

South Somerset District Council
Notice of Meeting



Area North Committee

Making a difference where it counts

Wednesday 22 May 2013

2.00pm

**The Village Hall
Martock Road
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 3.30pm.

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 Tuesday 14 May 2013.

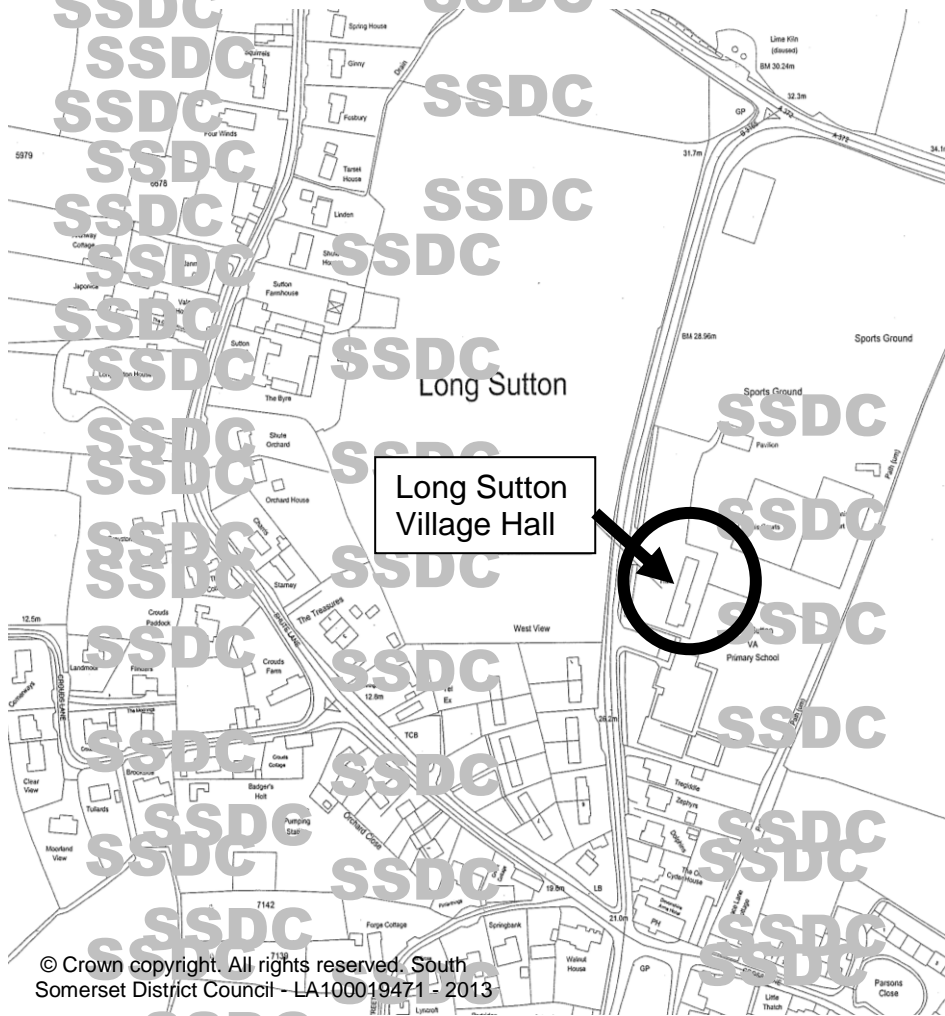
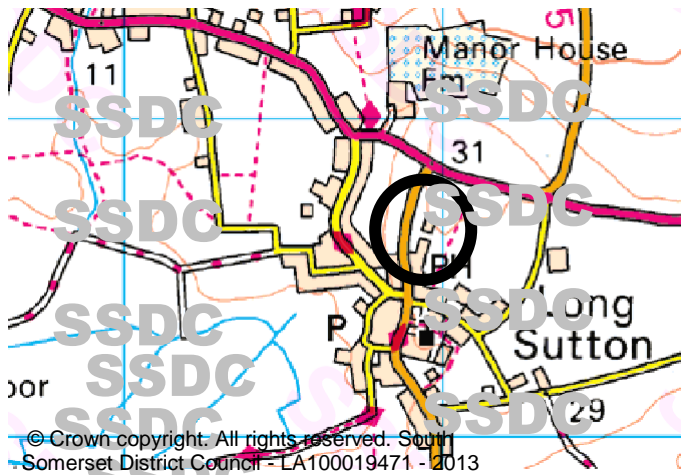
Ian Clarke, Assistant Director (Legal & Corporate Services)

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



INVESTOR IN PEOPLE

Location of meeting venue



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Area North Membership

Pauline Clarke
Graham Middleton
Roy Mills
Terry Mounter
David Norris

Patrick Palmer
Shane Pledger
Jo Roundell Greene
Sylvia Seal

Sue Steele
Paul Thompson
Barry Walker
Derek Yeomans

Somerset County Council Representatives

Somerset County Councillors (who are not also 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.**

South Somerset District Council – Council Plan

Our focuses are: (all equal)

- Jobs – We want a strong economy which has low unemployment and thriving businesses.
- Environment – We want an attractive environment to live in with increased recycling and lower energy use.
- Homes – We want decent housing for our residents that matches their income.
- Health & Communities – We want communities that are healthy, self-reliant, and have individuals who are willing to help each other.

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 for this month's meeting will commence no earlier than 3.30 pm, following a break for refreshments, in the order shown on the planning applications schedule. The public and representatives of parish/town councils will be invited to speak on the individual planning applications at the time they are considered. Anyone wishing to raise matters in relation to other items on the agenda may do so at the time the item is considered.

Highways

A representative from the Area Highways Office will attend Area North Committee quarterly in February, May, August and November – they will be available from 1.30pm at the meeting venue 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.

Police

Sergeant Rob Jameson of Avon and Somerset Police will be in attendance prior to the meeting to answer any Members questions on policing issues.

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 (unless specified otherwise), on the fourth Wednesday of the month (except December) 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 and/or Agent
- District Council Ward Member

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

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

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 Disclosable Pecuniary Interest (DPI) or a personal and prejudicial interest

In relation to Disclosable Pecuniary Interests, a Councillor is prohibited by law from participating in the discussion about the business on the agenda that relates to this interest and is also required to leave the room whilst the relevant agenda item is being discussed.

Under the new Code of Conduct adopted by this Council in July 2012, a Councillor with a personal and prejudicial interest (which is not also a DPI) will be afforded the same right as a member of the public to speak in relation to the relevant business and may also answer any questions, except that once the Councillor has addressed the Committee the Councillor will leave the room and not return until after the decision has been made.

Area North Committee

Wednesday 22 May 2013

Agenda

Preliminary Items

1. **To approve as a correct record the minutes of the meeting held on 24 April 2013**
2. **Apologies for absence**
3. **Declarations of interest**

In accordance with the Council's current Code of Conduct (adopted July 2012), which includes all the provisions relating to Disclosable Pecuniary Interests (DPI), personal and prejudicial interests, Members are asked to declare any DPI and also any personal interests (and whether or not such personal interests are also "prejudicial") in relation to any matter on the Agenda for this meeting. A DPI is defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012 No. 1464) and Appendix 3 of the Council's Code of Conduct. A personal interest is defined in paragraph 2.8 of the Code and a prejudicial interest is defined in paragraph 2.9. 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 any relevant 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 Terry Mounter, 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 at 2.00pm on **Wednesday 26 June 2013 at the Village Hall, Norton Sub Hamdon.**

5. Public question time
6. Chairman's announcements
7. Reports from members

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Items for Discussion

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**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.**

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8. County 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 the Report

The report is to inform members of the work carried out by the County Highway Authority. It is a brief report of the highway works carried out in the last financial year in Area North and the proposed works programme for 2013/2014.

Surface Dressing

Last year's surface dressing (2012) was undertaken later in the season than we would have liked due to the contractor being held up due to a number of factors. Weather is a key factor in this process being successful, but as you all know we had a record year for rainfall and lower temperatures.

This has resulted in a few failures where the surface dressing has stripped off. These sites have been identified and will receive remedial treatment during the summer months.

This year a further program of 95 sites across South Somerset will be surface dressed with a likely start date of late May/June. A program of patching is currently ongoing to prepare these sites for surfacing.

Potholes

Repair of potholes on the highway is one of our main activities throughout the year. The table below gives an indication of the potholes repaired for the whole of Somerset. You can see that the figures are fairly stable until January 2013 when the level of defects reported increased in excess of 50%.

To enable this increase in numbers to be repaired all our depot gangs have now been deployed on this activity. This meant that other depot works proposed like drainage and signing were delayed until at least April. Countywide this year we have repaired 22,713 potholes up to 8th March 2013. On a 12 month rolling period we have repaired 24,263.

| Month | Reported | Repaired |
|------------------------|----------|----------|
| April 2012 | 1740 | 1724 |
| May 2012 | 2167 | 1860 |
| June 2012 | 1219 | 1458 |
| July 2012 | 2302 | 2048 |
| August 2012 | 1697 | 1593 |
| September 2012 | 1421 | 1655 |
| October 2012 | 1307 | 1402 |
| November 2012 | 1348 | 1030 |
| December 2012 | 1915 | 1682 |
| January 2013 | 2911 | 1990 |
| February 2013 | 3880 | 3701 |
| March 2013 (up to 8th) | 806 | 1269 |

Schemes Proposed for 2013/14

This year's structural maintenance budget has been reduced by 30% and as a result the list is a little shorter than previous years. Schemes proposed in Area North are as follows;

| | | |
|----------------------|-----------------------|---------------------|
| Huish Episcopi | Hanging Chapel Road | C/way resurfacing |
| Huish Episcopi | B3153 Picts Hill | C/way resurfacing |
| Somerton | Langport Road | C/way resurfacing |
| South Petherton | Prigg Lane | C/way resurfacing |
| Langport | Bow Street | Footway resurfacing |
| Martock | Eastfield/East Street | Footway resurfacing |
| Hambridge & Westport | Playses Green | Footway resurfacing |
| Kingsbury Episcopi | Knightstone Close | Footway resurfacing |
| Somerton | Market Place | Footway resurfacing |
| Langport | Bow Street | Drainage |
| Langport | Meadow Close | Drainage |
| Tintinhull | Yeovil Road | Drainage |
| Curry Rivel | Dyers Road | Drainage |
| High Ham | Wearne Corner | Drainage |
| Shepton Beauchamp | Lambrook Road | Drainage |
| Somerton | Polham Lane | Drainage |
| Fivehead | Top Road | Earthworks |

Additional Local Highways Maintenance Funds

In the Chancellors Autumn Statement of the 5th December, he announced an additional £1.5 billion of Government investment to improve the highway network and reduce congestion. For Somerset County Council this means that there will be a Capital Grant of £5.033m split over two years as follows. £3.282m in 2013/14 and £1.751m in 2014/15.

We are currently looking at 100+ sites for consideration, to be delivered in the 2013/2014 financial year.

| | | |
|-------------|----------------------------|------------------------------|
| Curry Rivel | Wickmoor | Drainage & C/way Resurfacing |
| Martock | Highway Road | Drainage |
| Fivehead | Lower Swell | Drainage |
| Puckington | Ilford Bridges/Bradon Lane | Drainage |
| Pitney | Park Lane | Drainage |
| Muchelney | Manor Lane | Drainage |
| Langport | North Street | C/Way Resurfacing |
| Somerton | Badgers Cross Lane | Drainage |

Revenue Works

Annual grass cutting programme is due to commence in May. A and B routes to be cut first followed by C and D's. A and B roads to be cut twice.

Mike Fear

Assistant Highway Service Manager
Somerset County Council, South Somerset Area Highway Office

Area North Committee – 22 May 2013

9. Performance of the Streetscene Service

Strategic Director: Vega Sturgess, Operations and Customer Focus
Assistant Director: Laurence Willis, Environment
Service Manager: Chris Cooper, Streetscene Manager
Lead Officer: As above
Contact Details: chris.cooper@southsomerset.gov.uk or (01935) 462840

Purpose of the Report

To update and inform the Area North Committee on the performance of the Streetscene Service in Area North for the period November 2012 and May 2013.

Recommendation

Members are invited to comment on the report

Report

The major focuses of the service so far for this period that affect Area North are listed below:

- Rural road litter picking
- Completion of the horticultural winter work programs
- Lean Thinking process for Street cleaning and Environmental Enforcement
- Starting the spring / summer work schedules

Operational Works

A very wet and cold winter has made the last six months operational works an interesting challenge at times and has resulted in the service having to be flexible in order to get the best results from its resources. The ground conditions have resulted in us making changes such as cancelling our winter grass cut - instead we have carried out winter hedge cutting and additional re-mulching of shrub beds. However, due to the poor weather we haven't experienced much vegetation growth and subsequently the works that have been carried out not only look good, but have also prepared us for the coming season.

Street Cleaning works

Our street cleaning teams continue to clean the Area on a daily basis, and we have delivered a work schedule of litter picking along the district's rural roads. We had to wait to start this work schedule until the grass on the verges had died back, which allowed our teams to spot the litter more easily. It is fair to say that we found considerable amounts of litter, as well as flytips that have been covered in foliage all summer. It brought us great satisfaction to address these issues and see the results of this program of work.

In Area North we cleared litter from the A378, A358, A372, B3165, B3168, B3151 and B3153.

By litter picking these roads we have cleaned all of the major routes through the Area. It is a disappointment that in many cases it appears that no sooner have we cleaned these, that they are once again littered from passing vehicles.

The team continues to focus on managing the number of flytips found and reported across the district, and this number has continued to rise slightly, however in Area North from April 2012 to March 2013 we have had 344 flytips reported. The bulk of these were recovered from Martock, Langport, Kingsbury Episcopi, Somerton, South Petherton and Tinitinhull, with the highest percentage of these consisting of household waste. These figures do not include calls for missed refuse or side waste, but is household waste which has been moved and dumped. Our response to the problem has been to divert more enforcement time to tackling this issue, and we are seeing a decline in the number of cases; this is very encouraging but also very time demanding.

We have continued our work with Martock Parish Council, sharing equipment that continues to deliver a higher standard of cleansing, and from this we have delivered a deep clean of the industrial estate and shopping precinct that was funded by the local businesses.

We continue to support the work done by local groups who litter pick their own parishes and offer a full set of picking equipment, protective clothing as well as removal of any rubbish collected. These groups make a fantastic contribution to the look of the district and their work is greatly appreciated by the team.

The team has also purchased a quad bike with full spraying equipment attached, as we believe that this will make the highway weed spraying operation much more efficient and effective. To operate this, we recently put some of our staff through the required spraying qualifications, and we were pleased to be accompanied on this course by a couple of members of Curry Mallet's volunteer group who will now be able to carry out weed control within their own area.

The service has also been awarded a capital bid to replace the last of our 'older' road sweepers which will not only be more reliable than the current one, requiring less maintenance costs, but also offering better operational and environmental performance. We will be 'trailing' various machines and are considering the purchase of a slightly smaller machine to enable us to access some of the lanes and streets that have restricted access. We expect to take delivery of the replacement later in the autumn.

The team has developed a program of village clean ups across the district, which will be rolled out over the spring and summer months. This work is designed to give the villages a deep clean, targeting not only the litter but also allows us to do hand sweeping, control of unwanted vegetation and moss, with hand sweeping / digging out where necessary. We appreciate that we are unable to manage these works on a routine basis but believe that this will improve the look of our more rural areas which are so important to the look of our district.

Horticultural works

Our horticultural teams completed the winter maintenance of ditches, hedge cutting & shrub bed maintenance. This has been a challenge throughout the year due to weather conditions; however the teams persevered and delivered services in spite of these difficulties.

The open space at Abbey Fields in Curry Rivel will be targeted as a park that we will develop along a largely environmental theme. We have recently started working with a local ecologist to assess the current ecological value of specified sites across the district and from here site specific management plans will be produced to encourage and maximise the environmental potential of each site.

The service recently designated a team to focus solely on weed control throughout the year, and this has provided a notable improvement in service delivery as a result. With regards to weed control, we are currently trialling a new herbicide that is for use on non productive porous surfaces, such as gravel paths, around obstacles, etc, and we are hopeful that this will perform successfully and be an additional 'tool' for us when maintaining the district. If so, we will carry out a financial review to decide if the additional cost of the chemical makes enough savings in labour to make it a viable option for us.

Our teams also planted spring bulbs with parish councils, with sites at Curry Rivel and Mallet, Fivehead, Hambridge and Westport, High ham, Huish Episcopi, Langport, Long Load, Martock, Montacute, Norton, Somerton, Shepton Beauchamp, South Petherton, Tintinhull and The Seavingtons receiving between 1,000 and 2,000 bulbs planted in each of these locations. So far we have focussed on planting Narcissi species with notable success, however in the coming years we will be moving our focus to plant a wider variety of bulbs at various locations, so Bluebells, Wild Garlic and Snowdrops will soon be on display at a location near you!

