - Alteration of portion of wall to form access for maintenance to existing walled garden - withdrawn 22/09/11

11/02911/LBC - Alteration of portion of wall to form access for maintenance to existing walled garden - withdrawn 22/09/11

09/04281/LBC - Alterations to wall to form new vehicular access and parking - refused 01/09/2010

09/04096/FUL - Alterations to wall to form new vehicular access and parking - refused 01/09/2010

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.

PPS 5 - Planning and the Historic Environment

Relevant Development Plan Documents

Somerset and Exmoor National Park Joint Structure Plan
STR1 - Sustainable Development
Policy 49 - Transport Requirements of New Development

South Somerset Local Plan (Adopted April 2006)

ST6 - Quality of Development
ST5 - Principle of Development
EH1 - Conservation Areas
EH3 - Alterations to Listed Buildings
EH5 - Setting of Listed Buildings

CONSULTATIONS

SSDC Technical Services - No comment

Langport Town Council - Recommend refusal on the grounds that there is no

justification for the creation of a new gateway into the listed perimeter wall for use on an occasional basis. It is the Town Council's view that the necessary work in the Kitchen Garden can be carried out either via the double gateway in the main grounds of the property or by widening the existing pedestrian access on The Hill to a maximum of 1.5metres.

SSDC Conservation Officer - No objections subject to the impositions of conditions to control the making good of the wall, the details of the door, and details of the reveal.

SCC Highways - Maintains previous objection on the grounds that the proposal would have an adverse impact on highway safety as it would be possible for vehicles to use the access and the necessary visibility splays have not been provided.

"If the LPA are minded to grant consent despite the Highway Authority's concerns regarding any type of vehicular traffic, i.e. quad bike sized tractor, using the access without the access meeting the appropriate standard for vehicular traffic, I would seek that appropriate conditions are imposed to ensure it is properly consolidated/surfaced and drained, as to avoid any material or water being discharged onto the adjoining footway/highway."

REPRESENTATIONS

None received

CONSIDERATIONS

History

Planning permission and listed building consent were sought for an access at this point in 2009. The applications involved the provision of a more heavily engineered access including visibility splays, and set back electrically operated gates. The applications were refused on the grounds that an access formed in the manner proposed would have a significant adverse impact upon the listed wall that forms part of the setting of a listed building.

Revised applications were submitted earlier this year for 1.8m wide access in an attempt to address these concerns with a simple gated hole in the wall. However these were withdrawn, after concerns were raised about the width of the access. The current proposal reduces the access to 1.5m.

Conservation

The house is a Grade II listed building and as such requires a concurrent listed building consent, which is currently pending consideration. Whilst the Town Council has objected on the basis of a lack of a justification it is not considered unreasonable for a property of this nature to have a rear access to its garden.

The proposed opening is very simple in design and the conservation officer has not objected subject to the imposition of conditions to ensure to safeguard the wall, the character of the surrounding conservation area and setting of the nearby listed buildings.

On this basis the comments of the town council are not considered sustainable.

Residential Amenity

The proposal is not considered to have any impact on the residential amenity of the occupiers of neighbouring properties.

Highways Safety

The highway authority have objected to the proposal on the grounds that the proposal would have an adverse impact on highway safety as it would be possible for vehicles to use the access and the necessary visibility splays have not been provided. However the applicants have made it clear that the proposed access would only be for occasional use to allow a quad bike sized tractor or small trailer to enter the garden for maintenance purposes. The width of the proposed access would preclude its use by even very small cars such as a Smart Car or a Fiat 500.

It is considered unlikely that the applicants would use it on more than an occasional basis. As such any impact on highway safety is likely to be negligible and the concerns of the highways officer are considered unfounded in this instance.

The conditions suggested by the highways officer are not considered reasonable as the garden slopes away from the wall thus preventing any discharge of surface water onto the highway, and the very occasional use of the access by vehicles is considered unlikely to drag a significant quantity of loose material onto the highway.