Recently we have been discussing working with the Councils Arboricultural Officer to extend the parish planting works to include tree planting schemes where possible across the parishes of the district. This scheme will not only increase the volume of tree cover in the district, but will also help us to meet targets in the open space strategy.

The tree risk assessment process continues to be carried out, works identified and addressed so we maintain a safe and healthy tree stock. The service and other associated services are currently ensuring that we are consciously checking for any traces of the 'new' fungus which has devastated Ash tree species across parts of the continent in order to minimise the chances of this contaminating our tree stock.

Following the development of the Open Space Strategy, we have identified the need to develop open spaces for three main specific uses; these are sport, ecology and quiet reflection. When coupled alongside the development of Green Corridors across the towns for both wildlife and transportation purposes we could develop a program of works which would result in a network of open spaces which offer both choice and a great experience when either visiting or passing through them. In Area North this approach would require the cooperation of the town and parish councils who manage their open spaces independently, however we are very interested in talking with any groups who manage public open spaces regarding this approach. As part of this program we have appointed an Ecologist who will be assessing the wildlife content in the Abbey Fields open space at Curry Rivel will produce a management plan which will be aimed at both increasing the bio-diversity of the site and enhance the look and usability of the open space.

As mentioned in my previous report, the team has also started work with a new apprentice who joined us in December 2012 and is working with the Sports Grounds team in Yeovil. Unfortunately the second apprentice dropped out of the scheme, and I believe that we need to review what is offered to these apprentices in the future if we are to deliver a sustainable training arrangement. In addition to the apprentice scheme, Streetscene has worked with schools to offer work experience for school leavers and we

have had placements in our workshops, enforcement team and on landscaping. This provides young people an opportunity to gain an insight into working life and helps them decide on what they would like their future to look like.

We also work with the County Training scheme; this helps the long term unemployed to return to work. Here we work with the organisation to offer 13 weeks of work experience (the cost to us is clothing and protective equipment) with the aim of getting people used to being in a work environment again as this can be a cause of concern which prevents people from returning to work. We informally interview all applicants from the scheme to make sure that we are receiving people who are truly interested in working, and this scheme has led to a number of these people getting employment through the agencies that we use as a consequence of their efforts. Through our most recent recruitment in horticultural services, Darren, who came to us through this scheme was appointed into a full time permanent post and is proving to be a great addition to the service. A real good news story.

Parish Ranger Scheme

For some time now, we have operated a Parish Ranger Scheme in both Brympton parish and at Montacute. The scheme is similar to the Parish Lengthsman scheme used at South Petherton but with some key differences. Fundamentally, these are that the ranger is managed by Streetscene and any parish can 'buy into' this scheme as there is no requirement for a 'cluster' of parishes to jointly find enough work for a Lengthsman, instead our service simply works with the Parish Councils creating work schedules to suit the individual needs of the local area.

We suggest that a minimum time allocation of a day per month is set although the service can accommodate the requirements of any individual town or parish. Recently in Area South, following enquiries from East Coker Parish Council representatives, we met and discussed the option of securing operational works around the parish through the Parish Ranger scheme and have subsequently taken over the works which were delivered through the Parish Lengthsman who has retired.

We would very much like to work with other parishes who wish to secure services and we believe that the scheme offers good quality simple solutions to everyday issues. Again if the committee would like to hear more details of this scheme, I would be happy to present the scheme in more detail for consideration.

What's coming next?

- Delivery of the village cleansing program
- Spring and summer maintenance operations
- Delivery of highway weed control operations
- The introduction of the Parish tree planting scheme
- Focussing on developing targeted areas for ecological development

Financial Implications

All of the matters highlighted in the report have been achieved within service budgets.

Implications for Corporate Priorities

- Continue to deliver schemes with local communities that enhance the appearance of their local areas.
- Continue to support communities to minimise floodwater risks.
- Maintain street cleaning high performance across the district.

Background Papers

Progress report to Area Committees on the Performance of the Streetscene service

Area North Committee – 22 May 2013

10. Area Development (North) – Review of 2012-13 and Priorities for 2013-14

Strategic Director: Rina Singh, Place and Performance
Assistant Directors: Helen Rutter / Kim Close, Communities
Service Manager: Charlotte Jones, Area Development Manager (North)
Lead Officer: As above
Contact Details: charlotte.jones@southsomerset.gov.uk or (01935) 462251

Purpose of the Report

To report on work undertaken by the Area Development (North) Service during 2012-13 and to look ahead to 2013-14.

Councillors are asked to contact the Area Development Manager (North) or other named contacts in advance of the meeting with requests for further information.

Public Interest

Area Development teams support the council's four Area Committees (North, South, East and West) to secure investment in local social, economic and environmental priorities for Yeovil, the market towns and rural areas of South Somerset.

This is our end of year report for 2012-13 which also looks ahead to 2013-14.

Recommendations

- (1) Note and comment on the report and presentation highlighting any specific current issues within wards and parishes.
- (2) Endorse the proposed priorities and work programme for Area North for 2013-14 set out on page 10 and at Appendix B

1. Area North Development - what was achieved - 2012-13

The work of the Area Development Service broadly falls into two three types of service designed around the remit of the Area Committee: local investment programmes; local access to services; community engagement – including town and parish liaison.

Local investment programmes: - we work with communities to make investment into social, economic or environmental well-being. We use the principles of 'Asset Based Community Development' to achieve this. Our work may include any aspect of project planning, consultation, securing resources, delivery and monitoring. This work can include frequent contact lasting some years or be a very 'light touch' and this will depend on the needs of the group and significance of the project. We also work with other SSDC services to deliver the Council Plan and other relevant strategies.

- During the year the team handled over 200 requests for information, project support, guidance, printing or hire of equipment from ward members, town and parish councils, local businesses, other public organisations and community groups.
- Area North made a financial investment in 27 community led local projects, and 30 further projects were supported with time from the Area Development team. Appendix A illustrates projects supported ward by ward.
- The Area North development team responded to or was involved in consultation on more than 30 planning applications affecting local community facilities, economic development or access to services.

Local access to services: - SSDC operates a network of community offices across South Somerset where residents can find face to face help with their enquiries and requests. The office in Area North is based at Langport Information Centre. In addition the Area North team work in partnership with other agencies and local communities to maintain and develop local access to services.

- In 2012-13 the Langport Community Office service helped 1645 residents including 1,020 seeking help with housing and welfare benefits. [During the year the Somerton Community Office was closed, and the hours of opening at the Langport Community Office were reduced to 15 hours per week from 22. This helped achieve budgetary savings for SSDC, and the changes have been managed to minimise the effect on local residents.]
- Area North helped to fund and arrange additional face to face support from a Welfare Benefits Advisor and this work will continue into 2013-14 (as agreed by the Area North Committee in January 2013)
- Public transport services are kept under review, and support to design local solutions to improve access to transport is provided as required / affordable. Area North recently awarded a grant to the Somerton and Langport Links Community Transport service, which provided 9812 passenger journeys during 2012-13.
- The four Local Information Centres in Area North (Somerton, Langport, Martock, South Petherton), fulfil an important role for visitors and residents alike. Area North maintains links with the volunteer groups who manage the LICs, through a service level agreement and a small annual contribution to running costs. During 2012-13 volunteers handled over 10,000 enquiries.
- The Somerset Advice Network provides training and support to agency staff and volunteers helping residents find the help they need. Area North is supporting a training programme (The 'Info Hubs' project), based in Langport at present which has involved staff and volunteers from the Levels Childrens Centre, Library, The Angel, the Local Information Centre, Netbuddies, Yarlinton Housing Group, and SSDC.

Community Engagement including town and parish council liaison

- **Area North community event** – an annual event involving a wide range of agencies and community groups. The event is a forum for discussion and helps raise awareness of who can help in solving local problems or to develop new ideas including grant funding and other support.
- **Neighbourhood Planning, Community Plans and 'Localism'**

- The Localism Act introduced 'Neighbourhood Plans' into the National Planning Framework. Area North helped to host three workshops for local councillors – 41 councillors from 19 local councils attended.
- Area Development, Development Management and Spatial Planning are providing guidance to a number of town and parish councils to re-fresh community plans through consultation, but so far no formal applications to create a Neighbourhood Plan have been submitted to SSDC.
- The Localism Act also introduced the 'Community Right to Bid'. One nomination has been added to the councils Register of Assets of Community Value.

2. Looking ahead - Area North priorities and work programme for 2013-14

The current priorities for the Area Committee are still felt to be relevant and fit for purpose – providing a broad framework within which a wide range of projects are supported or directly managed by the Area North team.

- **Jobs** – we will aim to add value to the economy in Area North, through promoting sustainable economic growth, assisting with the delivery of the Somerset Rural Broadband Programme, promoting tourism and enhancing the offer to visitors.
- **Affordable Housing** – we will promote the delivery of affordable homes in Area North, including support to test and develop new models.
- **Self-Help** – we will promote greater levels of self-help to promote the sustainability of local services and facilities for all ages.
- **Flood and Water management** – we will promote locally led solutions which prevent unacceptable flood events in our communities; we will support the work of the Somerset Water Management Partnership including the task force for the Levels and Moors; we will seek to include past learning from the Parrett Catchment Project into future solutions and we will support the Environment Agency find a long term solution to flood relief and return our rivers to their original profile.”

Appendix B - includes the current (ie planned) work programme for 2013 -14 to help address area priorities, or are within the Council Plan. Further projects are likely to be added during the year as they arise, where the requirements match with local / corporate priorities and where the time and relevant expertise can be made available.

Financial implications

None from this report.

Council Plan Implications

The recommended priorities are in line with the Council Plan (2012-2015). The service team considers the implications for the Council Plan when negotiating support for local projects, handling enquiries and assessing grants.

Carbon Emissions and Adapting to Climate Change Implications (NI188)

None directly from this report. There are a number of local initiatives designed to promote carbon reduction for example promoting sustainable tourism. In particular where we are asked to support buildings projects, applicants are expected to assess the

business case for energy efficiency and carbon reduction. Opportunities for sustainable transport and promoting local self-containment are encouraged.

Equality and Diversity Implications

None directly from this report. Projects and initiatives will be designed or assessed for support using the principles of equality analysis, and make a direct contribution to the Councils Single Equality Scheme. For example projects for community facilities will be expected to demonstrate accessibility.

Background Papers: SSDC Council Plan; Area Development Plan 2012-13.

Area North 2012/13

Langport & Huish

Re-letting of former Langport Visitor Centre for new business use

Langport Market development (MTIG)

“Walk Langport” – improvements to local walking routes, provision for coach parking and ideas to develop access to and use of the river.

Langport Town Council and local businesses with new signage at Westover business estate and new town gateway signs (MTIG), review options for markets and other community events

Review of Shared Use Agreement at Huish Episcopi sports centre & feasibility of AGP

Langport Information Centre (SLA) and new publications

‘Info Hub’ development / training (with Somerset Advice Network)

Langport & Huish MUGA – project management

Links - community transport

Market Town App (MTIG)

Turn Hill

High Ham - 2012 community heritage project

Turn Hill Community Warden Scheme

High Ham - village Hall refurbishment

Long Sutton – village hall feasibility for improvements

Links – community transport

Long Sutton – affordable housing schemes

Wessex

Somerton Information Centre (SLA) and relocation into the Library

Somerton - Wessex Rooms & Wessex Youth Club - programme of activities

Publication and distribution of Somerton business mini guide

Compton Dundon Cricket Club – new equipment for grounds maintenance

Somerton – marketing business plan for Edgar Hall

Roundabout Preschool – feasibility and planning for new building

Somerton – Old Town Hall business plan

Somerton –action plan for Historic Building at Risk

Links – community transport

Compton Dundon – community plan

Somerton town signage (MTIG)

Somerton – Jubilee Garden (MTIG)

Market Town App (MTIG)

Curry Rivel

Curry Rivel - programme of improvements at Robert Sewers Hall

Curry Rivel – affordable housing

Curry Rivel – S106/community facilities

Drayton - village hall floor refurbishment

Islemoor

Ilton - community facilities investment programme – project development

Ilton – support to young people’s programme and play days

Curry Mallet & Beercrocombe - village hall kitchen refurbishment

Hambridge – feasibility of kitchen refurbishment

Burrow Hill

Kingsbury Community Shop – start-up

Kingsbury Youth Club

Installation of outdoors fitness equipment at Kingsbury recreation ground

South Petherton

Lopen School Room - hearing loop

South Petherton Folk Fest

Seavington - village hall / pathways project development

South Petherton Community Office (SLA)

Community facilities at Lightgate Lane Recreation Ground

Seavington - Community Shop & Café business plan

South Petherton Memorial Garden (MTIG)

South Petherton – future of former public toilets

Over Stratton – village hall new fittings

Shepton Beauchamp – recreation ground facilities

South Petherton - Lengthsman transitional funding

Martock

Martock Precinct lighting and enhancement scheme

Martock Information Centre (SLA)

Martock Growing Business programme

Martock Job Club -start up support

Martock producers market (MTIG)

Martock Local Action Group

“Making Martock Sparkle”

Martock Youth Centre refurbishment, youth work including Archies Extra and Play Day.

Martock community facilities -youth centre and pavilion

Martock - new computer classes

Stoke Road junction improvement – feasibility study

Ash - Improvements to the Millennium Wood

Ash - installation of height restriction barrier at recreation ground

Ash – affordable housing scheme feasibility

Long Load – land for community use

Parrett Works – action plan for historic building at risk

Market Town App (MTIG)

St Michaels

Montacute – feasibility and business plan for new village hall

Tintinhull youth club

Chilthorne Domer Recreation Trust – play day and improvements to facilities

Tintinhull – feasibility and business plan for new village hall and facilities at recreation ground

Hamdons

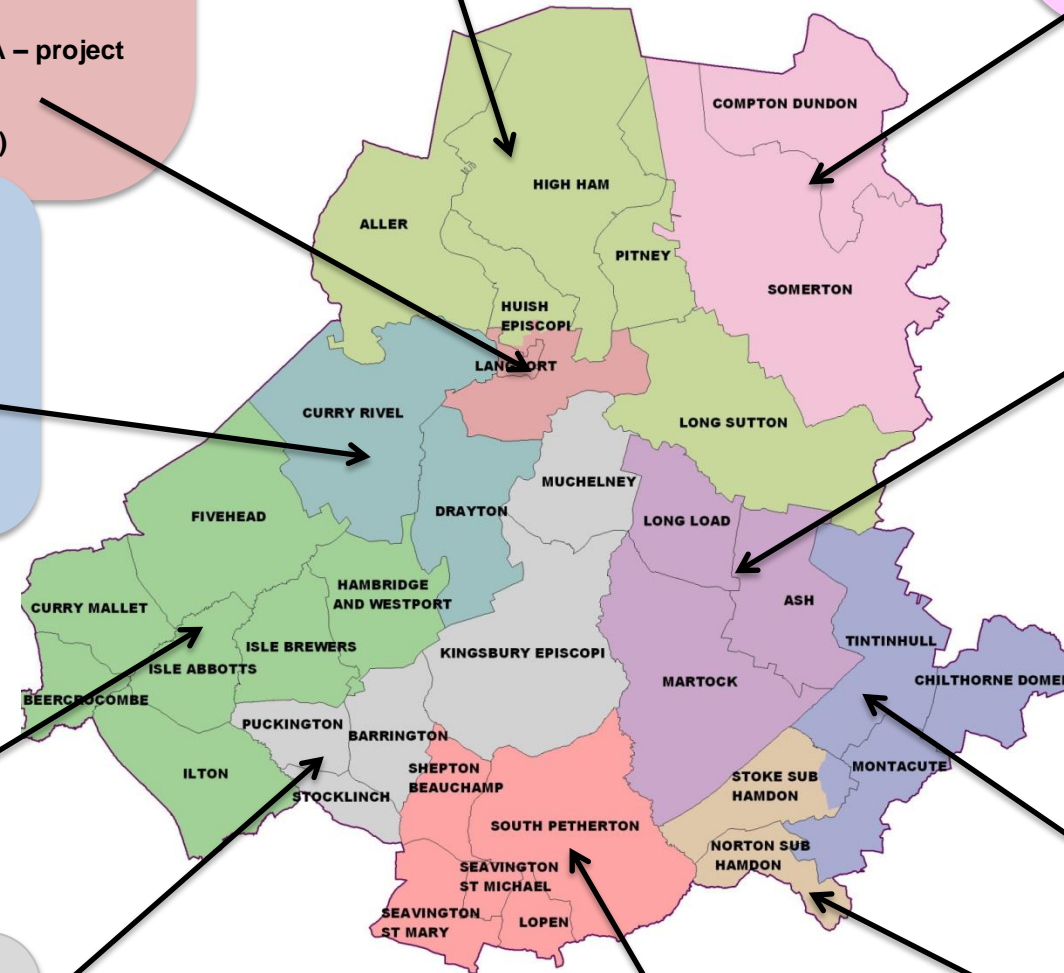
Stoke Recreation Trust five year plan

The Hamdons youth project

Sale of former SSDC public toilets for new business use

Norton sub Hamdon - feasibility for pathway at Minchington Close

Norton Community Land Trust – affordable housing scheme



MTIG = Project supported through the South Somerset Market Towns Investment Group