Conclusion

Therefore, the proposal for alterations to the existing wall to form an access into the walled garden is not considered to cause demonstrable harm to the residential amenity of adjoining occupiers, highway safety, the special architectural and historic qualities of the listed wall, the character of the conservation area or setting of nearby listed buildings. As such the proposal complies with policies ST6, ST5, EH1, EH3 and EH5 of the South Somerset Local Plan and policy 49 of the Somerset and Exmoor National Park Joint Structure Plan.

As such the proposal is recommended for approval.

RECOMMENDATION

Approve for the following reason

The proposal, by reason of its size, siting, materials and design, respects the character of the conservation area, is considered to respect the historic and architectural interests of the listed building, and causes no demonstrable harm to residential amenity or highway safety in accordance with Policies EH1, EH3, EH5, ST5 and ST6 of the South Somerset Local Plan 2006 and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan.

SUBJECT TO THE FOLLOWING:

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

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

02. The development hereby permitted shall be carried out in accordance with the following approved plans: 4746W-03B received 30 September 2011.

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

03. The gates hereby permitted shall be recessed vertically-boarded, side hung doors of timber, details of which shall be submitted to and approved in writing by the local planning authority. Subsequently, the gates shall not be changed without the prior written consent of the local planning authority.

Reason: To safeguard the character of the listed building in accordance with policy EH3 of the South Somerset Local Plan (Adopted April 2006).

04. No work shall be carried out on site unless details of any making good of any existing structure abutting any of those to be demolished, have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the character of the listed building in accordance with policy EH3 of the South Somerset Local Plan (Adopted April 2006).

Area North Committee – 14 December 2011

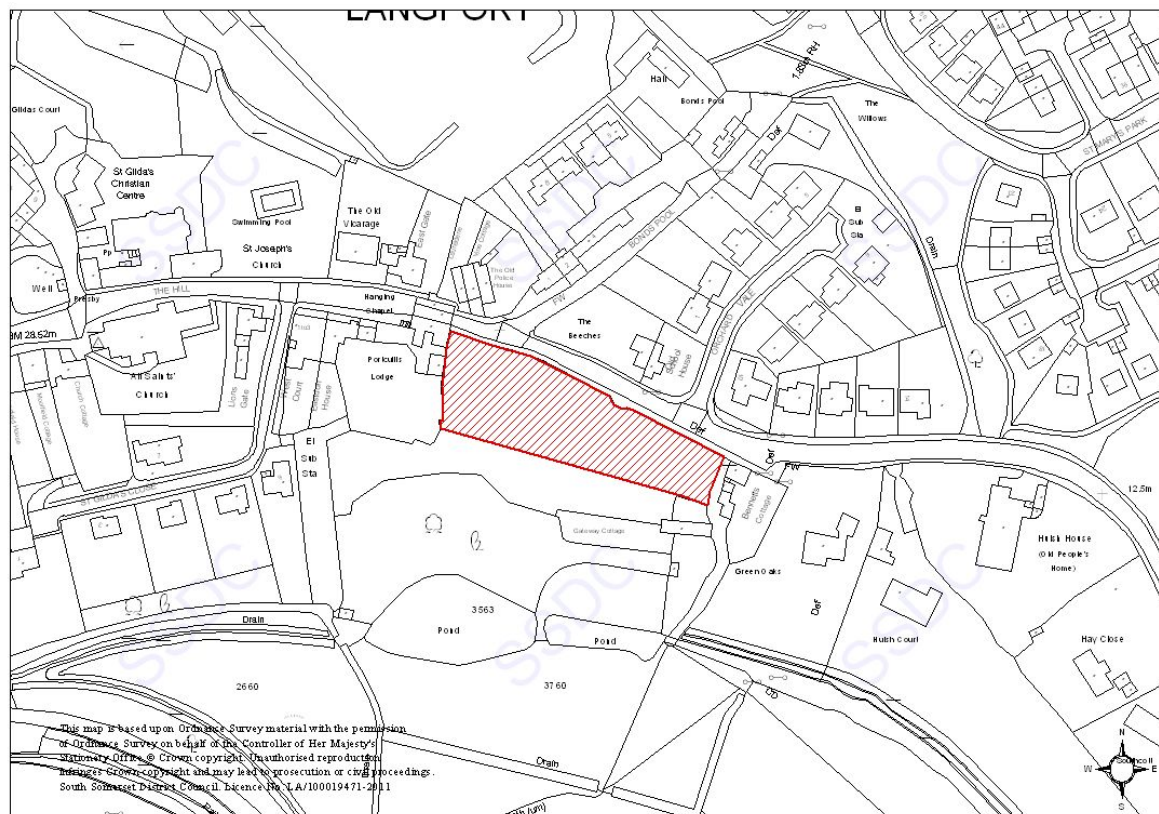
Officer Report On Planning Application: 11/03983/LBC

Proposal:	Alteration of portion of wall to form access for maintenance to walled garden (GR 342347/126718)
Site Address:	The Gateway, The Hill, Langport
Parish:	Langport
LANGPORT AND HUISH Ward (SSDC Member)	Mr Roy Mills (Cllr)
Recommending Case Officer:	Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk
Target date:	25th November 2011
Applicant:	Mr C Chapman
Agent: (no agent if blank)	Dp + Paul, Fao Mr J Paul, 27 & 29 St Cuthbert Street, Wells, Somerset BA5 2AW
Application Type:	Other LBC Alteration

REASON FOR REFERRAL TO COMMITTEE

The application is referred directly to the committee due to its close association with the concurrent application for planning permission, on which the officer recommendation is contrary to an objection by the County Highway Authority on highway safety grounds. The parish council have also raised an objection.

SITE DESCRIPTION AND PROPOSAL



The proposal seeks consent for the alteration of a portion of a boundary wall to form a maintenance access to a walled garden. The property is a two-storey detached house with a natural stone walled garden in the grounds. The house is a Grade II listed building and is located close to a variety of residential buildings including other listed buildings. The new access will be 1.5 metres wide, with timber gates and a timber lintel. The property is within a development area and a conservation area as defined by the local plan.

RELEVANT HISTORY

11/03879/FUL - Alteration of wall to form access for maintenance to walled garden - Pending consideration

11/02910/FUL - Alteration of portion of wall to form access for maintenance to existing walled garden - withdrawn 22/09/2011

11/02911/LBC - Alteration of portion of wall to form access for maintenance to existing walled garden - withdrawn 22/09/11

09/04281/LBC - Alterations to wall to form new vehicular access and parking - refused 01/09/2010

09/04096/FUL - Alterations to wall to form new vehicular access and parking - refused 01/09/2010

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

Somerset and Exmoor National Park Joint Structure Plan
STR1 - Sustainable Development

South Somerset Local Plan (Adopted April 2006)
EH3 - Alterations to Listed Buildings

CONSULTATIONS

Langport Town Council - Recommend refusal on the grounds that there is no justification for the creation of a new gateway into the listed perimeter wall for use on an occasional basis. It is the Town Council's view that the necessary work in the Kitchen Garden can be carried out either via the double gateway in the main grounds of the property or by widening the existing pedestrian access on The Hill to a maximum of 1.5metres.

SSDC Conservation Officer - No objections subject to the impositions of conditions to control the making good of the wall, the details of the door, and details of the reveal.

REPRESENTATIONS

None

CONSIDERATIONS

Planning permission and listed building consent were sought for an access at this point in 2009. The applications involved the provision of a more heavily engineered access including visibility splays, and set back electrically operated gates. The applications were refused on the grounds that an access formed in the manner proposed would have a significant adverse impact upon the listed wall that forms part of the setting of a listed building.

Revised applications were submitted earlier this year for 1.8m wide access in an attempt to address these concerns with a simple gated hole in the wall. However these were withdrawn, after concerns were raised about the width of the access. The current proposal reduces the access to 1.5m.