SLA = Service Level Agreement



Appendix B

Current (i.e. planned) Work Programme for 2013-14

CJ = Charlotte Jones, TO = Teresa Oulds, PB = Pauline Burr, SK = Sara Kelly, MKO = Madelaine King-Oakley

| Project No | Officer | Parish | Action / Project Description (what is planned to be done this year) |
|-------------------------|---------|--------------------|---|
| Area North Wide | | | |
| 1 | CJ | Area North | Continue to build SSDC engagement with Town & Parish Councils, including arrangements for the Annual Meeting, and guidance on community plans and local investment. |
| 2 | TO | Area North | Support creation and launch of South Somerset market towns "app" (MTIG) |
| 3 | TO | Area North | Support Community Youth project steering group (local employment of community youth workers) |
| 4 | PB | Area North | Implement Area North marketing and signage programme |
| 5 | SK | Area North | Support short programme of community-led play days, using community bus and play workers. Support SSDC play development programme (lead service Community Health and Leisure) |
| 6 | CJ | Area North | Monitor progress of Devon and Somerset Broadband Programme, and promote local involvement in community and business engagement programmes |
| 7 | CJ | Area North | Monitor progress of the joint review of flood / water management in Somerset, and promote local involvement to address and mitigate the effects of flooding. |
| 8 | CJ | Area North | Monitor the progress of planning applications (including the delivery of s106 agreements) which include affordable housing, community facilities or economic development. |
| Burrow Hill Ward | | | |
| 9 | TO | Kingsbury Episcopi | Enhancement of Kingsbury youth club facilities and support involvement in Community Youth Project |

| | | | |
|----------------------------------|----|---------------------------------------|--|
| 10 | TO | Kingsbury Episcopi | Support improvements at Kingsbury Episcopi recreation ground |
| Curry Rivel Ward | | | |
| 11 | SK | Curry Rivel | Support delivery of Curry Rivel community facilities investment programme at Westfield, and SSDC play areas. |
| 12 | SK | Curry Rivel | Support Robert Sewers Village Hall to carry out programme of improvements, including hearing loop |
| 13 | CJ | Curry Rivel | Support completion of Housing Needs Survey for Curry Rivel |
| Hamdon Ward | | | |
| 14 | TO | Stoke Sub Hamdon | Support Stoke Sub Hamdon Recreation Trust to implement five year plan. |
| 15 | TO | Norton Sub Hamdon | Work in partnership with Norton Parish Council to improve local pathway at Minchington Close. |
| 16 | CJ | Norton Sub Hamdon | Support Norton Community Land Trust to deliver local housing scheme. |
| 17 | TO | Norton Sub Hamdon Stoke Sub Hamdon | Support further development of The Hamdons youth group (in association with the Community Youth Project) |
| Isle Moor Ward | | | |
| 18 | TO | Ilton | Support delivery of community facilities investment programme, including refurbishment of play facilities at Copse Lane recreation ground. |
| 19 | TO | Hambridge | Support improvements to access and facilities at Hambridge Village Hall |
| Langport & Huish Ward | | | |
| 20 | PB | Langport & Huish | Support the development of ideas to promote rowing / boating on the Parrett at Langport |

| | | | |
|---------------------|-----|------------------|---|
| 21 | PB | Langport & Huish | Support Langport Town Council and local businesses to make improvements to Westover business estate signage and install gateway signage (MTIG) |
| 22 | PB | Langport & Huish | Support Langport Town Council to deliver "Walk Langport" programme including new and improved pathways and access improvements. |
| 23 | TO | Langport & Huish | Support development of community facilities at Huish Leisure Centre including Artificial Grass Pitch (AGP) |
| 24 | PB | Langport & Huish | Support operation of Langport Local Information Centre through service level agreement. |
| 25 | MKO | Langport & Huish | Maintain SSDC Community Office service in Langport (15 hours per week). |
| 26 | PB | Langport & Huish | Support Langport Town Council review of options for use of Langport town square for markets and other community events |
| 27 | TO | Langport & Huish | Support Somerset Advice Network to develop "Info Hub" in Langport. |
| 28 | SK | Langport & Huish | Support Ridgway Hall Management Committee to implement actions from access review |
| 29 | TO | Langport & Huish | Monitor / Support operation of SSVCA – Links Community Transport service |
| Martock Ward | | | |
| 30 | PB | Martock | Support to Martock Parish Council to complete lighting scheme at Moorlands Car Park; precinct enhancement project and support to Producers Market (MTIG). |
| 31 | TO | Martock | Support operation of Martock Information Centre through service level agreement |
| 32 | PB | Martock | Support M3 to develop Martock Growing Business programme |

| | | | |
|-----------------------------|----|-----------------|---|
| 33 | TO | Martock | Support further development of Martock Job Club and local employment, training and skills programmes. |
| 34 | TO | Martock | Support Martock Youth Centre and Martock Parish Council to complete feasibility and business plan for new youth centre and pavilion at Martock Recreation Ground. |
| 35 | PB | Martock | Monitor and support progress of action plan for historic buildings at risk at Parrett Works. |
| 36 | CJ | Martock | Support completion of feasibility study for improvement to Stoke Road / Water Street junction |
| 37 | CJ | Ash | Support progress of local affordable housing scheme for Ash |
| South Petherton Ward | | | |
| 38 | PB | South Petherton | Support operation of South Petherton Local Information Centre through service level agreement. |
| 39 | CJ | South Petherton | Secure reuse for former SSDC Public Toilets at Prigg Lane car park |
| 40 | CJ | South Petherton | Support continued investment into community facilities at Lightgate Lane Recreation ground |
| 41 | TO | South Petherton | Support completion of memorial garden in South Petherton (MTIG) |
| 42 | TO | The Seavingtons | Support completion of pathways and access improvements at recreation ground / village hall / community shop |
| 43 | CJ | The Seavingtons | Support The Seavingtons Community Shop and café to continue to develop business plan |

| St Michaels Ward | | | |
|-------------------------|----|------------------|--|
| 44 | TO | Montacute | Support completion of feasibility and business plan for new village hall in Montacute |
| 45 | TO | Tintinhull | Support Tintinhull Parish Council to progress funding and design for new village hall, |
| 46 | CJ | Tintinhull | Support Tintinhull Parish Council to secure further investment at recreation ground, and monitor completion of refurbishment at Thurlocks |
| 47 | TO | Tintinhull | Support Tintinhull youth club to be part of the Community Youth Project. |
| 48 | SK | Chilthorne Domer | Support Chilthorne Domer to continue to improve facilities at recreation ground |
| Turn Hill Ward | | | |
| 49 | CJ | Long Sutton | Monitor progress to deliver two affordable housing schemes at Long Sutton. |
| 50 | SK | Long Sutton | Support business planning for improvements at Long Sutton village hall |
| Wessex Ward | | | |
| 51 | TO | Somerton | Support operation of Somerton Information Centre through service level agreement, and continue to promote local access to services – including access to housing and welfare benefits. |
| 52 | TO | Somerton | Support delivery of SSDC Active Lifestyles programme (Lead service = Community Health and Leisure) |
| 53 | CJ | Somerton | Monitor progress of new surgery for Somerton. |

| | | | |
|----|---------|----------------|---|
| 54 | CJ / PB | Somerton | Support to the Edgar Hall to develop management and marketing plans |
| 55 | CJ | Somerton | Complete review of local car parking in conjunction with Somerton Town Council |
| 56 | PB | Somerton | Support Somerton Historic Buildings Preservation Trust to acquire and operate Old Town Hall for business / community use. |
| 57 | TO | Somerton | Support completion of Jubilee Garden in Somerton (MTIG) |
| 58 | PB | Somerton | Support completion of car parking and gateway signage scheme for Somerton (MTIG) |
| 59 | CJ | Compton Dundon | Support Compton Dundon Parish Council to complete local consultation for community plan. |

Area North Committee – 22 May 2013

11. Area North Working Groups and Outside Bodies – Appointment of Members 2013/14 (Executive Decision)

Strategic Director: Mark Williams, Chief Executive
Assistant Director: Ian Clarke, Legal and Corporate Services
Service Manager: Angela Cox, Democratic Services Manager
Lead Officer: Becky Sanders, Democratic Services Officer
Contact Details: becky.sanders@southsomerset.gov.uk or 01935 462596

Purpose of the Report

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

Recommendation

The Committee is asked to:

- (1) Agree the representatives to serve on the Area North Marketing Working Group for 2013/14.
- (2) Review and appoint members to the outside bodies for 2013/14 as set out in Appendix A.

Area North Working Groups

The following table indicates the internal working group, and its members, appointed by Area North Committee for the last municipal year 2012/13. The Committee is asked to agree the representatives to the working group for the municipal year 2013/14.

| Working Group & Purpose | 2012/13 Representatives | Lead Officer |
|---|--|--|
| Area North Marketing Working Group – to support the Area North Marketing Project (minimum of 3 members required) | Patrick Palmer Shane Pledger Pauline Clarke Sue Steele Derek Yeomans | Place and Economy Officer(North) – Pauline Burr |
| Area North Community Safety / Neighbourhood Policing Liaison | Sue Steele | Area Development Manager (North) – Charlotte Jones |

Outside Bodies

The organisations and groups to which representatives are required to be appointed by the Area North Committee for 2013/14 are indicated in Appendix A.

Financial Implications

None from this report.

Corporate Priority Implications

None from this report.

Carbon Emissions and Adapting to Climate Change Implications

None

Equality and Diversity Implications

None

Background Papers: Minute 68, Area North Committee, Sept 2012
Minute 13, Area North Committee, May 2012

Appendix A - Area North Outside Bodies & Other Groups – Appointments to be made for 2013-14

| Organisation / Group | Number of Council Reps. | Aims & Objectives | Frequency of Meetings | Representatives last year |
|--|-------------------------|---|--|----------------------------|
| Somerset Levels and Moors Executive Group | 1 (+ 1 officer) | To enable the delivery of a regeneration programme for the Somerset Levels and Moors. £1.8m was awarded by DEFRA for a five year programme up until 2013. | About 6 – 8 per year | Paul Thompson |
| Langport Abattoir Liaison Group | 2 | To provide a forum for liaison between the operating companies, the communities of Huish Episcopi and Langport and the local Authorities and other agencies responsible for the regulation of the site. | Twice a year | Roy Mills Derek Yeomans |
| Martock M3 Community Partnership | 1 | To own the Martock Vision and to maintain a strong partnership committed to work cooperatively and efficiently to ensure its realisation. Its object is to coordinate and monitor delivery of the Martock Local Community Plan. | Quarterly | Graham Middleton |
| Somerset Waterways Advisory Committee | 1 | An advisory committee of the County Council, but its membership also includes co-opted members of the four Somerset District Councils in whose Districts there are existing or disused canals. The Committee's terms of reference include the restoration, enhancement and future use of the historic canal corridors and waterways in Somerset, and it has from time to time explored other possibilities for developing or restoring waterways in the County. | Quarterly | Patrick Palmer |
| South Somerset Disability Forum (1 Member appointed from each area) | 1 | To enhance the quality of life for people with disabilities in South Somerset by improving access to services, facilities, buildings, leisure, transport and the countryside. | Bi-monthly on first Tuesday of the month | David Norris |

| Organisation / Group | Number of Council Reps. | Aims & Objectives | Frequency of Meetings | Representatives last year |
|---|--------------------------------|--|--|----------------------------------|
| Langport and Somerton Links Service Steering Group | 1 | To provide transport to the people of Somerton, Langport and the surrounding villages who are currently unable to access public transport due to isolation, unemployment, disability or age. To provide access to transport where mainstream public transport services do not exist. | Quarterly email updates with meetings as necessary | Derek Yeomans |
| Strode College Community Education Committee | 1 | Further Education College. The purpose of the committee is to review and promote the development of the College's work with adult students and its role in supporting community work. | 3 per year | Pauline Clarke |
| Langport and District Community Youth Centre (Ridgway Hall) | 1 | To assist and educate all young people, primarily in the 11-21 range, through their leisure and recreational activities, and to manage the centre in ways will achieve this objective and will also provide facilities for other groups within the Langport community. | 4 to 5 per year | Roy Mills |
| Huish Episcopi Leisure Centre Board | 2 | Management company for Huish Episcopi Leisure Centre. | Approx. 3 | Terry Mounter Shane Pledger |

Appendix B

Extract of Code of Conduct (adopted July 2012) - regarding prejudicial interests and outside bodies

Prejudicial Interests

- 2.9 (1) Where you have a personal interest in any business of your Council you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest and where that business—
- (a) affects your financial position or the financial position of a significant person* (other than another town parish district or county council of which you are also a member); or
 - (b) relates to determining any approval, consent, licence, permission or registration in relation to you or any significant person* (other than another town parish district or county council of which you are also a member).
- (2) Subject to paragraph (3) and (4), where you have a prejudicial interest in any business of your Council—
- (a) You may not participate in any discussion of the matter at a meeting.
 - (b) You may not participate in any vote taken on the matter at a meeting.
 - (c) You must disclose the existence and nature of the interest to the meeting and leave the room where the meeting is held while any discussion or voting takes place on the matter. The exception to the requirement to disclose the detail of the interest is if the matter is a sensitive interest under paragraph 2.11. In these circumstances you need only state that you have a prejudicial interest and that the details are withheld because of the sensitive information involved.
- (3) Where you have a prejudicial interest in any business of your Council, you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business and you leave the meeting room immediately after making representations, answering questions or giving evidence.

* **“significant person”** in relation to personal and personal and prejudicial Interests means a member of your family or any person with whom you have a close association; or any body-

- (1) of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Council;
 - (2) exercising functions of a public nature;
 - (3) established for charitable purposes; or
 - (4) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management
-

Area North Committee – 22 May 2013

12. Revised Scheme of Delegation – Development Control – Nomination of Substitutes for Chairman and Vice Chairman for 2013/14 (Executive Decision)

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

Purpose of the Report

As the Council has entered a new municipal year, the Committee is asked to review the appointment of two members to act as substitutes for the Chairman and Vice Chairman in the exercising of the Scheme of Delegation for planning and related applications. The previous member substitutes were Councillors Roy Mills (first substitute) and Terry Mounter (second substitute).

Recommendation

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

Background

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

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

Financial Implications

None from this report

Council Plan Implications

None from this report.

Carbon Emissions and Adapting to Climate Change Implications

None from this report.

Equality and Diversity Implications

None from this report.

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

Area North Committee – 22 May 2013

13. 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.

Recommendation

Members are asked to:

Note and comment upon the 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 SSSC 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 |
|--------------------------|---|--|--|
| 26 June '13 | Buildings at Risk (confidential report) | A report on the current status of the council's historic buildings at risk register. | Greg Venn, Conservation Officer |
| 26 June '13 | Area North Budgets – 2012-13 Outturn Report and Capital Programme | Report on the end of year position of Area North budgets | Nicky Brine, Management Accountant |
| 24 July '13 | Environmental Health | Report on the Environmental Health Service | Alasdair Bell, Environmental Health Manager |
| 24 July '13 | Area North Affordable Housing Programme Outturn Report | To provide a report on the delivery of the Area North Affordable Housing Programme during 2012-13. | Colin McDonald, Corporate Strategic Housing Manager |
| <i>24 July '13 (TBC)</i> | <i>Kingsbury Episcopi Community Shop</i> | <i>A presentation on the recent progress of the new community shop, following its official opening in July 2012.</i> | <i>Community representative from the project</i> |
| <i>TBC</i> | <i>Community Youth Project</i> | <i>Update report from the Community Youth Project, whose members include Martock, Somerton, Tintinhull, the Hamdons, and Kingsbury Episcopi.</i> | <i>Teresa Oulds, Neighbourhood Development Officer (North)</i> |
| <i>TBC</i> | <i>Joint review of flood prevention and resilience in Somerset (Flood Summit)</i> | <i>To provide feedback from Flood Summit, and wider research undertaken through a county wide local authority led task and finish group.</i> | <i>TBC</i> |

| | | | |
|------------|--|--|---|
| <i>TBC</i> | <i>Community Payback / Walk Langport</i> | <i>A presentation on the 'Walk Langport' programme of access improvements, including information about the Community Payback Scheme.</i> | <i>Community representative.</i> |
| <i>TBC</i> | <i>Neighbourhood Policing update</i> | <i>An opportunity for discussion of current community safety priorities.</i> | <i>SGT Rob Jameson – Avon & Somerset Constabulary</i> |

Area North Committee – 22 May 2013

14. 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

12/03330/FUL – Magnolia House, Stout Road, High Ham TA10 9BD.
Construction of a tennis court and surrounding fence.

12/04365/FUL – Former Jigsaw Factory & 12 Gastons Lane, Bower Hinton, Martock.
Erection of 10 new dwellings with associated access, car parking and landscaping together with partial demolition and alterations to No.12 Gastons Lane to form a one-bedroom dwelling.

Appeals Dismissed

None

Appeals Allowed

None

Area North Committee – 22 May 2013

15. 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 – 22 May 2013

Planning Applications will be considered no earlier than 3.30 pm

Members of the public who wish to speak about a particular planning item are recommended to arrive for 3.20 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 | 35 | SOUTH PETHERTON | 12/04885/FUL | The erection of 22 No. dwellings with associated access, parking and landscaping. (GR 343715/116356) | Land At Hayes End, South Petherton | Mr & Mrs K A Duffield |
| 2 | 50 | TURN HILL | 12/04412/FUL | Erection of calf rearing unit, siting of temporary agricultural workers dwelling and improvement to existing access (GR:343013/130054) | Land East Of Long Street, High Ham | Mr J Godfrey And Mrs L Bebbington |
| 3 | 62 | CURRY RIVEL | 13/00933/FUL | Adapting an access to two residential dwellings.(GR 339199/124176) | 1 And 2 The Cottages, Lower Wiltown, Curry Rivel | Mr H & R Lang |
| 4 | 67 | TURN HILL | 13/00837/FUL | The demolition of existing bungalow, formation of new vehicular access, and erection of 2no dwellings. (GR 346935/124971) | Poplins Barton, Martock Road, Long Sutton | Mr K Rutherford |

Area North Committee – 24 April 2013

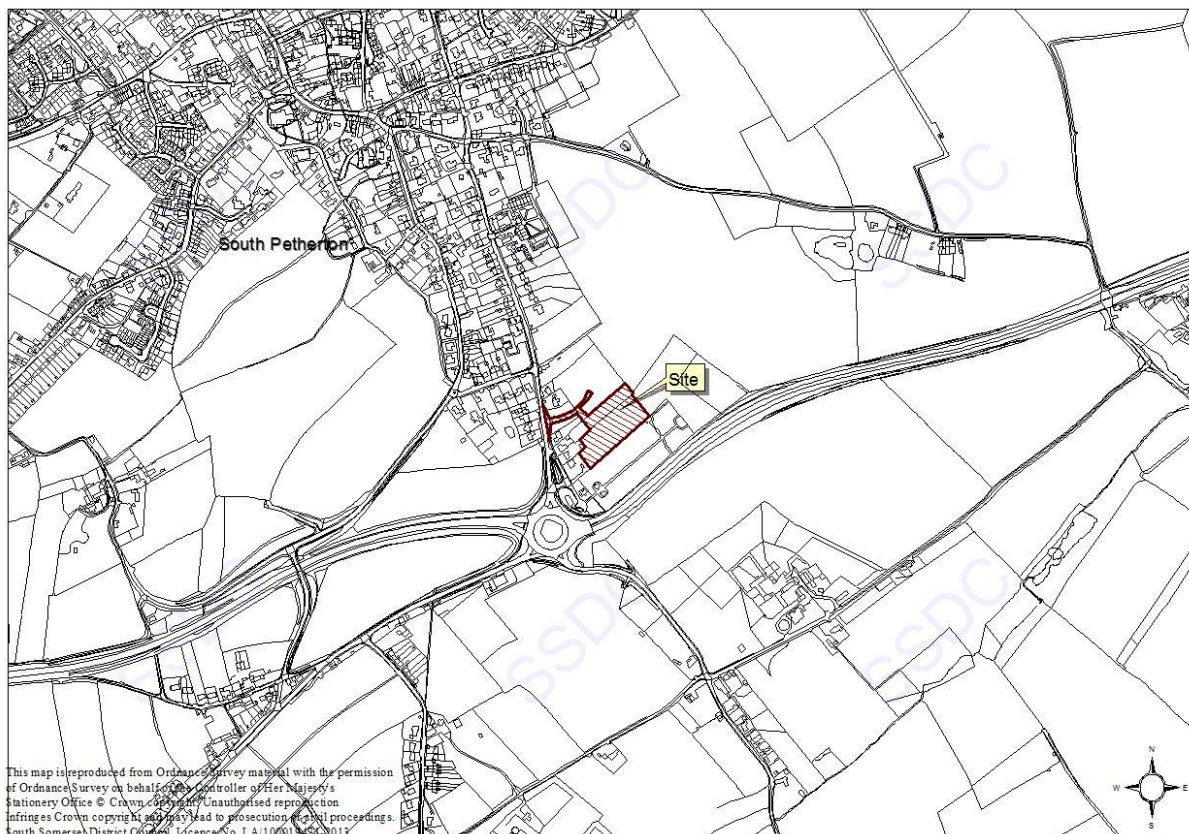
Officer Report On Planning Application: 12/04885/FUL

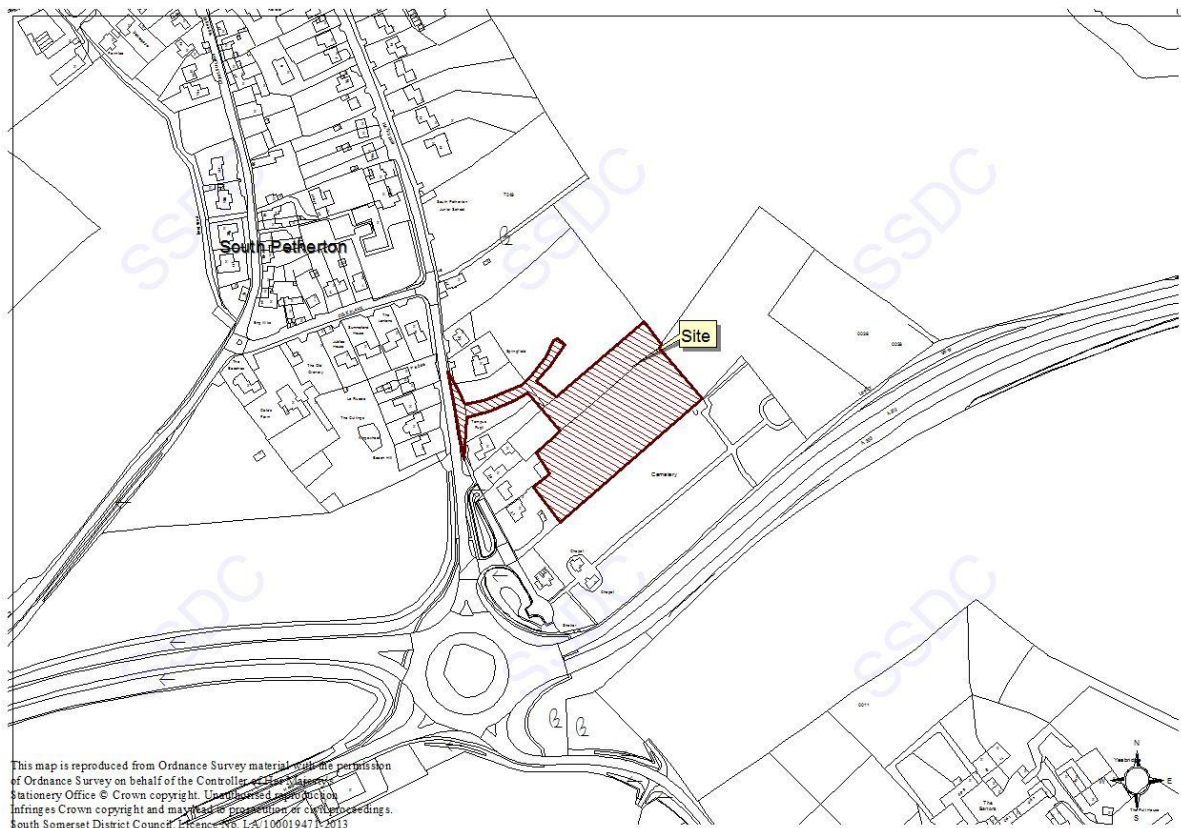
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| Proposal : | The erection of 22 No. dwellings with associated access, parking and landscaping. (GR 343715/116356) |
| Site Address: | Land At Hayes End, South Petherton |
| Parish: | South Petherton |
| SOUTH PETHERTON Ward (SSDC Members) | Cllr Paul Thompson Cllr Barry Walker |
| Recommending Case Officer: | Linda Hayden Tel: 01935 462534 Email: linda.hayden@southsomerset.gov.uk |
| Target date : | 4th April 2013 |
| Applicant : | Mr & Mrs K A Duffield |
| Agent: (no agent if blank) | Mr Matt Frost, Boon Brown Motivo, Alvington, Yeovil, Somerset BA20 2FG |
| Application Type : | Major Dwlg's 10 or more or site 0.5ha+ |

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application is before the committee as the recommendation is for approval, which represents a departure from the development plan, and also in order to enable the relevant issues to be debated.

SITE DESCRIPTION AND PROPOSAL





The application site is a rectangular shaped piece of land extending to 0.87 hectares to the east of Hayes End, close to its junction with the A303 on the southern outskirts of South Petherton. The site is adjacent to the allocated housing site Chapel Fields (HG/SOPE/1) that is currently being developed with 29 houses. The application site comprises vacant paddock/un-kept grassland and is relatively flat. The site adjoins the cemetery to the south west (including a mature hedgerow), community woodland to the north-west with residential development to the other two sides. There is a badger sett in the north-west corner of the site. The site sits outside but adjacent to the South Petherton development area.

The application proposes the erection of 20 houses (10 detached houses, 3 semi-detached pairs and a terrace of four units) and 2 flats (coach houses), 8 of the properties (to include the two flats) will be affordable units. The site would be accessed via the existing Chapel Fields access and is effectively a continuation of the Chapel Fields development with similarly designed dwellings fronting onto the main estate road. 61 parking spaces are proposed which equates to 2.8 spaces per dwelling; all dwellings have at least 2 off road parking spaces. The application includes provision of a 3.5m wide landscaped buffer strip between the south-eastern boundary and the cemetery; there is also a 2m high acoustic fence proposed along the property boundaries on the southern side of the site in order to provide noise protection from the nearby A303 trunk road. All dwellings have rear gardens and rear access to facilitate easier movement of waste and recycling bins. Pedestrian access to the community woodland will be provided at the north-west of the site.

The application is supported by:-

- Design and Access Statement
- Statement of Community Involvement
- Transport Assessment and Travel Plan
- Ecological Assessment

- Noise Assessment
- Arboricultural Report

HISTORY

There is no planning history for this site.

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.

In March 2012 the existing national Planning Policy Statements and Guidance Notes (PPS's and PPG's) were superseded by the publication of the National Planning Policy Framework.

In March 2013 the Government advised of its intention to revoke the Regional Spatial Strategy and the Somerset and Exmoor National Park Joint Structure Plan Review. At the present time the following are considered to be the relevant planning documents:-

Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011:

STR1 - Sustainable Development
 Policy 1 - Nature Conservation
 Policy 33 - Provision for Housing
 Policy 35 - Affordable Housing
 Policy 48 - Access and Parking
 Policy 49 - Transport Requirements of New Development

South Somerset Local Plan (Adopted April 2006):

ST3 - Development Area
 ST5 - General Principles of Development
 ST6 - The Quality of Development
 ST7 - Public Space
 ST10 - Planning Obligations
 EC3 - Landscape Character
 EC8 - Protected Species
 EU4 - Drainage
 TP1 - New Development and Pedestrian Movement
 TP2 - Travel Plans
 TP4 - Road Design
 TP7 - Car Parking
 CR2 - Provision for Outdoor Playing Space and Amenity Space in New Development
 CR3 - Off-Site Provision of Outdoor Playing Space and Amenity Space in New Development
 CR4 - Amenity Open Space
 HG7 - Affordable Housing

Other Material Considerations

The Appeal Decision for land to the rear of Wincanton Community Hospital, Dancing Lane, Wincanton established that as of 29th August 2012 South Somerset does not have a 5 year supply of deliverable housing land. The Inspector quotes the South West RSS as the basis for assessing need, until such time as it is formally revoked, or the South Somerset Local Plan is afforded weight having been through an inspection process. The Inspector also used the development industry assessment of build rates on sites that have planning permission.

In such circumstances, the National Planning Policy Framework (NPPF) advises that relevant policies for the supply of housing should not be considered up to date (NPPF para 49). Housing applications should be considered in the context of the presumption in favour of development. In this Council's case, the principal effect is that saved policy ST3 Development Limits no longer applies in relation to housing or mixed proposals.

The Framework also advises that where relevant policies are out of date, permission should be granted unless any adverse impacts of so doing would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole or where specific policies in the Framework indicate development should be restricted. (NPPF para 37). This means that normal development management criteria will continue to apply in terms of landscape, historic environment, access, flooding, environmental damage, amenity etc. There is no automatic assumption that sites will be approved.)

CONSULTATIONS

South Petherton Parish Council:- In response to original plans recommend refusal of this application for the following reasons:

- The development proposed is not considered to be sustainable development on the following grounds:
- The location of the site exceeds the recommended maximum walking distance of 800m (IHT Guidelines for providing journeys on foot and NPPF para. 38) from the town centre and, as such, will foster growth in the need to travel and fails to promote a thriving town centre.
- The quality and safety of the walking routes to the town centre are, in places, too narrow or absent altogether.
- The walking routes are not accessible to all including pushchair and wheelchair users.
- There are no pedestrian crossing facilities at key junctions and the current arrangements are inadequate and unsafe.
- Other objections and concerns relating to the cemetery:
- Locating dwellings as close as proposed will have an overbearing impact on the cemetery (SSDC's landscape officer has already objected along similar lines).
- Whilst the cemetery already suffers high noise levels from the A303, there is a concern that this will be increased by the proposed new development. The various hard surfaces facing the cemetery and the A303 are likely to reflect road noise back into the cemetery increasing the already high level of ambient noise.
- The gardens of various family houses back directly onto the cemetery and, as such, a new form of noise pollution will be introduced to the cemetery.
- Without any significant separation between the gardens and the cemetery, it is likely that balls etc. will regularly drop into the cemetery.
- Whilst it is accepted that many of the issues raised may be solvable through a changed layout, landscaping, noise dampening measures and improvements to

highways, it is a priority for South Petherton to promote a thriving village centre and, as such, any new development should be located within a reasonable and safe walking distance of the shops.'

In response to amended plans recommended refusal until pavement access for all users has been improved.

County Highway Authority:- Following a request for further information the applicant's highway consultants (Hydrock) produced a detailed report. In light of this additional information the County Highway Authority has confirmed that this has addressed their previous concerns. As such, the County Highway Authority has confirmed that there is no highway objection to the application subject to conditions being attached.

Highways Agency:- The Agency accepts that the proposals will not have a significant detrimental impact on the operation of the A303 truck road and therefore have no objections.

Environmental Protection Unit:- Originally had concerns about the impact of noise from the A303. The agents have therefore proposed an acoustic fence to deal with this issue and the Environmental Protection Officer has confirmed that he can no longer sustain an objection subject to a condition to ensure that the fence is maintained and retained.

Landscape Officer:- Originally had concerns about the proposed layout but following the submission of an amended plan which includes the 3.5m buffer zone has confirmed objection is withdrawn subject to the imposition of landscaping condition.

Planning Policy:- 'Having regard to the lack of a 5 year housing supply, there are no policy objections to this proposal in relation to policy ST3. However other policy considerations will still apply.'

Housing:- Originally wanted 100% affordable housing on the basis that the site is outside the development limit. Following advice regarding the issue of the 5 year land supply, they have verbally confirmed that 35% is acceptable on the basis of 2/3rds social rent and 1/3rd for shared ownership/other intermediate products. However, they do have some concerns about the two flats and would rather see the affordable dwellings spread throughout the site.

Community, Health and Leisure (SSDC):- Seeks a contribution of £91,148.43 (£4,143.11per dwelling) towards the increased demand for outdoor playing space, sport and recreation facilities should the scheme be approved. This can be broken down as follows:

- £45,378.89 to be used for local facilities.
- £26,280.79 to be used for strategic facilities.
- £18,586.29 as a commuted sum towards local services.
- £902.46 as the Community, Health and Leisure Service administration fee.

They recommend that £30,758.52 is required upon the occupation of the first 25% of the proposed dwellings, £34,109.12 is required upon the occupation of 50% of the proposed dwellings, and that the final £26,280.79 is required upon the occupation of 75% of the proposed dwellings.

Open Spaces Officer:- Verbally confirmed that as the site will provide open access to

the community woodland at the rear then there is no requirement for off-site contributions.