The proposed opening is very simple in design and the conservation officer has not objected subject to the imposition of conditions to ensure to safeguard the wall, the character of the surrounding conservation area and setting of the nearby listed buildings. Whilst the Town Council has objected on the basis of a lack of a justification it is not considered unreasonable for a property of this nature to have a rear access to its garden.

Given the support of the conservation officer it is not considered that the comments of the town council could be upheld in this instance as it is considered that the proposal would not adversely affect the character or the setting of the listed building in accordance with PPS5, and policy EH3 of the South Somerset Local Plan.

RECOMMENDATION

Grant consent for the following reason:

The proposal, by reason of its materials and design is considered to respect the historic and architectural interests of the building and is in accordance with policy 9 of the Joint Structure Plan Review, EH3 of the South Somerset Local Plan, and the provisions of PPS 15.

SUBJECT TO THE FOLLOWING:

01. The works hereby granted consent shall be begun before the expiration of three years from the date of this consent.

Reason: As required by Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

02. The works hereby permitted shall be carried out in accordance with the following approved plans: 4746W-03B received 30 September 2011.

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

03. The gates hereby permitted shall be recessed vertically-boarded, side hung doors of timber, details of which shall be submitted to and approved in writing by the local planning authority. Subsequently, the gates shall not be changed without the prior written consent of the local planning authority.

Reason: To safeguard the character of the listed building in accordance with policy EH3 of the South Somerset Local Plan (Adopted April 2006).

04. No work shall be carried out on site unless details of any making good of any existing structure abutting any of those to be demolished, have been submitted to and approved in writing by the Local Planning Authority. Such approved details, once carried out shall not be altered without the prior written consent of the Local Planning Authority.

Reason: To safeguard the character of the listed building in accordance with policy EH3 of the South Somerset Local Plan (Adopted April 2006).

Area North Committee – 14 December 2011

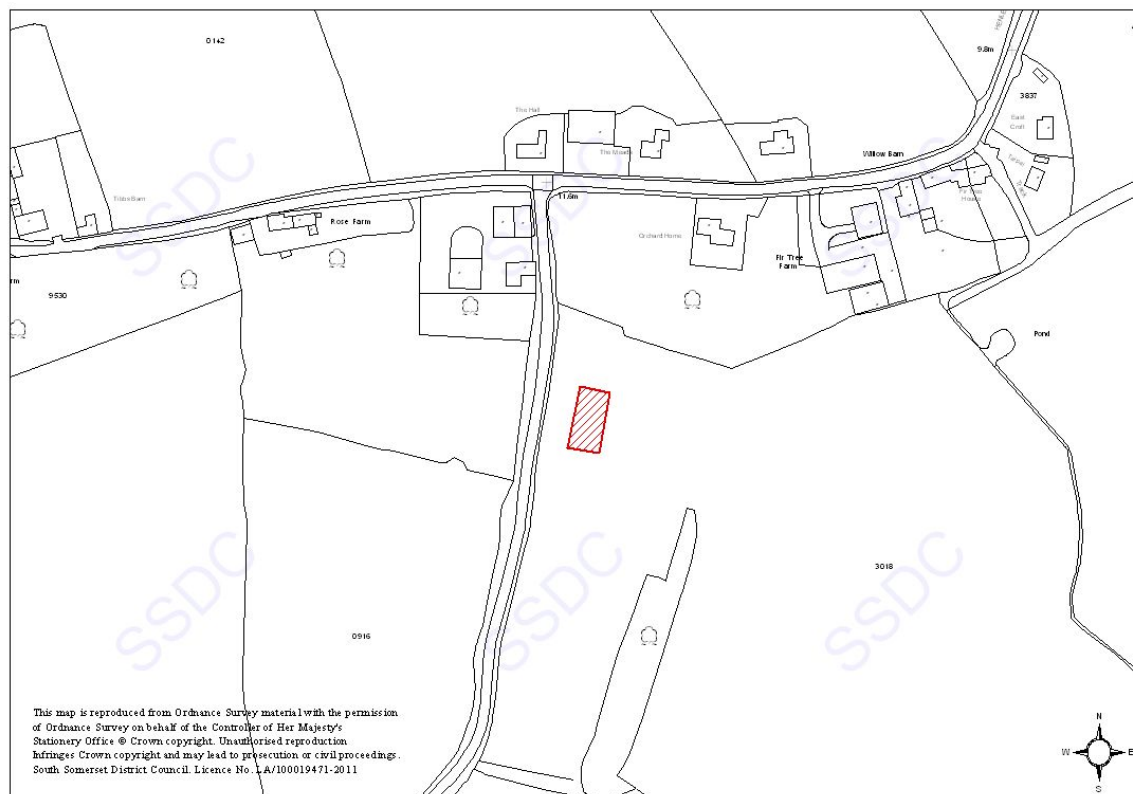
Officer Report On Planning Application: 11/03942/FUL