Climate Change Officer:- Suggests that we should expect renewables to be explicitly detailed at the application stage and notes that they are not. He notes the requirement of the changes to Part L of the building regulations, coming into force during 2013, which will incorporate the energy requirements for Level of the Code for Sustainable Homes. He states that level is unlikely to be achieved without an element of renewables. He notes that the application states an intention to reach Code Level 3, but states this will not be sufficient to meet building regulations at the time of construction.

He notes that the majority of dwellings are well orientated for solar gain. But there is some concern about shaded gardens and roof forms. He suggests that solar panels and a wood burning district heat system would be the most obvious choice for the site.

He states that he would like to see a section the application explaining how the requirement to comply with level 4 of the Code for Sustainable Homes will be met. He objects to the application until such an explanation has been provided.

(Officer Note:- The agent has confirmed that they would be happy to accept a condition requiring that the properties are built to Code Level 4.)

Ecologist (SSDC):- Confirmed that he is satisfied with the principle of relocating the badger sett to the community woodland. Has requested that a condition be imposed requiring details of the mitigation.

Somerset Wildlife Trust:- Advise that they fully agree with the recommendations of the Ecological Assessment and that these recommendations should be incorporated into the planning conditions.

Environment Agency:- No comments.

Wessex Water:- Evidence submitted by the applicant from Wessex Water indicates that the existing drainage infrastructure for the adjacent site has the capacity to accommodate the requirements of the proposed additional dwellings.

Area Engineer:- 'The email from Wessex Water referred to in para 6.30 of the Planning statement and attached at Appendix 2 is noted and on the basis of this I am satisfied with the Drainage Strategy. But will need to see drainage details for approval - condition required.'

REPRESENTATIONS

Ten letters of objection were received in response to the original plans, the objections are summarised as follows:-

- The proposed site is not currently included for development.
- Question if there is a need for additional housing including shared ownership/affordable housing.
- Concerned about traffic implications as entrance is at narrow part of Hayes End and this causes problems with HGV's. Also access is near the school.
- Increase in traffic has resulted in damage to neighbouring garden walls. The new access is being used as a turning point for HGV's.
- New access to Chapel Fields is dangerous and development will result in additional

traffic that will cause tail backs on the A303. The access was only built to accommodate 29 homes.

- Concerned about the adequacy and safety of the footpath access to the village from the site. There are no street lights in this part of the road.
- The Transport Assessment only focuses on the impact upon the A303, it should look at all access routes into the village, some of which are in a poor state of repair.
- The amenities are too distant from the site and will lead to more vehicular traffic in the village centre. Bus services are to be reduced.
- Concerned about implications of more construction traffic.
- Object to the application on the grounds of health and safety.
- Suggest that parking restrictions should be imposed along this part of Hayes End.
- The proposal should not be considered until the Chapel Fields development is completed and the full impact is known.
- Parish and District Council should consider this and any other proposals for the village to meet the current development requirement and those for the future of the village up to 2028 before any decision is made on the application.
- Concerned about long term changes in the character of the village.
- Concerned about wildlife issues - there are badgers and deer on the site.
- Question the noise level survey results.
- Social houses should be dispersed throughout the site. The access to the affordable housing is not to be adopted, this will cause two problems; it will be built to a lower standard; and the non-going maintenance will have to be borne by the future occupiers.
- The Housing Officer requires that the land is entirely developed for social housing.
- The new houses could detract from the peaceful aspect of the cemetery and cause upset to relatives.
- The extension of the Persimmon development (St Michaels Close) will provide new houses to meet the village's requirements over the next few years.
- Question if there are employment opportunities within a commutable distance?

CONSIDERATIONS

The main planning considerations for this application are considered to be; the principle of residential development of this site; impact upon highway safety; impact upon neighbouring amenity; landscape impact/design; ecological impact; and planning obligations.

Principle

As noted in the Policy section part of this report, the effect of the appeal decision for land to the rear of Wincanton Community Hospital, Dancing Lane, Wincanton established that as of 29th August 2012 South Somerset does not have a 5 year supply of deliverable housing land.

In such circumstances, the National Planning Policy Framework (NPPF) advises that housing applications should be considered in the context of the presumption in favour of development. The principal effect of this decision is that saved policy ST3 Development Limits no longer applies in relation to housing or mixed proposals. In this case, the application site is adjacent to an allocated housing site within the development boundary of South Petherton. As such, the adjacent site was considered to be a sustainable location for some development in the 2006 plan. South Petherton is a large village containing a variety of shops, services, facilities, and employment opportunities. Given that the site is immediately adjacent to the existing built form, and development area, of South Petherton the site is considered to be a sustainable location for residential

development, and the principle is therefore considered to be acceptable. It should be noted that the NPPF still recognises that normal development management criteria will continue to apply in terms of landscape, historic environment, access, flooding, environmental damage, amenity etc.

Highway Safety

This application is accompanied by a highly detailed Transport Assessment along with a draft Travel Plan Statement. These documents contain evidence and analysis of the transport implications of the development. These documents were thoroughly assessed by the County Highway Authority who determined that additional information and remodelling of some of the data was required. The applicant's Transport Consultant supplied the additional information requested and as a result the County Highway Authority has confirmed that they have no objection to the proposals subject to the imposition of conditions. In addition, the proposals have been considered by the Highways Agency due to the proximity of the A303 trunk road and they have confirmed that they have no objection to the proposals. As such, whilst the comments of the residents are noted, it is not considered that it would be possible to substantiate a reason for refusal on the grounds of highway safety. The transport documents supplied have clearly and demonstrably assessed the potential transport implications of the development and this data has been found to be sound by the County Highway Authority.

In terms of the comments of Parish Council and residents regarding pavement access, it should be noted that the plans have been amended to remove trees near to the site pavements in order to prevent possible slipping by pedestrians and confirmation that cross-over dropped kerbs are included at the entrance to the site off Chapel Fields. It has to be noted that it would not be reasonable to require the developer to improve all the pavements from the site into the village centre as the development of 22 homes would not lead to a significant increase in the use of these pavements. The pavements into the village centre are all part of the public highway and as such it is for the County Highway Authority to ensure that they remain clear and unobstructed.

Neighbouring Amenity

In terms of the layout of the proposed site, due to the orientation of the majority of properties there is unlikely to be any significant loss of amenity to existing residents or to the future residents of Chapel Fields. The back to back distances to existing properties in Hayes End are in excess of 29 metres and as such there is unlikely to be any significant overlooking of adjoining houses and gardens.

Concern has been expressed regarding the relationship with the adjoining cemetery however, this boundary already includes a mature hedgerow and the requirement for an acoustic fence and the establishment of a 3.5m wide buffer strip that will include planting will ensure that there is an acceptable gap between the development and the cemetery. None of the proposed houses are directly on the boundary with the cemetery and as such it is not considered that overlooking of the cemetery will be significant.

Landscape Impact/Design

The site is physically contained by residential development, the cemetery and community woodland. As such, it is not considered that the proposed development will be unduly obtrusive within the wider landscape. In terms of the immediate locality the proposal does involve the removal of some trees but none of the trees are considered to be worthy of retention and it is not considered that the loss of these trees could be resisted on the grounds of landscape impact. The Landscape Officer has confirmed that he has no objection to the amended plans.

In design terms, the proposed development is a continuation of the Chapel Fields development incorporating traditional designs and materials. Houses will line the small roadway into the site with a square at the end around which additional houses will be located. Four of the houses have been designed to follow the curve of the road. As such, the estate will have a strong street scene and will form an appropriate addition to the existing estate. As such, it is considered important the estate retains this strong design approach and with the proposals for changes to permitted development allowances it is recommended that conditions be imposed to restrict extensions and outbuildings.

Ecological Impact

There is a badger sett at the north-eastern corner of the site; this will be relocated to the community woodland adjoining the site. South Petherton Parish Council is the owner of the woodland and has confirmed that they are agreeable to the establishment of a purpose built sett on this land. The Ecologist has confirmed that he has no objection to the proposals on the basis of the ecological statement subject to a condition regarding mitigation.

Planning Obligations

The SSDC Community, Health and Leisure department have sought contributions towards local and strategic outdoor playing space, sport and recreation facilities of £91,148.43 (£4,143.11 per dwelling). The applicant has agreed to pay the total contribution sought and the application is therefore considered to comply with policy ST10 of the South Somerset Local Plan.

The applicant has confirmed that eight of the twenty proposed properties will be affordable in accordance with policy HG7 (as amended) of the South Somerset Local Plan. The SSDC Housing Officer has indicated that she is happy with the proposed property mix and tenure type. She has also requested that the units should be 'pepper-potted' throughout the site and that the units are developed to blend in with those proposed. However, there is no policy to require that affordable properties are distributed throughout developments, the adjoining site has been designed with one area of affordable housing and as such it is considered unreasonable to require that this development be built in a different manner. This issue was considered by an Inspector at a recent appeal decision in Chard who determined that in the absence of local plan policy it would be inappropriate to require that affordable units be 'pepper-potted' through a housing development.

Other issues

- Code for Sustainable Homes – whilst the climate change officer raised an objection to the scheme, the District Council currently has no policies that would justify requiring the applicant to address these concerns. Nevertheless it is to be noted that the agent has agreed to a condition requiring that the dwellings would be designed to meet level four of the Code for Sustainable Homes.
- Disturbance – It is recognised that building works may cause disturbance to surrounding properties. However, these works will be temporary in nature and rarely, if ever, could this type of temporary disturbance be a reason to refuse planning permission.
- Health and Safety – The transport implications of the development have been thoroughly assessed by the County Highway Authority and found to be acceptable.
- Village wide implications – This proposal has been assessed against the relevant local plan policies and the County Highway Authority has assessed the transport implications. It is not possible to refuse this application on the basis that it should be part of a wider consideration of the settlement as a whole.

S.106 Agreement

Should the application be approved a Section 106 agreement will be necessary to:-

- Secure the agreed contribution towards strategic and local outdoor playing space, sport and recreation facilities.
- Ensure that 8 of the residential units are of affordable tenure and remain so in perpetuity.

Conclusion

In light of the Council's lack of a five year land supply, this site and its location adjacent to a recognised development area mean that where other policy criteria are met then it can be considered sustainable development. It is considered that the impact on the landscape, residential amenity and highway safety will be acceptable. The impact on local ecology is considered to be acceptable subject to suitable mitigation. The applicant has agreed to pay the appropriate contributions. The application is considered to be acceptable in all other regards.

Therefore, notwithstanding the various concerns raised, the proposed development is considered to be in accordance with policies ST3, ST5, ST6, ST7, ST10, EC3, EC8, EU4, TP1, TP2, TP4, TP7, CR2, CR3, CR4 and HG7 of the South Somerset Local Plan and the aims and provisions of the NPPF. As such the application is recommended for approval.

RECOMMENDATION

That subject to no new and relevant issues being raised at the end of the re-consultation period, the Development Control Manager with the agreement of the Chair be authorised to APPROVE planning application no. 12/04885/FUL subject to:-

1) The prior completion of a section 106 agreement (in a form acceptable to the Council's solicitor(s)) before the decision notice granting planning permission is issued to secure the following;

- a) The agreed contribution to off-site play provision (to the satisfaction of the Local Planning Authority):-
 - £45,378.89 to be used for local facilities.
 - £26,280.79 to be used for strategic facilities.
 - £18,586.29 as a commuted sum towards local services.
 - £902.46 as the Community, Health and Leisure Service administration fee;
- b) To ensure that eight of the residential units are affordable and remain available long term to satisfy local need as set out by policy HG9 of the South Somerset Local Plan (to the satisfaction of the Local Planning Authority);

and;

2) The following conditions:

Justification

Notwithstanding the local concerns, the provision of 22 houses in this sustainable location would contribute to the council's housing supply without demonstrable harm to

residential amenity, highway safety or visual amenity. The appropriate mitigation has been put forward to address concerns about ecological issues. As such the scheme is considered to comply with saved policies ST3, ST5, ST6, ST7, ST10, EC3, EC8, EU4, TP1, TP2, TP4, TP7, CR2, CR3, CR4 and HG7 of the South Somerset Local Plan 2006 and the aims and objectives of the NPPF.

CONDITIONS

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:

- 3164/002 (Location Plan); 2026-08.1 rev A; 3159/004, 3159/006, 3159/008 Rev A, 3159/010, 3159/012, 3159/014 Rev A, 3159/016, 3159/018 Rev A, 3159/020, 3159/030, 3159/031, 3159/033, 3164/003, 3164/005, 3164/007, 3164/009, 3164/011, 3164/013, 3164/015, 3164/017, 3164/028 and 3164/029; all received 19 December 2012;
- 3164/019 Rev A, 3164/032, 3164/035 Rev A and 3164/036 Rev A all received 3 January 2013;
- 3164/001 Rev F, 3159/037, 3159/038, 3159/039, 3159/040, 3159/041 and 5815/1 (Landscape) all received 27 February 2013;
- 3227/001 Rev G (schedule updated by agent's email of 6 March 2013) received 4 April 2013.

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

03. No development hereby approved shall be carried out until particulars of following have been submitted to and approved in writing by the Local Planning Authority;

- a) details of materials (including the provision of samples where appropriate) to be used for the external walls and roofs;
- b) panels of brickwork and stonework shall be provided on site for inspection;
- c) details of the recessing, materials and finish (including the provision of samples where appropriate) to be used for all new windows (including any rooflights) and doors;
- d) particulars of all boundary treatments and hard surfacing materials. Such details shall include the use of porous materials to the parking and turning areas;
- e) details of meter cupboards and gas boxes;

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

Reason: To safeguard the character and appearance of the area in accordance with policies ST5 and ST6 of the South Somerset Local Plan, and in the interests

of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review.

04. The buffer strip planting indicated on Drawing No. 5815/1 shall be undertaken in the planting season immediately following the erection of the acoustic fence, and the remainder of the planting shown on that same landscape plan, shall be undertaken during the planting season immediately following the completion of external building works; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual and residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

05. All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All hedges and hedgerows on and immediately adjoining the site shall be protected from damage for the duration of works on the site to the satisfaction of the Local Planning Authority in accordance with the recommendations in British Standard 5837 1991. Any part(s) of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following contractual practicable completion of the approved development shall be replaced as soon as is reasonably practicable and, in any event, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed in writing with the Local Planning Authority.

Reason: In the interests of visual and residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

06. Before the development hereby permitted is a commenced, foul and surface water drainage detail 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: To ensure satisfactory drainage at the site.

07. The proposed estate roads, footways, footpaths, tactile paving, cycleways, bus stops/bus lay-bys, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car, motorcycle and cycle parking, and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Reason:- In the interests of highway safety and to accord with Policy ST5 of the South Somerset Local Plan (2006) and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011.

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

Reason:- In the interests of highway safety and to accord with Policy ST5 of the South Somerset Local Plan (2006) and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011.

09. The car parking spaces to be provided shall be kept available for the parking of motor vehicles at all times. The car parking spaces shall be used solely for the benefit of the occupants of the development hereby permitted and their visitors.

Reason:- In the interests of highway safety and to accord with Policy ST5 of the South Somerset Local Plan (2006) and Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011.

10. The new development shall not be commenced until a detailed Travel Plan has been submitted to and approved in writing by the Local Planning Authority. No part of the new development shall be occupied prior to implementation of those parts identified in the Approved Travel Plan as capable of being implemented prior to occupation. Those parts of the Approved Travel Plan that are identified therein as capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: To promote sustainable travel in accordance with policy TP2 of the South Somerset Local Plan.

11. The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority full details of mitigation and compensation measures in respect of badgers (including replacement artificial setts, and the identification and protection of any corridors or commuting routes important for the welfare of badgers). The works shall be implemented in accordance with the approved details and timing of the plan, unless otherwise approved in writing by the local planning authority.

Reason: For the conservation and protection of legally protected in accordance with Policy EC8 of the South Somerset Local Plan, and to ensure compliance with the Wildlife and Countryside Act 1981, and Protection of Badgers Act 1992.

12. The development hereby permitted shall not be commenced until a scheme for the maintenance of the buffer strip and the communal open spaces shown on the submitted plan has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented fully on the completion of that proportion of the total development specified in the scheme and the buffer strip and open space area shall thereafter be retained and maintained in complete accordance with the scheme.

Reason: In the interests of visual and residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

13. The development hereby permitted shall not be commenced until full details of the acoustic fence shown on Drawing No. 3227/001 Rev G received 4 April 2013 has

been submitted to and approved in writing by the local planning authority. The fencing as approved shall be installed prior to the occupation of any dwelling hereby approved and thereafter retained in such condition to ensure its effectiveness.

Reason: In the interest of the amenity of the occupiers of the dwellings in accordance with Policy ST6 of the South Somerset Local Plan (2006).

14. The development hereby permitted shall not be commenced until full details of the proposed sheds/outbuildings for Plots 17 – 22 (inclusive) and the proposed motorcycle/bicycle store have been submitted to and approved in writing by the Local Planning Authority. Once approved such details shall be fully implemented unless agreed otherwise in writing by the local planning authority.

Reason: In the interests of visual and residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

15. The development hereby permitted shall not be commenced until details confirming that the dwellings will be built to Code for Sustainable Homes Level 4 (December 2006) have been submitted to and approved in writing by the Local Planning Authority. Once approved such details shall be fully implemented unless agreed otherwise in writing by the local planning authority.

Reason: In order to support the move to a low carbon future in accordance with paragraph 95 of the NPPF.

16. Demolition or construction works or deliveries to the site shall not take place outside 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays nor at any time on Sundays or Bank Holidays.

Reason: In the interests of residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

17. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- a) the parking of vehicles of site operatives and visitors
 - b) loading and unloading of plant and materials
 - c) storage of plant and materials used in constructing the development
 - d) measures to control the emission of noise, dust and dirt during construction
 - e) routing of construction vehicles

Reason: In the interests of residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

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

Reason: In the interests of visual and residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no garages/outbuildings shall be erected other than those expressly authorised by this permission.

Reason: In the interests of visual and residential amenity in accordance with Policy ST6 of the South Somerset Local Plan (2006).

Informatives:

01. Before this development can commence, a Licence in respect of badgers will be required from Natural England. You will need to liaise with your ecological consultant for advice and guidance on the application for this licence.
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Area North Committee – 22 May 2013

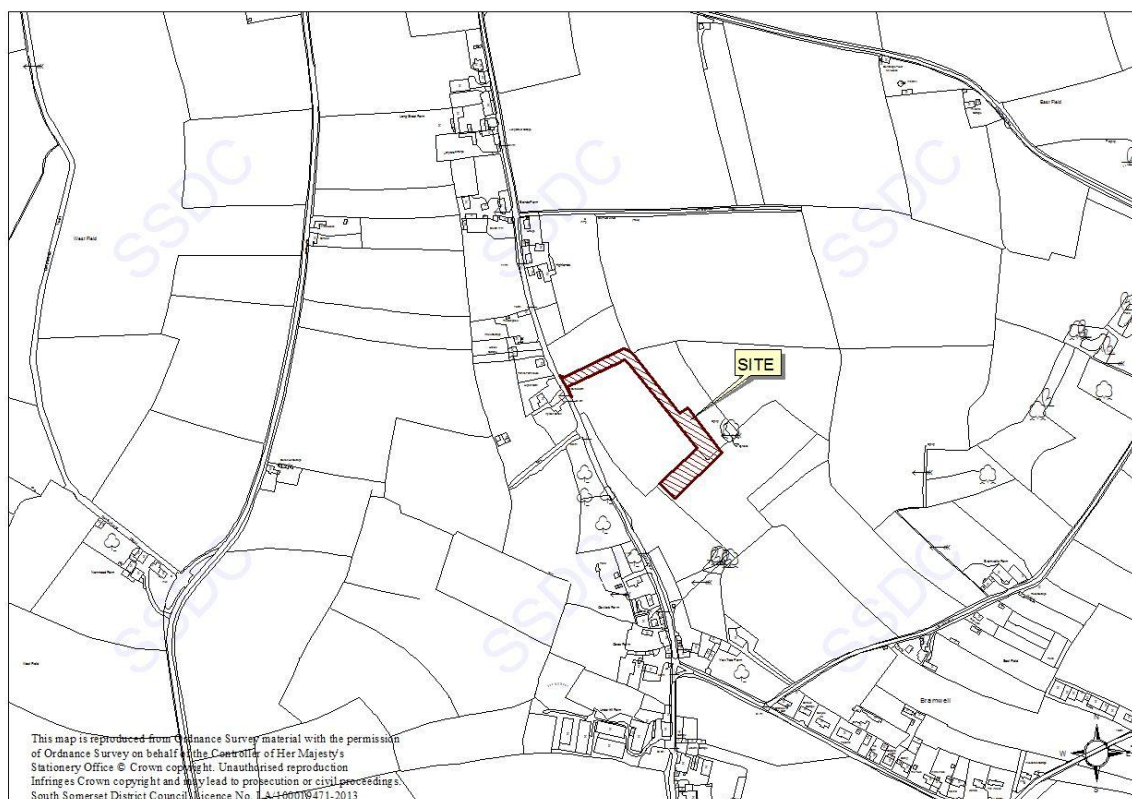
Officer Report On Planning Application: 12/04412/FUL

| | |
|-------------------------------------|--|
| Proposal : | Erection of calf rearing unit, siting of temporary agricultural workers dwelling and improvement to existing access (GR:343013/130054) |
| Site Address: | Land East Of Long Street, High Ham |
| Parish: | High Ham |
| TURN HILL Ward (SSDC Member) | Cllr Shane Pledger |
| Recommending Case Officer: | Alex Skidmore Tel: 01935 462430 Email: alex.skidmore@southsomerset.gov.uk |
| Target date : | 14th January 2013 |
| Applicant : | Mr J Godfrey And Mrs L Bebbington |
| Agent: (no agent if blank) | Mr Clive Miller, Sanderley Studio, Kennel Lane, Langport, Somerset TA10 9SB |
| Application Type : | Minor Other less than 1,000 sq.m or 1ha |

REASON FOR REFERRAL TO PLANNING COMMITTEE

This application is being referred to Area North Committee at the request of the Ward Member, with the agreement of the Chair, in view of the level of public interest and to allow further discussion of the issues raised.

SITE DESCRIPTION AND PROPOSAL



This application is seeking full planning permission to erect a calf rearing unit, to site a temporary agricultural workers dwelling and to carry out alterations and improvements to an existing access.

The application site is agricultural land that forms part of a wider landholding totalling 25.5 acres that is located in the open countryside. The site is accessed via an existing field gateway leading on to Long Street to the west and is positioned part way down the side of this south / southeast facing hill slope towards the southern end of the landholding. The holding comprises four fields that are bounded predominantly by native hedgerows with the boundary immediately to the west of the redline site for the proposed buildings interspersed with mature trees. There are a number of residential properties located close to the holding, with the closest group of dwellings to the proposed calf-rearing building approximately 120m to the southwest, there are also several residential properties situated immediately opposite the proposed access to the site. At the time of the site visit the land was being used to graze sheep.

HISTORY

None.

POLICY

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

The development plan comprises The Somerset and Exmoor National Park Joint Structure Plan Review and the South Somerset Local Plan (2006):

The policies of most relevance to the proposal are:

Somerset and Exmoor National Park Joint Structure Plan (1991-2011):

STR1 - Sustainable Development
 STR6 - Development Outside Towns, Rural Centres and Villages
 Policy 1 - Nature Conservation
 Policy 5 - Landscape Character
 Policy 19 - Employment and Community Provision in Rural Areas
 Policy 49 - Transport Requirements of New Development

South Somerset Local Plan 2006:

ST3 - Development Areas
 ST5 - General Principles of Development
 ST6 - The Quality of Development
 EC3 - Landscape Character
 EC7 - Networks of Natural Habitats
 EC8 - Protected Species
 EP1 - Pollution and Noise
 EU4 - Water Services
 HG15 - Agricultural and Forestry Dwellings

National Planning Policy Framework:

Part 1 - Building a strong, competitive economy

- Part 3 - Supporting a prosperous rural economy
- Part 4 - Promoting sustainable transport
- Part 6 - Delivering a wide choice of high quality homes
- Part 7 - Requiring good design
- Part 8 - Promoting Healthy Communities
- Part 10 - Meeting the challenge of climate change, flooding and coastal change
- Part 11 - Conserving and enhancing the natural environment

CONSULTATIONS

High Ham Parish Council: Recommends refusal and made the following comments:

- There is no meaningful information is available to assess whether the new enterprise is viable and will become profitable.
- PPS7 states that planning authorities should not normally give temporary permissions in locations where they would not permit a permanent dwelling. We do not believe that the planning authority would look favourably upon a permanent dwelling in this location.
- We question whether there are special circumstances in this instance that makes allowances for a dwelling in this location.
- The submission does not address the question of whether the functional need could be fulfilled by other existing accommodation.
- The agricultural building will have a significant impact on the landscape and be dominant feature for miles around.
- We have concerns in respect of the impact of the proposal upon the quality of ground water from the storage of manure as well as odours.
- We have concerns about the impact of noise resulting from this proposal will have on local residents.
- Concerns about increased traffic. Long Street is a single track road and unsuitable for heavy goods vehicles. This concern also applies to the many smaller feeder roads to and from the site. We question the number of vehicle movements suggested by the applicants.
- The proposed access and track along with the agricultural building will introduce a huge scar on the landscape and ruin a beautiful natural hillside where there are no existing structures.
- There has been severe flood problems in the area in recent years with the drainage infrastructure unable to cope with heavy storm waters. No flood assessment has been provided or information provided to demonstrate how water run-off will be managed.
- Given the significant gaps in the case put forward the Parish Council recommend that the planning authority employ a qualified professional to scrutinise the viability of this scheme.

Technical Officer: No comment

County Highways: Raised sustainability concerns given the location of the site remote from adequate services, facilities and public transport but acknowledged that it must be a matter for the LPA to determine whether the site is suitable for a new dwelling and can be appropriately justified.

The proposal incorporates a number of improvements to the existing access, should the LPA grant consent I recommend that conditions relating to the following matters be imposed:

- gradient of the access not to be greater than 1 in 10;
- provision of a properly consolidated access;
- surface water drainage scheme to prevent discharge onto the highway;
- provision of the parking area;
- no obstruction to visibility greater than 900mm;
- any entrance gates to be set back a minimum distance of 10m from the highway and to open inwards.

County Archaeology: No objections.

English Heritage: The application should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice.

Environmental Protection: No objections

Landscape Architect: If there is sufficient justification for the proposed buildings then I can confirm that the location before us is the most appropriate site within the holding. The application broadly follows my previous advice to the applicant in terms of the siting and orientation of the calf-rearing building and the use of muted colours for the building materials. Should the application be recommended for approval please condition the colour of the roof cladding and a planting proposal.

Agricultural Development Officer: (Latest comments) I am familiar with each of the farms that the letters and emails of support have been received from and removes my concerns about the applicants' access to sufficient numbers of calves to make the business case viable.

(Initial comments) I consider the proposed business of intensive calf rearing to be viable on this size of holding, also the applicants seem to have the necessary experience and skills to undertake the proposed venture. The applicants have demonstrated clear evidence of a firm intention and ability to develop the enterprise. I conclude that the size of the proposed agricultural building to be sufficient to accommodate the proposed number of calves along with winter storage of fodder and machinery and that its design is fit for purpose. Whilst I am comfortable with the economic requirement of the agricultural building clarification is required in the following areas to demonstrate the functional need for the dwelling:

- i) Information should be provided detailing who the contract rearing will be for and that there is a continued growth in the demand for such services.
- ii) Confirmation of the age that the calves will be returned to their respective farms. If this is at six months of age this would suggest that there will not be 240 calves on the farm the whole year round in the first year. The applicant should provide details of the expected number of calves on the farm broken down by each month.

REPRESENTATIONS

Written representations have been received from twelve local residents, two in support of the proposal and 10 opposed.

The ten representations objecting to the proposal made the following comments and observations:

- This is a greenfield site where planning is not usually granted for residential development. This is creeping urbanisation.
- This will spoil the landscape.
- Inappropriate location given that there are no existing buildings on this land. The proposal could set a precedent for others.
- The position and size of the development, on raised ground, will be an eyesore that is visible from across the valley.
- Additional traffic on the village roads.
- The proposed access on to the highway is too narrow and has poor visibility.
- Adverse impact upon highway safety due to the size of livestock lorries and the narrow width of the local road network and harm to the condition of the road surface which is already breaking up.
- Deposition of muck and increased run-off on to the highway.
- Make the current flooding problems at the lower end of Long Street worse.
- The local surface water drainage system is already overloaded, our property has recently been flooded as a result.
- There a number of springs and areas of boggy ground within the site.
- This is a residential area.
- Adverse impact on residential amenity resulting from unpleasant odours and increased noise.
- Potential contamination of local springs which supply water to some properties locally.
- The proposal provides no local employment or other benefits to the local area.
- If the business is not successful the calf rearing building will not be removed. Change of use could be to anything.
- When a permanent dwelling is built the business might cease.
- The viability and need for this business is questionable. The demand for calf rearing and specifically dairy replacements has been in decline for the last decade which t size of the average dairy herd has increased with dairy farmers becoming specialists in rearing their own replacements themselves.
- At the parish meeting the applicants stated that the calf business would only support one person on a minimum wage and that they did not intend to expand the business.
- The holding is too small to cope with the amount of muck that will be produced. The proposed dwelling is not necessary, there is existing property available locally.
- This type of business does not require a dwelling on site.

The two representations in support of the proposal made the following comments and observations:

- It is a pleasant change to have a young couple with a family planning for a future in this village, especially in agriculture.
- It is important for agriculture to be part of this rural village.
- The applicant's plan to plant hedging and trees to partially screen the unit from view and to harvest rainwater which will help with the flooding issues.
- The existing access has already been used by large tractors and silage trailers.
- The applicants have already re-routed water that flowed off the field into the road back into the ditches.
- The applicants have shown knowledge and a willingness to help and improve issues within the community and will be an asset to our rural community.

APPLICANT'S CASE:

The applicants, James Godfrey and Lisa Bebbington, are both from farming families and have worked in the rural sector for many years. James Godfrey is a self-employed agricultural worker and Lisa Bebbington is self-employed rearing calves along with other farm / equestrian related work. They currently reside in the Wincanton area and have purchased this landholding to start up their own business specialising in calf-rearing, which they state has a long-term demand. They state that it is essential for someone to reside on site within sight and sound of the livestock unit for animal welfare reasons and that the holding is not currently supported by a dwelling and there are no existing buildings that could be converted for this purpose. They state that:

- The enterprise is based on a sound business plan;
- Has adequate funding available to start up and run the business and afford to pay a full-time worker along with all other overheads;
- The applicants have extensive specialist calf-rearing knowledge, skills and experience;
- There is an essential need for at least one full-time worker to live on site;
- There will be no adverse impact on the built environment or landscape character or cause any conflict with the residential amenity of nearby properties;
- The proposal includes improved access arrangements to the holding.

CONSIDERATIONS

This application is seeking full planning permission to erect a calf-rearing building (measuring approximately 36m long, 12.5m wide and up to 6m high), to site a temporary agricultural workers dwelling in association with the proposed calf-rearing enterprise and to carry out alterations to the access.

Principle:

The site is located in the open countryside, remote from any established settlements or development areas where new residential development is to be strictly controlled. Policy HG15 of the South Somerset Local Plan however makes provision for agricultural workers dwellings and sets out a number of tests against which such proposals should be assessed and justified:

"Proposals for agricultural or forestry worker dwellings will only be permitted in the countryside where:

1. *The dwelling is essential for the proper functioning of the enterprise so that one or more workers would be readily available at most times. In cases where a functional test alone is not conclusive, it may be appropriate also to apply a financial test;*
2. *The need is for accommodation for a full-time worker, or one primarily employed in agriculture;*
3. *No other housing accommodation is available for occupation locally by the worker concerned that would fulfil the functional need;*
4. *The necessary accommodation cannot be provided by the conversion of an existing building or structure on the holding.*

.. Where there is inconclusive evidence supporting the need, temporary planning permission may be granted for temporary accommodation on a new farm unit, to

allow three years to test the viability of the proposal.

The renewal of a temporary planning permission for temporary accommodation will not be granted if the case for permanent accommodation has not been made by the end of the temporary period."

It is noted that the emerging Core Strategy, which has limited weight, incorporates very similar policy guidance under Policy HG8 with regards to demonstrating an essential need for such dwellings.

The NPPF is clearly supportive of rural enterprises as well as the protection of the countryside. Paragraph 55 of the NPPF states 'Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside'.

Viability and Functional Need

SSDC's Agricultural Development Officer has acknowledged that the nature of calf-rearing operations are such that there can be a need for 24 hour on-site supervision for animal welfare reasons. The provision of testimonials from a number of local established farmers demonstrates that there is a demand for this type of service and it is accepted that the business case put forward is based on a viable long-term strategy. The applicants have acknowledged that in the first year the unit may take a number of months before it is running at full capacity but that this will depend on the type of contract they have with their clients, i.e. with calves either arriving in smaller monthly batches and gradually building up the numbers or in block batches every six months. After the initial six months of operating however they anticipate being at full capacity thereafter (120+ calves on site at any one time). On this basis it is accepted that the holding could have sufficient work for at least one-full time worker and potential a need for 24 hour on-site supervision.