Proposal:	Erection of an open fronted general purpose agricultural building. (GR 343177/132256)
Site Address:	Land At Bridgehorn, Henley, Langport
Parish:	High Ham
TURN HILL Ward (SSDC Member)	Mr S Pledger (Cllr)
Recommending Case Officer:	Claire Alers-Hankey Tel: 01935 462295 Email: claire.alers-hankey@southsomerset.gov.uk
Target date:	24th November 2011
Applicant:	Mr S Cowling
Agent: (no agent if blank)	Paul Dance, Foxgloves, 11 North Street Stoke Sub Hamdon, Somerset TA14 6QR
Application Type:	Minor Other less than 1,000 sq.m or 1ha

REASON FOR REFERRAL TO COMMITTEE

This application is referred to the Area North Committee at the request of the Ward Member and with the agreement of the Chair to enable the issues raised by local residents and the Parish Council to be fully debated.

SITE DESCRIPTION AND PROPOSAL



The site is located just outside the hamlet of Henley and currently comprises agricultural land. The site is accessed off Bridgehorn Lane, and unclassified road.

This application seeks permission for the erection of a general-purpose agricultural barn. Information submitted with the application states the barn would be used for the storage of hay, straw, feed and machinery as well as for the isolation of stock and for lambing. The proposed building is an open fronted steel framed building with a pitch roof and lean-to on one end. The proposed materials are a mix of wooden stockwall cladding and Yorkshire boarding with profiled roof sheeting.

The applicant has submitted additional information at the request of the Economic Development Officer, which states a need for such a size building on the basis of animal welfare and security, and includes an extract from RSCPA welfare standards for sheep.

HISTORY

11/03386/AGN - Notification of intent to erect an open fronted agricultural shed with lean-to. To be used for hay and machinery storage and housing sheep during lambing and over the winter months. Withdrawn following concerns that the wrong procedure had been followed.

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 STR6 - Development Outside Towns, Rural Centres and Villages

Policy 5 - Landscape Character

Saved policies of the South Somerset Local Plan:

Policy ST3 - Development Areas

Policy ST5 - General Principles of Development

Policy ST6 - The Quality of Development

Policy EC3 - Landscape Character

National Guidance

PPS1 - Sustainable Development

PPS7 - Sustainable Development in Rural Areas

South Somerset Sustainable Community Strategy

Goal 5 - High Performance Local Economy

Goal 7 - Distinctiveness

Goal 8 - Quality Development

CONSULTATIONS

High Ham Parish Council - Recommends refusal on the following grounds:

1. Not convinced that the agricultural need has been established for a building this size
2. Concerned how water running off the proposed building would be managed
3. Impact upon visual and residential amenity
4. Concerned over future use of the building, particularly as there is a lot of hardstanding already provided on site and not a great deal of agricultural land remaining
5. A delegated decision is not appropriate for this application and it should be determined by the Area North committee

County Highway Authority - Raises no objection on the basis that the proposal utilises an existing access and will not result in an increase of traffic, and subject to the use of an appropriate condition to ensure the building is used for agriculture at all times.