Given that the applicants are unable to secure a calf-rearing contract until planning permission has been granted there is an element of uncertainty as to eventual livestock numbers and the operational requirements of the holding. Policy HG15 however allows for the provision of temporary accommodation where the evidence supporting the need for an agricultural dwelling is inconclusive. In this instance, taking into consideration the viable nature of the proposed business plan, the applicants agricultural experience and the testimonials provided by potential clients it is considered that a sufficiently robust case has been made to allow a temporary dwelling for three years. Over this period the applicants will have the opportunity to build up the business and to demonstrate its long-term functional requirements and viability prior to applying for a permanent dwelling.

Availability of Other Accommodation

The proposal is sought to set up a new agricultural holding and it is acknowledged that there are no existing dwellings on this holding or existing buildings that could be converted to habitable accommodation. The applicants do not appear to have given much consideration to other existing accommodation that might be available within the wider locality, such as the nearby villages of High Ham and Low Ham. Having reviewed the available accommodation within these villages and the nearby surroundings there does appear to be a number of properties for sale, however these properties are all in excess of £300k and many a great deal more expensive. It is arguable however that such accommodation could either be affordable or be practical in terms of meeting the on-site functional needs of the business, it is therefore accepted that there is no existing

suitable accommodation available to meet the needs of the proposed holding.

For these reasons the proposed temporary dwelling is considered to be acceptable in principle.

Landscape and visual amenity concerns

The proposed calf-rearing building, which measures approximately 36m long, 12.5m wide and up to 6m high, and temporary dwelling are to be sited on the side of a south / southeast facing hill slope and will be accessed via a new track which will run eastwards across the brow of the hill before taking a southerly direction directly down the face of the hillside.

The proposed access track is to be laid with hardcore and subsequently seeded with grass to ensure that it blends into the side of the hill, and the siting of the proposed buildings, lower down the hillside alongside an existing field hedgerow, should be relatively unobtrusive within the wider landscape. The Landscape Officer has raised no substantive landscape objections to the proposal and is of the view that the siting of the buildings is the most suitable on this holding from a landscape perspective and that the finishing of the track with grass should ensure that this element of the proposal assimilates acceptably into the side of the hill.

For these reasons, and subject to suitable conditions relating to the colour of the roofing material for the agricultural building, the construction methods and surfacing of the access track and the provision of a planting scheme, the proposal is considered to raise no substantive landscape or visual amenity concerns.

Residential amenity

There are a number of residential properties situated close to the holding with the closest group of dwellings to the proposed calf-rearing building located approximately 120m to the southwest and several other properties located immediately opposite the proposed access to the holding. A number of local residents have expressed concern in respect of odour and noise in respect of the calf-rearing operation. The Environmental Protection team have been consulted in this respect but are of the opinion that the proposal is unlikely to result in a statutory nuisance to nearby residents. Bearing this in mind and taking into account the scale of the proposal and the intervening distance it is considered that the proposed development should not cause any demonstrable harm to the residential amenities of neighbouring residents.

Access and highway safety

The proposed development is to be accessed via an existing field gateway leading on to Long Street that runs along the west boundary of the holding. The proposal includes improvements to the visibility splays, repositioning of the gateway 10 metres back from the edge of the carriageway and laying concrete hardstanding at the access. The highway authority is satisfied with the proposed alterations to the access and has raised no specific highway safety concerns, subject to the imposition of a number of conditions.

It is noted that the Parish Council and a number of local residents have raised concerns in respect of the narrow width and poor condition of the local road network which they feel is not suitable to accommodate any significant increases in traffic or large farm vehicles. Whilst it is accepted that the local road network is relatively narrow with limited passing places and that the proposal is likely to result in an increase in traffic, particularly farm traffic, to the site bearing in mind the agricultural nature of the proposal and its

relatively modest scale the overall level of traffic is unlikely to cause any significant highway safety issues. As such it is considered unreasonable to object to the proposal for reasons of highway safety.

Flooding and drainage

The Parish Council and a number of local residents have raised concerns in relation to flooding and drainage, stating there has been recent flood problems in Low Ham during storm events and that they are worried that the proposed development could add to this issue. They have also raised concerns that dirty water runoff could contaminate local water supplies.

The application site is not located within either flood zones 2 or 3 and is not therefore considered to be at risk of flooding. A drainage condition forms part of the officer's recommendation which will address water runoff and on this basis there is no reason why the proposed development should cause any significant increase in flooding elsewhere. The proposed development falls under the standing advice of the Environment Agency which raises no specific concerns and the Council's Technical Engineer has made no objection or observations in respect of the scheme.

In regard to the contamination issues, the site is not located within a ground water catchment area and there is no evidence available to suggest that the proposed development will adversely affect water quality in the locality.

Archaeology

There are two scheduled ancient monuments within the local area, both are sites of roman villas, one approximately 1.1km to the southeast at Low Ham and the other approximately 1.9km to the east at Stowey Hill. Neither English Heritage or County Archaeology have raised any concerns or objections to the proposed development, as such the proposal is not considered to adversely affect the setting of these scheduled ancient monuments.

Conclusion

Having regard to the information provided with this application it is considered that the applicants have demonstrated a sufficiently robust case in support of the need for a temporary dwelling in association with the proposed calf-rearing enterprise. The proposed development raises no substantive landscape or visual amenity concerns, is not considered to cause any demonstrable harm to the residential amenities of nearby properties or to be unduly prejudicial to highway safety or lead to any significant adverse effect on flooding in the area. For these reasons the proposed development is considered to comply with the aims and objectives of the NPPF and Policies ST3, ST5, ST6, EC3, EP1 and HG15 of the South Somerset Local Plan and is therefore recommended for approval.

RECOMMENDATION

Grant permission

Justification

The proposal is considered to have satisfied the functional requirements for a temporary agricultural workers dwelling and the overall scheme is considered to respect the character of the local landscape and results in no demonstrable harm to visual or

residential amenity or highway safety in accordance with the aims and objectives of the NPPF (Parts 1, 3, 4, 6, 7, 8 and 11), Policies STR1, STR6, 5 and 49 of the Somerset and Exmoor National Park Joint Structure Plan and Policies ST3, ST5, ST6, EC3, EU4, EP1 and HG15 of the South Somerset Local 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 mobile home hereby permitted shall not be moved on site until such time as the calf-rearing building hereby permitted has been fully erected and stocked, thereafter the mobile home shall be limited for a period only expiring on 31 December 2016, on or before which date the mobile home shall be removed and the site reinstated to its former condition to the written satisfaction of the local planning authority.

Reason: In order that the circumstances can be reviewed in accordance with Policies HG15 and ST6 of the South Somerset Local Plan.

03. The occupation of the mobile home shall be limited to a person solely or mainly working at the calf-rearing enterprise hereby approved and to any resident dependents.

Reason: The Local Planning Authority would not have been prepared to grant permission but for the mobile home being essential for the proper functioning of the enterprise in accordance with Policy HG15 of the South Somerset Local Plan and Paragraph 55 of the NPPF.

04. The development hereby permitted shall be carried out in accordance with the following approved plans location plan received 19/11/2012, drawings numbered 6283-01, 6283-02 and 6283-03 received 15/11/2012 and drawing number 6251-05 received 02/11/2012.

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

05. The development hereby permitted shall not be commenced unless particulars of the colour and finish of the external roof materials for the calf-rearing building have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the rural character of the locality in accordance with Policies ST6 and EC3 of the South Somerset Local Plan.

06. Within three months of the completion of the calf-rearing unit hereby approved the access track shall be completed and surfaced in accordance with the specifications set out on drawing number 6283-02 and shall be maintained as such at all times thereafter.

Reason: To safeguard the rural character of the locality in accordance with Policies ST6 and EC3 of the South Somerset Local Plan.

07. The development hereby permitted shall not be commenced unless there has been submitted to and approved in writing by the local planning authority a scheme of landscaping. All planting, seeding, turfing or earth moulding comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of any of the dwellings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of five years from the completion of the landscaping scheme, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To safeguard the rural character of the locality in accordance with Policies ST6 and EC3 of the South Somerset Local Plan.

08. The development hereby permitted shall not be commenced unless, foul and surface water drainage details to serve the development and to prevent the discharge of surface water onto the highway, have been submitted to and approved in writing by the local planning authority. Such approved drainage details shall be completed and become fully operational before the development hereby permitted is first brought into use and shall thereafter be permanently retained and maintained.

Reason: In the interest of environmental health and to ensure the site is adequately drained in accordance with Policy EU4 of the South Somerset Local Plan.

09. At the proposed access there shall be no obstruction to visibility greater than 900mm above adjoining road level within the visibility splays shown on the submitted plan, drawing no. 6283-02. Such visibility splays shall be constructed prior to the commencement of the development hereby permitted and shall thereafter be maintained at all times.

Reason: In the interest of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan and Policy ST5 of the South Somerset Local Plan.

10. The development hereby permitted shall not be commenced unless the access has been properly consolidated and surfaced in accordance with the details set out on drawing number 6283-02, unless otherwise agreed in writing by the local planning authority. The agreed details shall be fully implemented and shall thereafter be maintained at all times.

Reason: In the interest of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan and Policy ST5 of the South Somerset Local Plan.

11. Any entrance gates shall be set back a minimum distance of 10m from the adjoining carriageway and hung to open inwards.

Reason: In the interest of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan and Policy ST5 of the South Somerset Local Plan.

12. The gradient of the access shall not be steeper than 1 in 10.

Reason: In the interest of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan and Policy ST5 of the South Somerset Local Plan.

Informatives

01. Having regard to the powers of the Highway Authority under the Highways Act 1980 the applicant is advised that the alteration of access will require a Section 184 Permit. This must be obtained from the Highway Service Manager at the Yeovil Depot, tel No. 0845 345 9155. Application for such a permit should be made at least four weeks before access works are intended to commence.
 02. Where works are to be undertaken on or adjoining the publicly maintainable highway (in respect of the creation of and subsequent maintenance of visibility splays) a licence under section 171 of the Highways Act 1980 must be obtained from the Highway Authority. Application forms can be obtained by contacting the Highway Service Manager, Yeovil Area Office, 0845 3459155. Applications should be submitted at least four weeks before works are proposed to commence in order for statutory undertakers to be consulted concerning their services.
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Area North Committee – 22 May 2013

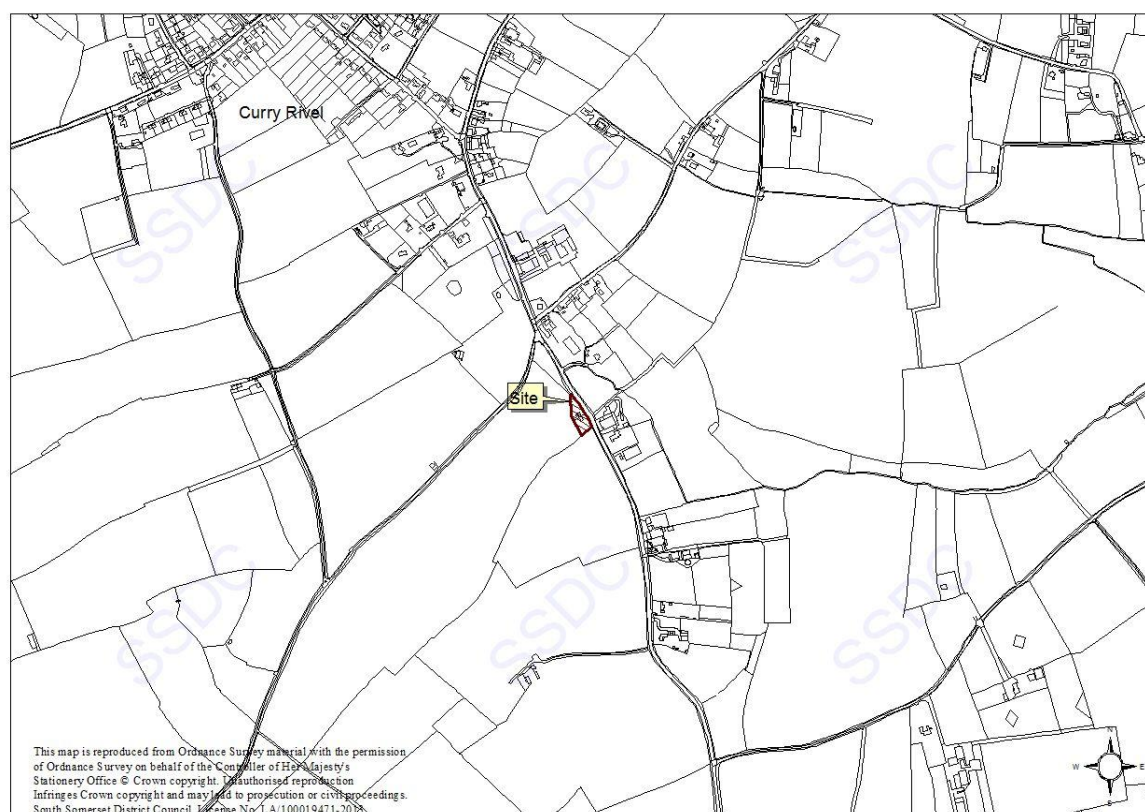
Officer Report On Planning Application: 13/00933/FUL

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|---------------------------------------|--|
| Proposal : | Adapting an access to two residential dwellings.(GR 339199/124176) |
| Site Address: | 1 And 2 The Cottages, Lower Wiltown, Curry Rivel |
| Parish: | Curry Rivel |
| CURRY RIVEL Ward (SSDC Member) | Cllr T Mounter |
| Recommending Case Officer: | Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk |
| Target date : | 2nd May 2013 |
| Applicant : | Mr H & R Lang |
| Agent: (no agent if blank) | Mr John Wratten The Waggon Shed, Flaxdrayton Farm, Drayton, South Petherton, Somerset TA13 5LR |
| Application Type : | Other Householder - not a Change of Use |

REASON FOR REFERRAL TO COMMITTEE

The application is before the committee as the recommendation for approval is contrary to an objection from the County Highway Authority on highway safety grounds in relation to a B class road.

SITE DESCRIPTION AND PROPOSAL





The proposal seeks permission for the adaptation of an existing lay-by to form a vehicular access, and to form parking areas to serve two dwellings. The properties consist of a pair of two storey semi-detached houses constructed of brick. The houses are located close to various residential properties and open countryside. The access driveway and parking area will be constructed of tarmac and gravel.

HISTORY

None relevant

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.

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)
ST5 - Principles of Development
ST6 - Quality of Development

CONSULTATIONS

Parish Council - Supports the application.

SSDC Technical Services - No comment

County Highways - Raises a concern that the two dwellings will not be served by sufficient parking and turning areas to serve both dwellings, with the proposed shared turning area possibly leading to conflicting movements occurring between the two households. In addition the highway authority is concerned that application has not demonstrated, to the highway authority's satisfaction, that the required level of visibility can be achieved on land within the application site. The highway authority notes that whilst the agent considers the proposal to be an improvement, there is no control over the existing situation and they consider that the proposal introduces new hazards. The highway authority therefore recommends refusal for the following reasons:

"Adequate provision cannot be made on the site for the parking and turning of vehicles in a satisfactory manner. The proposal is therefore contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted April 2000) and ST5 of the South Somerset Local Plan.

The proposal is contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted April 2000) and ST5 of the South Somerset Local Plan, since the adapted access does not incorporate the necessary visibility splays which are essential in the interests of highway safety."

REPRESENTATIONS

Two letters of support have been received from the occupiers of neighbouring properties and a third letter of support received from the occupier of a property elsewhere in Curry Rivel.

CONSIDERATIONS

Residential Amenity

The proposed parking areas, driveways, and vehicular access would not have any significant impact on the residential amenity of neighbouring occupiers.

Visual Amenity

The proposed parking areas, driveways, and vehicular access are considered to be appropriate in terms of material and design and are therefore not considered to cause demonstrable harm to the character of the area.

Highways

The county highway authority was consulted as to the potential impact of the proposal on highway safety. They have raised concerns with the proposal and recommend refusal on the grounds that the proposed access does not provide the visibility splays necessary to maintain highway safety, and that the proposed parking and turning layout is substandard, in that in order to enter and leave the site in a forward gear the occupiers would have to make use of a shared turning area.

However, it is noted that improved visibility can be achieved in both directions, albeit not to the standard requested by the highway authority. It is also noted that the proposal provides extensive parking and turning areas, again not quite to the standard required by the highway authority. However, whilst the standards are not quite met, the proposal, as highlighted by the neighbouring occupiers and the applicant's agent, represents a significant improvement on the existing layby arrangement. Given that the proposal represents such a significant and obvious improvement on the existing situation, and does not represent any intensification of use, it is not considered possible to sustain an argument for refusal on the basis of highway safety grounds.

Conclusion

As such, notwithstanding the concerns of the highway authority, the scheme should be recommended for approval.

RECOMMENDATION

Permission be granted for the following reason:

01. The proposal, by reason of its size, scale and materials, respects the character of the area, and causes no demonstrable harm to residential amenity or highway safety in accordance with the aims and objectives of Policies ST6 and ST5 of the South Somerset Local Plan (Adopted April 2006) and Policies STR1 and 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 details and specification set out on the following approved plans: LANG HF8-5 Rev A received 01 May 2013.

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

03. Prior to the access hereby approved first being brought into use the visibility splays in which there should be no obstruction greater than 900mm, and as denoted on drawing no. LANG HF8-5 Rev A received 01 May 2013, shall be fully provided to the satisfaction of the Local Planning Authority and shall thereafter be maintained at all times.

Reason: In the interests of highway safety and in accordance with policy 49 of The Somerset and Exmoor National Park Joint Structure Plan.

04. Before it is first brought into use, the proposed access over the first 5m of its length, as measured from the edge of the adjoining carriageway, shall be properly consolidated and surfaced (not loose stone or gravel), in accordance with details,

which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with policy 49 of The Somerset and Exmoor National Park Joint Structure Plan

05. The area allocated for access, parking and turning on the submitted plan shall be kept clear of obstruction at all times and shall not be used other than for the parking and/or turning of vehicles in connection with the residential use of the dwellings known as 1 and 2 The Cottages..

Reason: In the interests of highway safety and in accordance with policy 49 of The Somerset and Exmoor National Park Joint Structure Plan

06. Any entrance gates erected shall be hung to open inwards and set back a minimum distance of 5m from the highway.

Reason: In the interests of highway safety and in accordance with policy 49 of The Somerset and Exmoor National Park Joint Structure Plan

07. Before the access is first brought into use provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved in writing by the Local Planning Authority, before being installed.

Reason: In the interests of highway safety and in accordance with policy 49 of The Somerset and Exmoor National Park Joint Structure Plan

08. The gradient of the access shall not be steeper than 1 in 10.

Reason: In the interests of highway safety and in accordance with policy 49 of The Somerset and Exmoor National Park Joint Structure Plan

Area North Committee – 22 May 2013

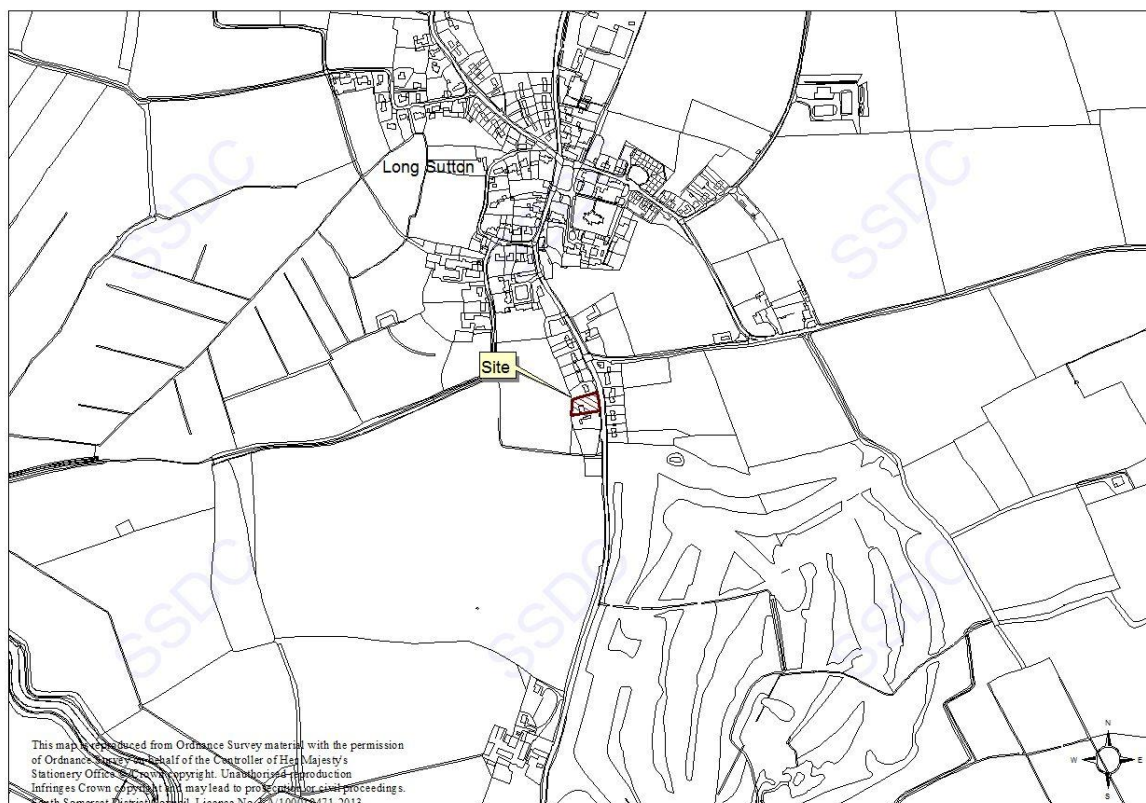
Officer Report On Planning Application: 13/00837/FUL

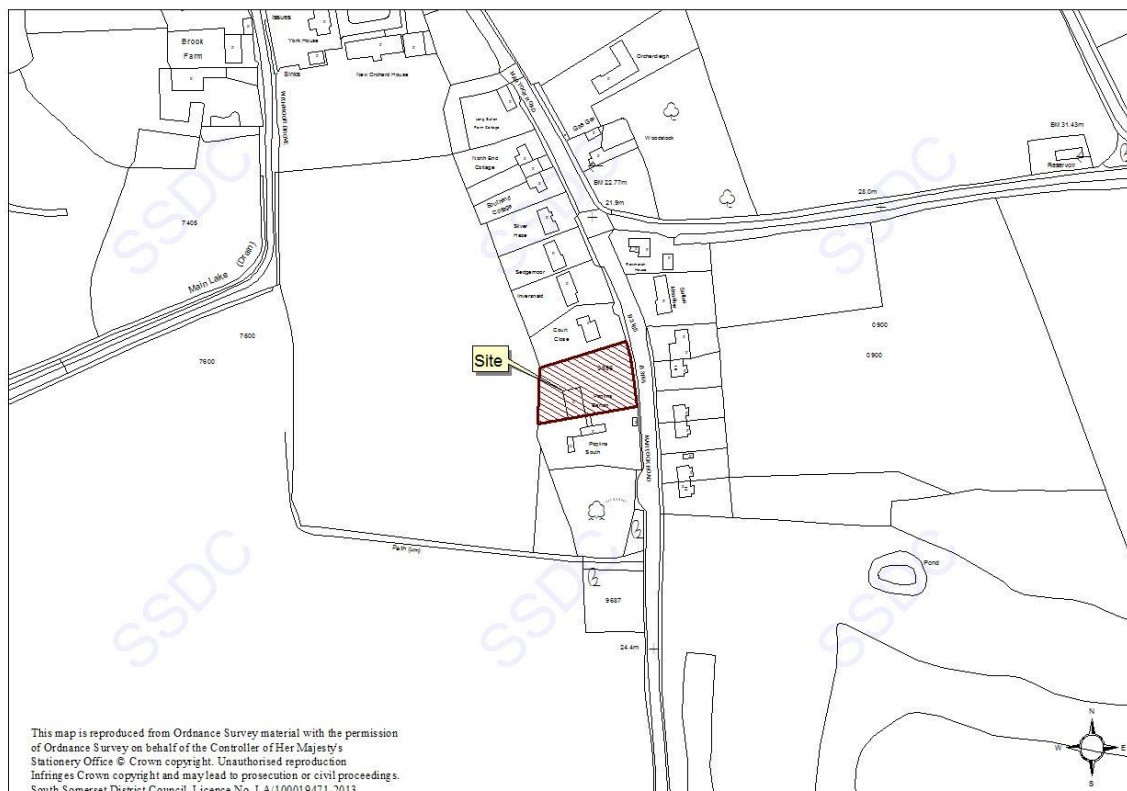
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|-------------------------------------|---|
| Proposal : | The demolition of existing bungalow, formation of new vehicular access, and erection of 2no dwellings. (GR 346935/124971) |
| Site Address: | Poplins Barton, Martock Road, Long Sutton |
| Parish: | Long Sutton |
| TURN HILL Ward (SSDC Member) | Cllr Shane Pledger |
| Recommending Case Officer: | Dominic Heath-Coleman Tel: 01935 462643 Email: dominic.heath-coleman@southsomerset.gov.uk |
| Target date : | 29th April 2013 |
| Applicant : | Mr K Rutherford |
| Agent: (no agent if blank) | Mr F Della Valle Lake View, Charlton Estate, Shepton Mallet, Somerset BA4 5QE |
| Application Type : | Minor Dwellings 1-9 site less than 1ha |

REASON FOR REFERRAL COMMITTEE

The application is referred to the committee at the request of the area chair to enable the objections of the highway authority to be fully debated. The ward member has declared an interest.

SITE DESCRIPTION AND PROPOSAL





The proposal seeks permission for the demolition of an existing bungalow, for the formation of a new vehicular access and the erection of two dwellings. The site currently contains a single storey reconstituted stone dwelling, which will be demolished to make way for the proposed. The existing dwelling currently shares a plot and vehicular access with a natural stone single storey dwelling. The natural stone dwelling is in separate ownership, and it is proposed to divide the plot, so that the retained dwelling will make use of the existing access, whilst a new access will be formed to serve the proposed dwellings. The site slopes gently to the west from the highway on the eastern edge of the site, and contains a large number of trees and shrubs. The site is located close to various residential properties and open countryside to the rear. The site is contained within a development area as defined by the local plan.

The proposed dwellings will be mirror images of each other. They will be one point five storeys high, and finished in natural stone and timber cladding, under roofs of reclaimed double roman clay tiles, with painted timber windows. It is proposed to construct the chimney stacks with red brick. The dwellings will contain integral garages. The site is currently separated from the road by a natural stone boundary wall, which it is proposed to re-align and adjust to form a new vehicular access and to achieve visibility splays. It is proposed to finish the first 5 metres of the new access in tarmac, and the remainder of the proposed driveways in self-binding gravel. It is proposed to bound the site with the re-aligned wall to the front, 1.8 metre high close board fences to the sides, and a 900mm post and rail fence to the rear.

HISTORY

None relevant

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.

For the purposes of determining current applications the local planning authority considers that the relevant development plan comprises the saved policies of the Somerset and Exmoor National Park Joint Structure Plan Review, and the saved policies of the South Somerset Local Plan.

The policies of most relevance to the proposal are:

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

Policy STR1 - Sustainable Development

Policy 49 - Transport Requirements of New Development

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

Policy ST3 - Development Areas

Policy ST5 - General Principles of Development

Policy ST6 - The Quality of Development

Policy EC3 - Landscape Character

Policy EU4 - Water Services

National Planning Policy Framework

Chapter 3 - Supporting a Prosperous Rural Economy

Chapter 6 - Delivering a Wide Choice of High Quality Homes

Chapter 7 - Requiring Good Design

Chapter 11 - Conserving and Enhancing the Natural Environment

South Somerset Sustainable Community Strategy

Goal 3 - Healthy Environments

Goal 4 - Services and Facilities

Goal 8 - High Quality Homes

CONSULTATIONS

Long Sutton Parish Council - Support the application subject to:

- All materials and design to match the amended plans as submitted.
- All highway issues satisfactorily resolved with the Highway Authority.
- All permitted development rights are removed to protect the site and landscape from additional development without planning permission.
- Satisfactory landscaping to protect the amenity of the neighbouring site to the south.

SSDC Landscape Architect - Suggests that the proposal could be seen to be over-development, but notes that the site is within the village envelope and the proposed dwellings are not overtly scaled relative to the existing dwellings. He is therefore satisfied that the site has the capacity for two houses provided that the tree officer has no concerns with the tree report. He suggests that the loss of the majority of the existing trees will change the character of the site, particularly as viewed from the west. He therefore recommends a landscaping condition, with an emphasis on additional tree planting along the site's west boundary and southwest corner.

Area Engineer - No comment

County Highway Authority - Notes that the proposed access is within a 30mph speed limit, which changes to 60mph approximately 100 metres to the south of the site. She states that whilst the site is within a 30mph zone, it is likely that traffic is travelling faster than this as accelerates and decelerates when existing and entering the village. She therefore concludes that visibility splays of 2.4m x 43m to the north and 2.4m x 70m to the south should be provided. She notes that adequate parking and turning can be provided on site. In response to further information submitted by the applicant, she notes that the required visibility cannot be achieved and recommends refusal of the application for the following reason:

"The proposal is contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted April 2000), ST5 of the South Somerset Local Plan and the NPPF, since the proposed access points to both dwellings do not incorporate the necessary visibility splays which are considered essential in the interests of highway safety for all road users."

Wessex Water - No objections

SSDC Ecologist - Having considered the application, no comments.

SSDC Tree Officer - Notes several details regarding the on site trees, but states that he has no objections to the scheme. He notes the tree protection plan that has been provided, but leaves it case officer discretion as to whether this is imposed by condition. He states that his preferred option would be to concentrate on ensuring a high quality scheme of container grown trees.

REPRESENTATIONS

One letter received from the owner of the neighbouring property to the south. The letter requests the use of landscaping, rather than the proposed boundary fence, to protect the amenity of the occupiers of his property.

CONSIDERATIONS

Principle of Development

The site is located within a development area in an area that is considered to be sustainable. As such, the principle of residential development at this location would normally be supported by local and national policies.

Residential Amenity

It is not considered that the proposed dwellings will have any significant adverse impact on the residential amenity of adjoining properties, subject to a condition to ensure that the proposed first floor windows on the side elevations are obscurely glazed and of restricted opening. There may be some inter-overlooking between the two proposed properties, given the proposed rear elevation balconies. However, it is proposed that panelled screens will be erected on the side elevation of the proposed balconies, which will help to reduce such overlooking, and the details of which can be secured through the imposition of a suitable condition. The parish council and the owner of the neighbouring

property have requested landscaping to the southern boundary to protect the amenity of the neighbouring occupier. However, such landscaping is not considered necessary given that a condition can ensure that there is no overlooking from the proposed first floor side elevation windows, and first floor windows to the rear elevation will not cause an unacceptable level of overlooking.

Visual Amenity

The proposed dwellings are considered to be of an appropriate standard of design and materials, which satisfactorily reflects the character of the area. They will be one point five storeys high, whilst the properties to either side are single storey. However, there are a number of two storey properties present in the street scene, so the height of the buildings will not appear at odds with the overall character of the area.

The Landscape Architect has indicated that he is satisfied with the impact of the scheme on the surrounding landscape subject to the imposition of a condition to secure a scheme of landscaping with an emphasis on tree planting along the site's west boundary and southwest corner.

The parish council has requested that the permitted development rights are all removed from the properties to prevent harm being caused to the surrounding landscape. However, it is not considered that the landscape or surrounding area are so sensitive as to warrant the removal of nationally granted permitted development rights, and therefore such a condition would not be necessary and would be contrary to government advice.

Highways

The highway authority has stated that due to the proximity of the site to a 60mph zone visibility of 2.4m x 43m to the north and 2.4m x 70m to the south should be provided. The agent has advised that it is only possible to achieve visibility of 39 metres to the south and 44 metres to the north. As such the level of visibility that can be achieved to the south is approximately 31 metres less than the highway authority has requested. The agent has argued that the site is 30 metres further into the 30mph zone than the highway authority has stated and that existing rumble strips alert drivers of the speed limit. He also refers to a recent decision approving a site on 30/60mph transition. However, the site referred to can achieve 90 metres of visibility to the south (towards the 60mph zone), which the highway authority consider to be satisfactory. It is not considered that the difference of 30 metres (between the 100 metres quoted by the highway officer and the 130 metres quoted by the agent) and the presence of rumble strips on the road, is sufficient reason to outweigh the highway objection on this relatively busy 'B' road.

Other Matters

The SDDC Tree Officer was consulted and raised no objections to the scheme. He left it to case officer discretion as to whether the submitted tree protection plan should be imposed by condition. He stated that his preferred option would be to concentrate on ensuring a high quality scheme of container grown trees. It is therefore not considered necessary to impose a specific tree protection condition as the tree officer is ambivalent and, in any case, this could be satisfactorily controlled through a suitable landscaping condition on any permission issued.

The SDDC Ecologist has raised no concerns.

Conclusion

Notwithstanding the acceptable impact on visual and residential amenity, and the support of the principle of the scheme, it is not considered that there is any justification to override the advice of the highway authority, and the recommendation must be for refusal of the scheme for the reason outlined by the county highway authority in their consultation response.

RECOMMENDATION

Permission be refused for the following reason:

SUBJECT TO THE FOLLOWING:

01. The proposal is contrary to Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review (Adopted April 2000), ST5 of the South Somerset Local Plan and the NPPF, since the proposed access points to both dwellings do not incorporate the necessary visibility splays which are considered essential in the interests of highway safety for all road users.
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