Area Engineer - No comment

Environmental Protection Officer - Subject to the use of a condition to prevent any burning of waste on the site, no objection.

Landscape Architect - Comments that the site plan infers there is sufficient space on land immediately alongside the farmhouse to enable construction of a new agricultural building. States the site should only be developed as proposed if there is no potential to consolidate the built form and business activities at the adjacent Bridgehorn Barn site.

Economic Development Officer - Notes that while the applicant owns only a few acres in close proximity to the holding, planning applications are considered on the number of acres farmed, not owned, and therefore land rented on the moor some distance away needs to be included in the assessment. Regarding the stocking densities of sheep, comments that it is difficult to evidence that these are as claimed. The proposed building would be used for a limited time during the lambing period and the remainder of the year would either be empty or used as a store for fodder. There is a limited quantity of fodder to be stored. Taking into consideration the uses described by the applicant, the building is oversized by a considerable margin, which cannot be justified with the supporting evidence to the application. For the housing of 40 ewes and storage of fodder, a barn half the size proposed would be sufficient. Concludes that the size of the proposed building based on the agricultural need defined in the application is far larger than required.

FURTHER COMMENTS FOLLOWING SUBMISSION OF FURTHER INFORMATION TO JUSTIFY SIZE OF BARN - Questions the need for three rams to serve 40 ewes, states that the original submission did not mention the requirement of the shed for the storage of machinery or for sows.

REPRESENTATIONS

FOUR LETTERS OF OBJECTION - Have been received, raising concern over the following issues:

1. The application should be refused as there is no way to prevent the building and surrounding land being used in connection with the selling of machinery from the business at Bridgehorn Barn
2. Conditions imposed by the Area North committee in 2007, have not been enforced,

- and expansion of the business has occurred
3. The local highway network is not suitable to cope with any significant increase in traffic of larger commercial vehicles
 4. There are several breaches of condition at the adjacent site
 5. The site has previously been the subject of rogue developments, which have caused much controversy and ill feeling
 6. The application site and the neighbouring Bridgehorn Barn site have always been linked and therefore the application site should not be looked at in isolation
 7. This proposal will exacerbate the problems already associated with these sites
 8. Flooding issues on the application site are paramount as run-off has increased significantly since the rogue developments, and this proposal will increase run-off
 9. The size of the barn is too large and out of proportion with the intended use
 10. Hundreds of tons of soil were excavated to level part of the field
 11. It will be impossible for planning officers to ensure that the barn is not being used to store machinery for sale
 12. Applicant does not own all of the land he farms
 13. The barn could be used to accommodate cattle in the future
 14. The site is only a little over 100m from the neighbouring property
 15. If this shed is given permission, further applications will follow in the future
 16. Traffic in Henley has increased over the last few years

The applicant's partner has also written to express disappointment in the way the Parish Council discussed the application at a meeting prior to the public meeting, without inviting the applicant to represent himself.

CONSIDERATIONS

Principle

The site is located within the open countryside, where development is controlled to that which benefits economic activity, maintains the environment and does not foster growth in the need to travel.

This application seeks permission for the erection of an agricultural barn to be used for general agricultural purposes including storage of hay, straw and feed, storage of machinery associated with the agricultural use of the holding and for the isolation of stock and lambing. On this basis the proposal can be considered to benefit the economic activity of the agricultural holding.

Need

The applicant has stated the main reason for requiring the barn is due to the increased value of stock and fodder, and for welfare reasons. Further details have been submitted identifying what land is owned or rented, the stocking densities of the holding and the need for the size of barn applied for. It has been confirmed that the applicant has forty breeding ewes, and with lambs at foot and three rams, would total 115 head of sheep. It is not unusual for ewes to lamb twins or triplets. The applicant also has two breeding sows, which would farrow up to eighteen piglets. It has been stated that the barn is needed during lambing for up to six weeks, for the sows that can farrow twice a year, during bad weather when the stock need protection from snow, and also for the storage of hay, straw and feed and farm machinery associated with the farming activities. The applicant has also submitted an extract from the RSPCA welfare standards for sheep, which sets out how much space is required per head.

The majority of the land the applicant farms is located down on the levels at Sutton Moor, which has been let on an annual grass keep basis with no fixed farm tenancy for the last

five years. The applicant also requires storage for hay cut from this land, which has averaged about 500 round bales per year.

While the Economic Development Officer has questioned the need for such a large building, it is considered that adequate justification has put forward for the size required.

Impact on Visual Amenity

The proposed building is of fairly typical agricultural design, with conventional materials. The site is well screened from the road and nearby residential properties due to mature, native species hedges and trees. The contour of the land is such that the adjacent road is abutted by a steep bank with established planting and therefore the proposed barn would only be partially visible from the access into the site. Further recent planting has also been carried out at the site, which when mature, would further screen the building.

Impact on Residential Amenity

The proposed barn is located over 80m away from the nearest protected building. This is considered to be an appropriate distance away, considering the proposed use of the barn. Furthermore the Environmental Protection Officer has not raised an objection to the proposal.

Concern has been raised that the storage of fodder may encourage vermin at the site, to the detriment of nearby residential properties. It is a fair assumption to make that any agricultural building storing fodder will provide a habitat where vermin may thrive. However, on the basis that the location of the site is remote from residential properties, it is not considered this possibility presents a public health risk. Furthermore the nearest protected building is approximately 80 metres from the proposed building, and in any event it is 35 meters away from another agricultural barn on another holding.

Highways

The Highway Authority has not raised an objection to the proposal, on the basis that any increase in traffic would be commensurate with the lawful agricultural use of the site.

Other Issues

The site is not in a Flood Zone and is also not in a risk area of surface water flooding as identified by the Environment Agency. The Area Engineer has not raised an objection to the proposal. The applicant has confirmed the intention to use soakaways harvest rainwater from the roof. A condition could be used to require full details of the surface water drainage proposals.

Local objection has been raised in relation to enforcement issues associated with the adjoining site. However these enforcement issues, are unrelated to this site and are not relevant in the determination of this application. Concern has also been raised that any conditions attached to this site would not be enforced. While the neighbour concerns are noted, this does not give sufficient grounds to withhold planning permission. An informative has been proposed to advise the use of the barn is for agricultural purposes only.

The Environmental Protection Officer has requested the use of a condition to prevent any burning of waste at the site, however it is not considered reasonable to condition this on a rural site such as this, where the approved use remains agricultural. Any non-agricultural activities would not be permitted on this site.

Conclusion

It is considered the barn would contribute towards the on-going viability of the farming business, would not have a detrimental impact on the local environment and amenities,

and also would not foster growth in the need to travel. While the local concerns are noted, it is considered a reasonable justification has been put forward for the development, and no undue harm to local amenities would be caused by the development. Regarding enforcement issues at the adjacent site, these are no adequate justification for withholding planning permission in this case. On this basis the proposal is considered to accord with Policies ST3, ST5, ST6 and EC3 of the South Somerset Local Plan and Policies STR5, 5 and 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

RECOMMENDATION

Permission be granted.

It is considered the barn would contribute towards the on-going viability of the farming business, would not have a detrimental impact on the local environment and amenities, and also would not foster growth in the need to travel. On this basis the proposal is considered to accord with Policies ST3, ST5, ST6 and EC3 of the South Somerset Local Plan and Policies STR5, 5 and 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

SUBJECT TO THE FOLLOWING:

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 shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the character and appearance of the area in accordance with Policies ST6 and EC3 of the South Somerset Local Plan.

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

Reason: In the interests of managing surface water run-off, in accordance with Policy ST5 of the South Somerset Local Plan.

04. The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan, block plan, elevation and floor plans and illustrative plan, all date stamped 29th September 2011.

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

Informatives:

01. You are reminded that the agricultural building hereby approved should only be used for purposes of agriculture and should not be used for any business or other purpose.
-